

INTERNAL MEMORANDUM

To: Kate Glover - Development Control Case Officer

Reference: P/24/0230

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 17th October 2024

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW4, SW10 & SW13).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the area, and any relevant historic and natural environment assets, the impact on surrounding area and occupiers in terms of noise and disturbance, highway safety, traffic generation and parking provision (Policies SW11, SW12, CW1, EnW1, EnW3 & EnW4).

Observations in respect of the above proposal

1. Proposed Development

An application for the locating of a container for storage of sports equipment, at The Oval, Pantyffyn Road, Mountain Hare, 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 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 new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 8 Community Facilities: To support existing community facilities and suitable community led development.*
- *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 15 Leisure, Recreation and Tourism: To support sustainable tourism, leisure and recreation developments and encourage an all year round tourism industry.*

The following development plan policies would apply:-

- *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 SW13: Protecting and Improving Local Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation & Ecosystem Resilience*
- *Policy EnW2: Internationally and Nationally Protected Sites and Species*
- *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 EcW7: Tourism, Leisure and Recreation Development*

The following supplementary planning guidance is applicable:-

- *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)*

National Planning Policy

Planning Policy Wales (Edition 12, February 2024)

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

- **Placemaking in Action: Good Design Making Better Places**
- **Placemaking in Action: Sustainable Management of Natural Resources**

- Strategic Placemaking: Previously Developed Land
- Strategic Placemaking: Accessibility
- Active and Social Places: Living in a Place
- Activities in a Place: Community Facilities
- Activities in a Place: Recreational Spaces
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities 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 8: Flooding
- Policy 9: Resilient Ecological Networks and Green Infrastructure
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the proposal is located within the Primary Growth Area, as defined by the LDP, and within the settlement boundary where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policies SW4). It is also a designated Open Space (Policy SW10).

Policy SW9 relates to planning obligations. Given the nature of the proposal, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) would not be chargeable.

Policy SW10 states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in a loss of open space will not be permitted unless:

- 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 and
- In all cases, the open space has no significant nature or historic conservation importance.

The application site is a designated Open Space, classified as 'Multifunctional Greenspace'. The proposal would introduce improved facilities (as storage container) to the Open Space, which would increase its potential use and improve its quality. The storage container would be located adjacent to existing changing rooms, and would be of a scale which would not negatively impact the remaining Open Space. As such, the proposal is considered to comply with Policy SW10.

Policy SW11 requires new development to, among other things:

- 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 relevant 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.

Considering the nature and location of the application site (a designated Open Space in close proximity to existing dwellings), careful consideration should be given to these issues. The views of the Engineering and Traffic Group Leader should be sought as 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. Development proposals will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport.

Policy SW13 states that the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies. The Council will protect and support the enhancement of the County Borough's existing community facilities. Development proposals that would result in a loss of an existing community facility will only be permitted where:-

- alternative provision of at least equivalent value to the local community can be provided nearby, or
- it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- it can be demonstrated there is no longer a viable community use for the facility.

The proposal would improve the existing facilities at the sports field/recreation area. As such, the proposal is considered to enhance the existing community facility, without negatively affecting its use. As such, it would be in accordance with Policy SW13.

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. As such, the views of the relevant Officer or external body should be sought in this regard.

The site is located within Urban Character Area 2 (Thomastown and Penyard), and within a Landscape of Outstanding Historic Interest. The impact of the proposal on the character of these Heritage assets should be particularly considered and, as such, the views of the relevant Officer or external heritage body should be sought, as appropriate, in this regard.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW2 seeks to protect Internationally and Nationally Protected Sites and Species. 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.

Given the nature and location of the proposal, these issues should be particularly considered, and 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. With regard to flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN 15. As such, the views of the Engineering and Traffic Group Leader, and the Environmental Health department, should be sought as appropriate.