

INTERNAL MEMORANDUM

To: Caroline Pulley - Development Management Case Officer

Reference: P/20/0153

From: Planning Policy and Implementation Section

Please Ask for: Natasha Lade

Extension: 6220

Date: 24th July 2020

Observations in respect of the request for policy advice on planning application no. P/20/0153 at land adjoining 48 High Street, Trelewis, Street Merthyr Tydfil, CF46 6AB.

1. Proposed Development

The application submitted is for the erection of three dwellings on 0.1h of land adjoining 48 High Street, Trelewis, Treharris, Merthyr Tydfil, CF46 6DN.

2. Development Plan Framework

National Planning Policy

Planning Policy Wales (Edition 10, December 2018)

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

- Strategic & Spatial Choices: Access and Inclusivity (paragraph 3.6), Environmental Sustainability (Paragraph 3.7/8; Movement (paragraph 3.12) Appraising Context (3.14 & 16) and Promoting Healthier Places (paragraph 3.23) and Previously Developed Land (paragraph 3.51).
- Active and Social Places: Sustainable Transport (paragraphs 4.1.9, 10, 18 & 20 & 21); Car Parking (paragraph 4.1.50-52); and Housing (Paragraphs 4.2.24).
- Distinctive and Natural Places: Integrating Green Infrastructure and Development (Paragraphs 6.2.3-5); Development and Flood Risk (Paragraph 6.6.27); Framework for Addressing Air Quality and Soundscape (Paragraphs 6.6.7-8, 14 & 26) and Lighting Paragraph (6.8.4).

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

Technical Advice Note TAN 16: Sport, Recreation and Open Space (January 2009).

Technical Advice Note 12 Design (March 2016).

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

The relevant LDP Objectives are -

- *LDP Objective 1: To encourage a sustainable level and distribution of growth.*

- *LDP Objective 3: 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: To promote the sustainable use of previously developed land and the continued regeneration of local communities.*
- *LDP Objective 5: To ensure that community infrastructure and open space supports the regeneration of local communities.*
- *LDP Objective 6: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.*
- *LDP Objective 7: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 18: To promote the efficient use of resources and ensure an integrated network of waste management facilities.*

The following local 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 EnW4: Environmental Protection and*
- *Policy EnW5: Landscape Protection.*

The following Supplementary Planning Guidance and other guidance is also applicable: -

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 1: Affordable Housing (March 2012).*
- *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).*
- *The Council's Open Space Strategy and Action Plans (June 2016).*

3. Policy Considerations

The Council has formally adopted the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031). The proposal submitted has been considered against the policies contained within it.

The application site is located adjoining the residential area of Trelewis, which lies within the *Other Growth Areas* settlement boundary, where Policy SW4 applies. Here new development is considered acceptable in principle; subject to the proposal, being compatible with the Plan's other policies and all other material considerations. Although, the application site does not lie within an allocated housing site, Policy SW1 includes a windfall contribution allowance.

The application site, although described as vacant scrubland, is nevertheless located within a designated area of open space, reclaimed as Parc Taf Bargoed on former colliery land, where Policy

SW10 applies. Here development proposals resulting in the loss of open space will only be permitted, amongst other things, in the following circumstances:

- *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.*

Although, Parc Taf Bargoed is classed as a strategic park containing some amenity space, according to the adopted Open Space Strategy (June 2016), the amount is insufficient to meet the required quantity standard for the wards population. Therefore, the proposal does not meet the requirements of the first criterion. Given that no evidence has been provided in support of the application, in relation to the second and third criteria, until such evidence is provided, the proposal is considered contrary to Policy SW10. This policy is supported by paragraph 3.8 of TAN 16 that states "*Some forms of development, for example housing, may affect the use of remaining playing areas, and the possible benefits offered by such development should be weighed against the possible effects on open space, which may occur.*" In light of this, the views of the Council's Landscape Architect are of relevance.

In the event that satisfactory evidence is forthcoming and the application recommended for approval, Policy SW11 is of importance given the sites location within an area of open space and adjacent to an existing residential area. It advises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. It states that 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,*
- *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 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 and*
- *promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.*

Additionally, Policy SW12 recognises the transport hierarchy as outlined in PPW10, which supports development that encourages a modal shift towards sustainable transport. Therefore, development

proposals should demonstrate how they intend to reduce the need to travel and encourage the use of sustainable transport. Given that an extension to the highway with crossovers onto it are proposed, to access on-site parking provision, it would be prudent to seek the views of the Highways and Drainage Engineer.

In addition, Policy EnW4 states that development proposals will be required to demonstrate that they would not result in an unacceptable impact on people, residential amenity, property, and / or the natural environment from amongst other things:

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

To this end, the views of the Public Health Officer are relevant and where impacts are identified the applicant should be required to demonstrate that appropriate measures can be incorporated to reduce, or minimise the impact to the lowest possible acceptable level. Planning conditions could be imposed or legal obligation requested to secure any necessary mitigation and monitoring processes both during and post construction.

Finally, Policy SW9 relates to Planning Obligations. Given that the proposal is for three dwellings, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, in this instance, would not be required. Community Infrastructure Levy (CIL) is not chargeable on residential development in this part of the County Borough.