

INTERNAL MEMORANDUM

To: Caroline Pulley

Reference: P/21/0387

From: Planning Policy and Implementation Section

Please ask for: Craig Watkins

Extension: 6277

Date: 17th December 2021

Observations in respect of the request for policy advice on planning application No. P/21/0387 – Unit 6-7, Cyfarthfa Industrial Estate, Merthyr Tydfil, CF47 8PE

1. Proposed Development

The application submitted is for the change of use of building to a gymnastics facility at Unit 6-7, Cyfarthfa Industrial Estate, Merthyr Tydfil, CF47 8PE.

2. Development Plan Framework

National Planning Policy

Future Wales – The National Plan 2040

Future Wales – The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system. Matters relevant to this application include:

Economy – page 34 and Transport Infrastructure – page 42.

Planning Policy Wales (Edition 11, December 2018)

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

- Strategic & Spatial Choices: (Paragraph 3.5 - 13) & Previously Developed Land (paragraph 3.51).
- Active and Social Places: Sustainable Transport (Paragraphs 4.1.10, 33 - 38), & Retail and Commercial Development (paragraphs 4.3.18 – 21).
- Productive & Enterprise Spaces: Economic Development (Paragraph 5.4.2 & 5.4.4).
- Distinctive and Natural Places: Historic Environment (Paragraphs 6.1.20 & 6.1.21 & 6.1.29), Water and Flood Risk (Paragraphs 6.6.14, 22 – 27 & 29), Soundscapes (Paragraphs 6.7.24) & and Lighting (Paragraphs 6.8.3 & 4).

Technical Advice Note 15: Development and Flood Risk (July 2004 under review).

Technical Advice Note TAN 18: Transport (March 2007).

Technical Advice Note 23: Economic Development (February 2014)

Technical Advice Note 12 Design (March 2016)

Local Planning Policy

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

The relevant LDP Objectives are:

- *LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued 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 9 Historic Environment: 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 12 Economic Development: To provide and safeguard appropriate land for economic and skills development.*

The following development plan policies would apply:-

- *Policy SW4: Settlement Boundaries.*
- *Policy SW9: Planning Obligations.*
- *Policy SW11: Sustainable Design and Placemaking.*
- *Policy SW12: Improving the Transport Network*
- *Policy CW1: Historic Environment.*
- *Policy EnW4: Environmental Protection.*
- *Policy EcW2: Protected Employment Sites.*
- *Policy EcW3: Retail Hierarchy: Supporting Retail Provision.*

The following Supplementary Planning Guidance is also 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).*

3. Policy Considerations

The Council formally adopted The Merthyr Tydfil County Borough Council Replacement Local Development Plan (RLDP) (2016 - 2031) in January 2020. The development proposal is considered against the policies contained within it.

The application site lies within Cyfarthfa Industrial Estate and is located within the *Primary Growth Area*. The site is also located within the defined settlement boundary, where new development can be considered acceptable in principle in accordance with LDP Policy SW4, subject to proposals being compatible with the Plan's other policies and all other material considerations.

The Cyfarthfa Industrial Estate is a protected existing employment site where Policy EcW2 is applicable. As the proposals involve the change of use from an industrial unit to a D2 use, the second part of the policy is relevant:

“Development proposals for uses other than those stipulated and that would result in the loss of employment land / premises at the above sites will only be permitted where it can be demonstrated that the proposal would not lead to an unacceptable change in the nature of the employment site and where the existing use is inappropriate or the land / premises are surplus to the requirements of the employment market.

At existing employment sites and premises outside the sites identified development proposals for non B-class uses that would result in the loss of the employment land / premises will be permitted where it can be demonstrated that the existing use is inappropriate or the land / premises are surplus to the requirements of the employment market.”

The applicant has not submitted any information to justify the loss of employment premises at this location, however information collected as part of the RLDP monitoring process can be used to assess the proposals.

At present, there are 14 units at Cyfarthfa Industrial Estate, comprising of:

- 10 units of B Class uses;
- 1 unit of D2 use;
- 3 units classed as Sui generis.

The proposed change of use would result in the loss of 2 units of B2 floorspace. The loss of this floorspace would still result in the majority of units within the estate being used for B Class uses (8 out of 14), and the units classed as Sui generis are the types of use that would typically be located within industrial locations. Therefore it can be considered that the proposals would not lead to an unacceptable change in the nature of the employment site. Two of the units that are currently B Class floorspace have been vacant for a number of months. This indicates that there may be surplus demand for this type of employment premises, in this location, at this time.

Given the information outlined above the proposals can be considered to comply with Policy EcW2.

Regard should also be had to the following policies:

The application site is located within an area of C2 Flood Zone. In this case, it would be prudent to seek the views of the Council's Highways and Drainage Engineer in relation to this and further confirmation sought from Natural Resources Wales.

Policy SW9 considers the requirement for planning obligations. However, due to the nature of the proposed development, planning obligations are not sought and Community Infrastructure Levy (CIL) is not chargeable.

Policy SW11 advises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate, new development will be required, amongst other things to:

- 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;
- 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; and
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

Policy SW12 recognises the Transport Hierarchy as outlined in PPW11, which supports development that encourages a modal shift towards sustainable transport and therefore development proposals must demonstrate how they will reduce the need to travel and encourage the use of sustainable transport. The views of the Highways Engineer in relation to this is of relevance.