

INTERNAL MEMORANDUM

To: Adam Foote - Development Control Case Officer

Reference: P/24/0034

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 26th February 2024

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW1, SW3, SW4 & SW13).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the area, and any relevant historic and natural environment assets and open space, the impact on surrounding area and occupiers in terms of noise and disturbance, highway safety, traffic generation and parking provision (Policies SW10, SW11, SW12, CW1, EnW1, EnW3, EnW4 & EnW5).

The requirements of Policy EcW9 (District Heating) should also be noted.

Observations in respect of the above proposal

1. Proposed Development

An application for the construction of a new Primary School, including access, landscaping, play/sports pitches, parking, external works, swale, plant and associated works, at land to the north of Goitre Lane, Gurnos, Merthyr Tydfil.

2. Development Plan Framework

The existing development plan framework in Merthyr Tydfil is provided by:-

The Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031)

The relevant LDP Objectives are:-

- *LDP Objective 1 Sustainable Population Growth: To encourage a sustainable level and distribution of population growth.*
- *LDP Objective 2 Welsh Language and Culture: To protect and enhance Welsh language and culture.*
- *LDP Objective 3 Housing Provision: To ensure the sufficient provision of land for the delivery of a range and choice of housing and affordable housing to address local housing needs.*

- *LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.*
- *LDP Objective 5 Infrastructure: To ensure that community infrastructure and open space supports the regeneration of local communities.*
- *LDP Objective 6 Sustainable Design: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.*
- *LDP Objective 7 Transport: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 8 Community Facilities: To support existing community facilities and suitable community led development.*
- *LDP Objective 9 Heritage and Cultural Assets: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 10 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 11 Countryside and Landscape: To protect and enhance the character and appearance of the landscape and the countryside.*
- *LDP Objective 16 Renewable Energy: To promote the efficient use of materials and resources and ensure an integrated network of waste management facilities.*

The following development plan policies would apply:-

- *Policy SW1: Provision of New Homes*
- *Policy SW3: Sustainably Distributing New Homes*
- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW10: Protecting and Improving Open Spaces*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy SW13: Protecting and Improving Local Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation & Ecosystem Resilience*
- *Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species*
- *Policy EnW4: Environmental Protection*
- *Policy EnW5: Landscape Protection*
- *Policy EcW9: District Heating*

The following supplementary planning guidance is applicable:-

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 2: Planning Obligations (March 2012)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015)*

National Planning Policy

Planning Policy Wales (Edition 11, February 2021)

Planning Policy Wales provide guidance on matters relevant to this application, namely:

- Placemaking in Action: Good Design Making Better Places
- Strategic Placemaking: Accessibility
- Strategic Placemaking: Previously Developed Land
- Strategic Placemaking: Supporting Infrastructure
- Moving within and between places: Transport
- Activities in Places: Community Facilities
- Activities in Places: Recreational Spaces
- Productive and Enterprising Places: Energy
- Distinctive and Natural Places: Recognising the Special Characteristics of Places
- Distinctive and Natural Places: Recognising the Environmental Qualities of Places

Future Wales: The National Plan 2040 (February 2021)

Future Wales provides guidance on matters relevant to this application, including, but not limited to:

- Policy 1 - Where Wales will grow
- Policy 2 - Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 16 – Heat Networks
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the proposal is located within the Primary Growth Area as defined by the LDP, and within the settlement boundary where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policy SW4).

Policy SW3 allocates sites for new residential development. The application site is partially within site SW3-13 (Pen Y Dre Fields, Gurnos), which is allocated for 40 new dwellings, with an indicative delivery timescale of 2025-2026. Given that the proposal is for a new school, this would result in the loss of part of the allocated housing site, potentially impacting the delivery of some of the 2250 new residential units required over the Plan period (Policy SW1). However, the portion of the housing allocation remaining could still accommodate 40 dwellings, although a slightly higher density scheme would be required.

Policy SW9 relates to planning obligations. Given the nature of the proposal, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) would not be chargeable.

Policy SW10 states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in a loss of open space will not be permitted unless:

- It would not cause or exacerbate a deficiency of open space in accordance with the Council's open space standards or;
- The majority of the open space can best be retained and enhanced through the redevelopment of a small part of the site or;
- Satisfactory equivalent community benefit or enhanced compensatory provision can be provided in accordance with the Council's open space standards and
- In all cases, the open space has no significant nature or historic conservation importance.

A small part of the proposed development (a swale), extends into an area of designated open space. As such, it is not considered that this would have an unacceptable impact on this area. Therefore, the proposal is not considered contrary to Policy SW10.

Policy SW11 requires new development to, among other things:

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
- not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;
- contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected;
- allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.
- incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques;
- minimise the demand for energy and utilise renewable energy resources;
- provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;
- incorporate measures to improve ground and surface water quality wherever possible;
- provide adequate facilities and space for waste collections and recycling;

The site is located in close proximity to existing dwellings and a secondary school, the above points should be carefully considered. Given the nature and scale of the proposal, and the significant increase of vehicular movements on an already busy road, particular consideration should be given to the impact of the resulting traffic on local amenity and highway safety. Additionally, the proposed parking provision should be checked against the Council's current parking standards, and the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy SW12 supports development that encourages a modal shift towards sustainable transport, including the enhancement of pedestrian, cycle, rail and bus facilities, in addition to any necessary road improvements. Development proposals will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable

transport. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy SW13 states that the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies. The Council will protect and support the enhancement of the County Borough's existing community facilities. Development proposals that would result in a loss of an existing community facility will only be permitted where:-

- alternative provision of at least equivalent value to the local community can be provided nearby, or
- it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- it can be demonstrated there is no longer a viable community use for the facility.

The proposal would result in a new replacement school, with improved indoor and outdoor facilities. As such, the proposal is considered to enhance the County Borough's community facilities, and be in accordance with Policy SW13.

Policy CW1 advises that the integrity of our historic environment assets will be conserved and enhanced. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character or the historic or cultural importance of our designated historic environment assets. And that, development affecting undesignated historic environment assets including, Locally Listed Buildings or structures, Landscapes of Outstanding Historic Interest in Wales, Urban Character Areas (UCA) and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The site is located within a Landscape of Outstanding Historic Interest in Wales. As such, this and other relevant historic environment assets should be taken into consideration, and the views of the relevant Officer or external Heritage body sought in this regard, as appropriate.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW3 states that development proposals likely to have an adverse impact on Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, or Priority Habitats and Species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the conservation value of the site;
2. Adverse impacts on nature conservation features or geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development maintains and where possible enhances biodiversity and geodiversity interests.

Given the scale of the proposal, and that it would be located on undeveloped land, the views of the Council's Ecologist should be sought.

Policy EnW4 advises that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

- Pollution of land, surface water, ground water and the air;
- Land contamination;
- Hazardous substances;
- Land stability;
- Noise, vibration, dust, odour nuisance and light pollution; or
- Any other identified risk to public health and safety.

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures have been incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes. With regard to flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN 15. As such, the views of the Engineering and Traffic Group Leader and Public Health Manager should be sought in this respect. The Coal Authority should also be consulted, due to land stability/historic mining in this area.

Policy EnW5 states that development proposals will be permitted where it can be satisfactorily demonstrated that:

- a) It would not cause unacceptable harm to the character and quality of the landscape setting of the County Borough;
- b) Development within Special Landscape Areas are sensitive to their special characteristics;
- c) Development respects the local distinctiveness and historic character of the landscape;
- d) Development will safeguard local landscape character and landscape features, including views, which make a significant contribution to the character, history and setting of the locality;
- e) Development secures the enhancement of the character, appearance and quality of the landscape, through restoration, management or enhancement where possible;
- f) There is no satisfactory alternative and the benefits associated with the development can be demonstrated to outweigh the harm; and
- g) Where damage to local landscape character cannot be avoided appropriate mitigation has been secured.

Given the scale of the proposal, consideration should be given to the above points, and the Council's Landscape Architect, or other appropriate Officer, should be consulted.

The proposal would be located within a Heat Priority Area. Policy EcW9 states that within Heat Priority Areas, major development will be expected to incorporate, where viable and technically feasible, infrastructure for district heating and to connect to existing systems where available. Developers should submit an energy strategy along with their application. These should set out the consideration of energy efficiency and feasibility for incorporating of renewable energy technologies, in particular they should:

- Set out the projected annual energy demands for heat and power from the proposed development against the appropriate baseline (2006 Building Regulations Part L standards), along with the associated CO2 emissions;

- Demonstrate how these demands have been reduced via energy efficiency or low carbon energy sources such as CHP and district heating, and set out the CO2 emissions associated with the residual energy demand, and
- Consider the viability and technical feasibility of district heating and renewable energy technologies to reduce these demands.