

DELEGATED REPORT

Application No:	P/23/0020
Site Address:	Parcels Of Land In Millennium Park Cwmcothi Road Trelewis Treharris
Development:	Canoe launching platform at Millenium Park, Cwmcothi Road, Trelewis
Case Officer:	Marlene Ferreira
Site Visit:	2nd February 2023
Application Expiry Date:	23rd March 2023
Consultation reply date expired:	23rd February 2023

APPLICATION SITE

The application site relates to Parc Taf Bargoed, also known as Millennium Park, located in Trelewis. The park has green flag accreditation and offers an array of visitor attractions which includes fishing, walking, cycling, horse-riding, canoeing/kayaking, bird watching, skateboarding, football and rugby etc.

Specifically, the site area relates to an area of the park comprising a canoe launching platform just within the lake area, which lies to the south of the park, approximately 300 metres from its southern entrance point, which forms part of the Aberfan Canoe Club.

The application site lies outside the settlement boundary and within the Lower Cwm Bargoed Site of Importance for Nature Conservation (SINC), as designated within the Merthyr Tydfil Replacement Local Development Plan 2016-2031. The site also lies within a C2 Flood Zone.

PROPOSED DEVELOPMENT

This application seeks planning permission to erect a floating disabled access pontoon to the existing canoe launching platform at the lake.

The proposed 1.5 metre wide disabled launching platform would be attached to the proposed 6 metre wide by 3 metre deep pontoon (made from polythene sections and moulded rubber couplers) which would then be attached to the existing platform by a 1.6 metre wide and 2.4 metre deep hinged ramp. This would provide access from the existing platform to the new pontoon and subsequently to the proposed canoe launching platform.

Two M12 stainless steel wire rope would also be used to secure the proposed pontoon to the existing platform.

PLANNING HISTORY

The Council's records do not show any other recent or relevant planning history for this site.

CONSULTATION

Head of Engineering and Highways	No objection.
Planning Policy Officer	No objection.
Ecology Officer	No objection.
Environmental Health Manager	No objection.
Parks Section	No response.
Natural Resources Wales	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, two site notices were displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: The National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 11 (February 2021)

Paragraph 3.14 refers to context appraisal and states that these *'...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...'*

Paragraph 3.3 refers to good design and states that *'...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development,*

design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...'

Paragraph 3.9 refers to character and states that '*...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...'*

Paragraph 6.4.3 discusses biodiversity and states that '*...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...'*

- TAN's (Technical Advice Notes)

TAN 5: Nature Conservation and Planning (2009) – This TAN provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

TAN 12: Design (2016) – This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and deliver environmental sustainability, economic development and social inclusion at every scale throughout Wales.

TAN 15: Development and Flood Risk (2004) – This TAN considers the vulnerability of different land uses to flooding and identifies three separate development categories, emergency services, highly vulnerable development and less vulnerable development. Sections 6 and 7 of TAN 15 relates to the justification of development types within flood zones and whether a flood consequent assessment is required.

Local Planning Policies

- The Merthyr Tydfil Replacement LDP 2016-2031

Policy SW4: Settlement Boundaries

Policy SW9: Planning Obligations

Policy SW10: Protecting and Improving Open Spaces

Policy SW11: Sustainable Design and Placemaking

Policy SW13: Protecting and Improving Local Community Facilities

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

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed development would be acceptable in this location in principle, and whether it would be acceptable with regards to its impact upon the character and appearance of the area, residential amenity, ecology and highway safety.

Principle of Development

The application site lies outside the settlement boundary and as such, is regarded as countryside development which is required to comply with LDP Policy SW4. LDP Policy SW4 states that '*...proposals will not be permitted unless the development:*

- *is for the purposes of agriculture or forestry;*
- *is associated with rural enterprises or the winning and working of minerals;*
- *is for the re-use, adaptation, or replacement of rural buildings and dwellings;*
- *supports the expansion of an existing business in the countryside;*
- *is for tourism, recreation or leisure facilities or complementary development where the need for a countryside location is fully justified;*
- *is for the provision of public utilities, infrastructure or waste management facilities that cannot reasonably be located elsewhere;*
- *is required for the reclamation or treatment of unstable or contaminated land;*
- *is for renewable energy in accordance with Policy EcW8;*
- *is for affordable housing in accordance with Policy SW5;*
- *or is low-impact One Planet Development.*

Where 'countryside development' is acceptable in principle, the proposal must also satisfy other relevant plan policies...'

In this instance, the proposal, which seeks to reconfigure the existing canoe launching platform to include a floating pontoon to allow for disabled access, would be supporting an existing recreational use at the park. Indeed, it would complement the existing canoe platform and make it more inclusive to all. As such, this would comply with LDP SW4.

The application site lies entirely within Zone C2 of the Development Advice Maps (DAM) as contained in Technical Advice Note 15 (TAN15) (2004). The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zone 3 (Rivers). However, given the small scale and nature of the proposed development (and in the absence of a flood consequences assessment) NRW have not raised an objection, and consider that the proposals could be acceptable, subject to the developer being made aware of the potential flood risks. A copy of NRW's comments has therefore been sent to the agent for their consideration. The proposed development would therefore accord with LDP Policy EnW4.

Character and Appearance

The works proposed are small scale alterations to the existing canoe launching platform. The design of the disabled pontoon appears standard and its materials and finishes, which are harmless to the environment and can be recycled when no longer required, would appear sympathetic when viewed in association with the existing canoe platform. As such, it would be deemed acceptable in this context and would not have an adverse impact on the character and appearance of the area or the Site of Importance for Nature Conservation. The proposal would therefore accord with LDP Policies SW11 and EnW3.

Residential Amenity

The canoe launching platform projects onto the lake and is within a park setting. As such, it is located a significant distance from any neighbouring properties, residential or otherwise. This proposal would therefore not have any impact on the amenities of surrounding occupiers.

Ecology

The proposal, as a result of its nature, does not warrant the need for any survey work. However, in line with Environment (Wales) Act 2016 and Welsh Government Circular 'Securing Biodiversity Enhancements', enhancement works are required. Thus, the installation of a single bat box on a suitable tree within the park at a height of at least 3m, with the entrance facing south, will be requested by condition as part of this application. The proposed development would therefore comply with LDP Policy EnW1.

Parking and Highway safety

The existing club sits within the park setting, as previously described. As such, parking provision is already available to cater for its visitors. The addition of a disabled pontoon would not increase the demand for on-site parking to the detriment of highway safety. The Head of Engineering and Highways has not raised any objections. As such, the proposed development would therefore comply with LDP Policy SW11.

CONCLUSION

The proposed development, for the reasons discussed above, is considered acceptable and should therefore be approved.

Finally, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS**:

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Plans and Sections - Proposed, received on 26th January 2023.

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Before the development hereby permitted is brought into use, details of a single bat box to be installed on a tree within the park, at a height of at least 3m and with the entrance facing south, shall be submitted to an approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason -In the interest of biodiversity to accord with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

6/3/23