

# INTERNAL MEMORANDUM

**To:** David James - Development Management Case Officer  
**From:** Planning Policy  
**Please ask for:** Natasha Lade  
**Ext.:** 6220

**Date:** 25<sup>th</sup> November 2021

**Ref:** P/21/0385

**Observations in respect of the request for policy advice on planning application No. P/21/0385 at land to the rear of 64 - 66 Clare Street, Twynyrodyn, Merthyr Tydfil, CF47 0YL.**

## **1. Proposed Development**

The application submitted is for the erection of a block of three single garages on 85 sqm of vacant land at the rear of 64 – 66 Clare Street, Twynyrodyn, Merthyr Tydfil.

## **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:

Low Carbon pages - 48, 56, 59, Travel - pages 55, 64, 83, 85, 86, 88, 162, 174 (Policy 36 – South East Metro), 175 & 182 and Strategic Placemaking Principles – pages 66 & 69.

#### **Planning Policy Wales (Edition 11, February 2021)**

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

- Strategic & Spatial Choices: Accessibility and Inclusive Design (paragraphs 3.5, 9, 10, 12, 13, 16 & 51) & Promoting Healthier Places (paragraph 3.19).
- Active and Social Places: Sustainable Transport (paragraphs 4.1.10, 12, 15, 29, 33, 34 & 38.), Car Parking (paragraphs 4.1.51 & 54).
- Distinctive and Natural Places: The Historic Environment (paragraphs 6.1.21 & 29), Integrating Green Infrastructure and Development (Paragraph 6.2.5), Water and Flood Risk (paragraphs 6.6.5, 18, 19, 24, 26 & 29); Air Quality and

Soundscape (paragraphs 6.7.5, 6, 7, 14, & 24); SuDs (Paragraph 6.17 & 18) & Lighting (paragraph 6.8.4).

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

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

**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 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 that 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 Objective10: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*

The following local development plan policies would apply: -

- *Policy SW4: Settlement Boundaries.*
- *Policy SW10: Protecting and Improving Open Spaces.*
- *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 and*
- *Policy EnW5: Landscape Protection.*

The following Supplementary Planning Guidance is also applicable: -

- *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)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 6: A Design Guide for Householder Development (September 2015)*

### 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 comprises an area of vacant land situated between the rear of properties within the Twynyrodyn residential area and the rail line, lying within the Primary Growth Area and settlement boundary where Policy SW4 applies. Here new development can be considered acceptable in principle subject to proposals being compatible with the Plan's other policies and all other material considerations.

The application property also sits within a Flood Zone B as illustrated on the LDP Constraints Map. Figure 1 of TAN 15 describes B zones as areas known to have been flooded in the past. Paragraph 6.2 states *"New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue"*.

Figure 2 describes the vulnerability of development, with residential categorised as highly vulnerable and car parking as less vulnerable development. Given that the proposal is situated in a Zone B the proposal is likely to be acceptable in flood risk terms. However, the applicant should be made aware of the flood risks so that consideration can be given to the incorporation of design features to minimise risks in line with TAN15 and further confirmation should be sought from Natural Resources Wales.

The application property also lies within the South of the Town Centre: Plymouth Street Area Urban Character Area and the Merthyr Tydfil Landscape of Outstanding Historic Interest. Accordingly, Policy CW1 is relevant, which aims amongst other things, to support localised management initiatives, regeneration and conservation schemes in relation to urban character areas and appropriately inform the process of change with regard to historic landscapes.

Policy SW11 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, elevation 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.
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

The application site also lies within land identified for the South East Wales Metro (Merthyr Tydfil Valley line) Improvements where Policy SW12 is applicable. Although Policy SW12 does not specifically safeguard the land, the route is identified in the South East Wales Local Transport Plan to enable a modern, accessible integrated transport system. In addition, PPW11 supports development that encourages a modal shift towards sustainable transport and therefore development proposals should demonstrate how they will reduce the need to travel and encourage the use of sustainable transport. Given this, and that access to the garages would be gained via a lane to the rear the residential properties in Clare Street, it would be prudent to seek the views of the Highways and Drainage Engineer.

Regard should also be had to Policies EnW1 and EnW3, which seek to maintain and enhance biodiversity interests. Given that the application site sits within proximity of SINC 58 - Afon Taf, albeit located across the other side of the rail line, the views of the Council's Ecologist should be sought.

In addition, the application site also lies within proximity of an area of designated open space and regard should be had to Policies SW10 and EnW5, which afford protection for open space and the wider landscape in general. Given this, the views of the Council's Landscape Architect should also be sought.

Finally, 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 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.

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