

INTERNAL MEMORANDUM

To: Adam Foote - Development Control Case Officer

Reference: P/24/0054

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 2nd April 2024

Summary

No objection. The development complies with policies SW4, SW6 and EcW2.

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the area, the impact on surrounding area and occupiers in terms of noise and disturbance, traffic generation and parking provision, and any other relevant risks to public health and safety, including flooding (Policies SW11, SW12 & EnW4). The impact on the historic environment, nature conservation, ecosystem resilience and regionally important sites should also be given particular consideration (policies CW1, EnW1 and EnW3).

Observations in respect of the above proposal

1. Proposed Development

An application for the change of use of part of the upper floor (Unit D61) from residential (RSPCA associated staff only) to office accommodation, at RSPCA, Merthyr Tydfil Clinic, Abercanaid Industrial Estate, Abercanaid, 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 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 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 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 SW6: Hoover Strategic Regeneration Area*
- *Policy SW9: Planning Obligations*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation and 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 EcW2: Protecting Employment Sites*

The following supplementary planning guidance is applicable:-

- *SPG2: Planning Obligations*
- *SPG 5: Nature and Development*

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: Previously Developed Land
- Moving within and between places: Transport
- Economic Infrastructure: Economic Development
- Recognising the Special Characteristics 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 33: National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The application site is within the Willows/Abercanaid Industrial Estate, Merthyr Tydfil (Policy EcW2). The site is located within the Primary Growth Area and settlement boundary where new development can be considered acceptable in principle (LDP Policy SW4) subject to proposals being compatible with the Plan's other policies and all other material considerations.

The Hoover Strategic Regeneration Area (Policy SW6) has been identified to facilitate a major mixed-use development. Development proposals will be required to incorporate sustainable placemaking design principles relating to movement, development, and green infrastructure and open space. Approximately 6.5 hectares of vacant and underused land has been identified for new employment uses at the Willows/Abercanaid Industrial Estate.

Policy SW9 considers the requirement for planning obligations. Due to the nature of the development, Community Infrastructure Levy (CIL) and Planning Obligations would not be 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 to (amongst other things):

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- 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;
- 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;

Considering the nature of the development and the location of the site (in close proximity to existing industrial and commercial uses) particular consideration should be given to the impact of the development on surrounding occupiers in terms of loss of privacy, and increased disturbance and traffic movements. As such, the views of the Council's Environmental Health department and the Engineering and Traffic Group Leader should be sought where appropriate.

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. Developments 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 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 application site lies within the UCA 9: West Merthyr, including Heolgerrig and Gellideg Urban Character Area, and the Merthyr Tydfil Landscape of Outstanding Historic Interest. As such, the views of the appropriate Council Officer, or Heritage body, should be sought as required.

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.

The application site is adjacent to the Afon Taf Site of Importance to Nature Conservation (SINC 58). As such, 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.

Policy Enw4 seeks to protect against negative environmental impacts and, as such, the Environmental Health department should be consulted. The application site is also located within flood zone B, as illustrated on the Constraints Map. As such, Natural Resources Wales should be consulted accordingly.

Policy EcW2 advises that, at Pengarnddu, Pant Industrial Estate, Goatmill Road, EFI Industrial Estate, Cyfarthfa Industrial Estate, Triangle Business Park, Merthyr Tydfil Industrial Park, The Willows/Abercanaid Industrial Estate, and at allocated employment sites, development will be permitted if:

- It is within Use Classes B1(b), B1(c), B2 or B8; or
- It provides an ancillary facility or service that supports the primary employment use, or
- It is an acceptable complementary commercial service outside class B uses, or
- It is an appropriate waste management facility compatible with existing industrial and commercial activities.

The site is located within the existing employment site boundary for the Willows/Abercanaid Industrial Estate. The proposed development (the change of use of part of the upper floor to offices), would be related to the existing use of the site, and would satisfy the first criteria above. It would therefore comply with Policy EcW2.