

INTERNAL MEMORANDUM

To: David Cross - Development Control Case Officer

Reference: P/21/0056

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 8th March 2021

Summary

No objection raised. The development meets the relevant LDP policy (SW4 - Settlement Boundaries).

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 (Policies SW11 & EnW4). Traffic generation and parking provision (Policy SW12) should also be particularly considered, as the proposal would result in the loss of a number of existing parking spaces at the Leisure Village Site.

The requirements of policies EcW3 and EcW6 should be particularly noted, in terms of an assessment of need, the sequential test, and the impact on the vitality and viability of town or local centres.

The requirements of Policy SW9 should also be noted.

Observations in respect of the above proposal

1. Proposed Development

Application for the erection of drive thru coffee shop (Class A1 use), and associated works, at land within the car park of Merthyr Tydfil Leisure Village.

2. Development Plan Framework

The emerging 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 11 Countryside and Landscape: To protect and enhance the character and appearance of the landscape and the countryside.*
- *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 EcW3: Retail Hierarchy - Supporting Retailing Provision*
- *Policy EcW6 Out-of-Town Retailing Areas*

The following supplementary planning guidance is applicable:-

- *SPG2: Planning Obligations*
- *SPG4: Sustainable Design*

National Planning Policy

Planning Policy Wales (Edition 11, February 2021)

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

- *Placemaking in Action: Good Design Making Better Places*
- *Strategic Placemaking: Previously Developed Land*
- *Activities in Places: Retail and Commercial Development*
- *Recognising the Special Characteristics of Places: The Historic Environment*
- *Recognising the Environmental Qualities of Places: Water and Flood Risk*

Future Wales: The National Plan 2040 (February 2021)

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

- *Policy 6: Town Centre First*
- *Policy 33 – National Growth Area – Cardiff, Newport and the Valleys*

3. Policy Considerations

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 site is currently part of the car parking area serving Merthyr Leisure Village.

Policy SW9 considers the requirement for planning obligations. In this instance no planning obligations for the provision of any type have been sought as this would likely render the development financially unviable. Community Infrastructure Levy (CIL) is chargeable on A1 uses.

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):

1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
3. 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;
4. 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.
5. 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;

Considering the nature of the development, and the location of the site (in close proximity to existing commercial and leisure uses) consideration should be given to the above issues. The proposal would result in the loss of number of existing parking spaces, which serve Merthyr Leisure Village. As such, the views of the Council's Engineering and Traffic Group Leader should be sought, to ensure that the remaining parking provision is adequate, and that the development does not have an unacceptable impact on local amenity or highway safety and satisfies the Council's parking standards. It is noted that a Transport Assessment has been submitted with the applicatio

LDP 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 Council's Engineering and Traffic Group Leader should be sought where appropriate.

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. Development affecting

undesigned 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 is located within Urban Character area 9 – West Merthyr. As such, the views of the relevant Council Officer should be sought where appropriate.

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. As such, the views of the Environmental Health department should be sought as appropriate

Policy EcW3 states that Merthyr Tydfil Town Centre is the favoured location for retail, leisure, and other complementary development, being situated at the head of a retail hierarchy and being followed by the local centres of Dowlais, Gurnos, Cefn Coed and Brecon Road/Morgantown, Troedyrhiw, Aberfan, Treharris and a new local centre forming part of the 'Hoover Strategic Regeneration Area'. Proposals for new and enhanced retail, leisure and other complementary provision in all these centres will be permitted where they improve the vitality and viability of the centre(s) concerned. Outside the above centres, proposals will be subject to an assessment of need and a strict application of the sequential test. Proposals will then only be permitted where they avoid causing harm to town/local centre vitality and viability.

Policy EcW6 states that proposals for retail development on new sites or existing retail areas in out-of-town locations, including changes of use, extensions, the merger or subdivision of existing units or amendments to existing planning conditions relating to the sale of goods will only be permitted where:

- It can be demonstrated that there is an additional need for the proposal which cannot be provided within an existing town or local retail centre, and
- The proposal would not either individually or cumulatively with other existing or consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town or local centres.

The requirements of the above policies will need to be fulfilled, given that the proposal would result in the addition of an A1 unit in an out-of-town and out-of-centre location. However, it is noted that, given the nature of the development (a drive-thru coffee shop), certain town centre and local centre locations would not be appropriate, and that the precedent of locating

a development of this type at Merthyr Leisure Village has been established. It is also noted that a Sequential Assessment has been submitted with the application.