

INTERNAL MEMORANDUM

To: Rebecca Owens
From: Planning Policy
Please ask for: Natasha Lade
Ext.: 6220

Date: 21st June 2022

Ref: P/22/0118

Observations in respect of the request for policy advice on planning application no. P/22118 – land at pavilion and changing rooms, Pantyffyn Road, Penyard, Merthyr Tydfil, CF47 0LB.

1. Proposed Development

The application submitted is for the provision of a new football pitch with access and car parking, CCTV cameras, storage container, dug outs, fencing with associated access gates and pitch side rail on land comprising an existing rugby playing field at pavilion and changing rooms, Pantyffyn Road, Penyard, 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 Health – page 22; Active lifestyles pages - 50 & 65, Recreation - Outcome 1 page 54 & page 77 and Placemaking Principles – pages 65 & 66.

Planning Policy Wales (Edition 11, February 2021)

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

- Strategic & Spatial Choices: Placemaking (paragraphs 2.28); Promoting Healthier Places (Paragraph 3.20) and Accessibility (paragraphs 3.50).
- Active and Social Places: pages 44 - 46, Recreational spaces (paragraph 4.5.1), Community Facilities (paragraph 4.5) and Sustainable Transport (Paragraphs 4.1.10/12).

- Distinctive and Natural Places: Integrating Green Infrastructure and Development (Paragraph 6.2.4 & 5); Landscape (paragraph 6.3.3); Maintaining and Enhancing Biodiversity (paragraph 6.4.21- 6.4.26), Development and Water Supply (Paragraphs 6.6.7-8); Framework for Addressing Air Quality and Soundscape (Paragraphs 6.7.6 & 7); SuDs and Lighting Paragraph (6.8.4).

Technical Advice Note TAN 18: Transport (March 2007)

Technical Advice Note 16: Sport: Recreation and Open-space (January 2009).

Technical Advice Note 12: Design (March 2016)

Technical Advice Note 24: Historic Environment (May 2017).

Local Planning Policy

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

The relevant LDP Objectives are -

- *LDP Objective 4: To promote the reuse of previously developed land and the continued regeneration of 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 9: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 10: 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 Space.*
- *Policy SW11: Sustainable Design and Placemaking.*
- *Policy SW12: Improving the Transport Network.*
- *Policy CW1: Historic Environment.*
- *Policy EnW1: Nature Conservation and Ecosystem Resilience.*
- *Policy EnW4: Environmental Protection.*
- *Policy EcW9: District heating.*

The following Supplementary Planning Guidance and other 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 Open Space Strategy and Action Plans (June 2016).*

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 is located within the residential area of Mountain Hare/ Penyard, which lies within the *Primary Growth Area* settlement boundary, where Policy SW4 applies. Here new development is acceptable in principle; subject to the proposal, being compatible with the Plan's other relevant policies and all other material considerations.

The application site sits within the Open Space known as Mountain Hare comprising outdoor sports pitches located in Town Ward, where Policy SW10 applies. This Policy seeks to support proposals that improve the quality, quantity and access to open space. On the other hand, development proposals that would have an unacceptable adverse impact on or result in a loss of open space will only be permitted where:

- 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.

In principle, the proposals appear to satisfy the second criterion of Policy SW10. However, this Policy is supported by PPW11, which states, with regard to previously developed land, "*...the whole site should not normally be developed to the boundary of the curtilage. The planning authority should make a judgement about site layout in this context, bearing in mind other planning considerations such as policies for the protection of open space....., They should consider such factors as how the site relates to the surrounding area and requirements for ... buffer strips and landscaped areas*". Given the proposed new boundary treatments and other installations the views of the Council's Landscape Architect are therefore germane. In addition, given that there are mature trees located within the vicinity of the site, Policy EnW1 is also relevant and the views of the Council's Ecologist should also be sought.

The application site also lies within the Twynnyrobyn, including Ysgubor Newydd and Penyrheol 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.

Moreover, 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.
- Incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques and
- minimise the demand for energy and utilise renewable energy resources.

Policy SW12 recognises the Transport Hierarchy as outlined in PPW11, which 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 that new access arrangements and additional parking spaces are included in the proposals, it would be prudent to seek the views of the Highways and Drainage Engineer.

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 also 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.

