

INTERNAL MEMORANDUM

To: Gareth Davies - Development Control Case Officer

Reference: P/26/0029

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 16th April 2026

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW4 & EcW2).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the open countryside (particularly in terms of its visual impact), the impact on surrounding area and occupiers, and traffic generation and parking provision, and any other relevant risks to public health and safety, the impact on the landscape, biodiversity interests and heritage assets (Policies SW11, SW12, CW1, EnW1, EnW2, EnW3, EnW4 & EnW5).

Observations in respect of the above development

1. Proposed Development

An application for the change of use and siting of 52 no storage containers, at Plot 4, Oakland Business Park, Bogey Road, 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 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.*
- *LDP Objective 13 Rural Economy: To strengthen and diversify the rural economy.*
- *LDP Objective 17 Minerals: To ensure a sustainable supply of minerals.*

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 SW13: Protecting Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation and 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 EnW5: Landscape Protection*
- *Policy EcW2: Protecting Employment Sites*
- *Policy EcW9: District Heating*
- *Policy EcW10: Sustainably Supplying Minerals*
- *Policy EcW13: Minerals Safeguarding*

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: Placemaking in Rural Areas
- Strategic Placemaking: Previously Developed Land
- Strategic Placemaking: Development in the Countryside
- Moving within and between places: Living in a Place
- Active and Social Places: Transport
- Economic Infrastructure: Economic Development
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities of Places

Technical Advice Notes (TANs)

TAN 23: Economic Development (February 2014).

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 5: Supporting the rural economy
- Policy 33: National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the proposal is located within an Other Growth Area, and outside of the settlement boundary, as defined by the LDP (Policy SW4).

Policy SW4 states that outside defined settlement boundaries, proposals will be regarded as 'countryside development' and 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.

It is noted that outline planning consent (with all matters reserved), was granted by the Planning Inspectorate on appeal (APP/U6925/A/08/2076065) in 2008, to erect industrial/starter units on the application site. A further permission was granted for a Reserved Matters application, in relation to the erection of 6 industrial units, with associated landscaping (P/11/0246). It does not appear that these units have been constructed, but it does appear that the land has been used for general industrial/commercial storage. There is also an existing industrial unit adjoining the north of the application site.

It is acknowledged that a small area of land at the southern and southeast extents of the application site extends beyond the above permissions, and in to the open countryside. Notwithstanding these small areas, the current proposal (for a B8 storage activity) would be located on land which has previously been granted permission for this type of use. As such, the proposal could satisfy the requirements of the fourth criteria above, and be considered an expansion of an existing business in the countryside. As such, it would comply with Policy SW4.

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 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):

- 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;
- 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 measures to improve ground and surface water quality wherever possible;
- provide adequate facilities and space for waste collections and recycling.

Considering the nature of the development, and the location of the site (in the open countryside) consideration should be given to the above issues.

The appropriateness of the development to its local context, in terms of scale, height, massing, elevational treatment, materials and detailing, and form will be particularly important, as will

how effectively it integrates with adjacent spaces. In this regard, it is noted that the industrial units previously approved would be 6.8 - 7m in height, 9m in width and 12 - 15m in depth. The proposed storage containers, while significantly greater in number, would measure only 2.6m in height. As such, they could have a lesser visual impact, which could be further mitigated by appropriate elevational treatments and materials, as well as fencing and/or landscaping which is sensitive to the countryside setting.

The proposal could result in an intensification of the existing use. As such, it should be demonstrated that any traffic movements will not have an unacceptable impact on local amenity or highway safety, and any proposed parking provision should be checked against the Council's current parking standards. As such, the views of the Public Health Manager and the Engineering and Traffic Group Leader should be sought in this respect.

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. Developments 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 Engineering and Traffic Group Leader should be sought in this respect.

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 and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The application site is located within a Landscape of Outstanding Historic Interest. As such, this, and any other relevant historic environment assets should be taken into consideration, and the views of the relevant Officer or external Heritage body sought in this regard, as 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 EnW5 states that the following areas are designated as Special Landscape Areas (SLAs):

- SLA1: Nant Morlais & Cwm Taf Fechan;
- SLA2: Winchfawr;
- SLA3: Merthyr West Flank;
- SLA4: Pontygwaith and
- SLA5: Gelligaer and Taf Bargoed.

Development proposals will be permitted where it can be satisfactorily demonstrated that:

- a) It would not cause unacceptable harm to the character and quality of the landscape setting of the County Borough;
- b) Development within Special Landscape Areas are sensitive to their special characteristics;
- c) Development respects the local distinctiveness and historic character of the Landscape;
- d) development will safeguard local landscape character and landscape features, including views, which make a significant contribution to the character, history and setting of the locality;
- e) Development secures the enhancement of the character, appearance and quality of the landscape, through restoration, management or enhancement where possible;
- f) There is no satisfactory alternative and the benefits associated with the development can be demonstrated to outweigh the harm; and
- g) Where damage to local landscape character cannot be avoided appropriate mitigation has been secured.

While the proposal is not located within in an SLA, it is located in the open countryside, and may be viewed from various locations within the County Borough. As such, the relevant criteria above should be satisfied.

Policy EcW2 states that at existing employment sites and premises outside the sites identified development proposals for non B-class uses that would result in the loss of the employment land/premises will be permitted where it can be demonstrated that the existing use is inappropriate or the land/premises are surplus to the requirements of the employment market.

The proposal is for a storage use (B8), with the introduction of a number of storage containers. As such, it would not result in the loss of any B-class land or floor-space, and is therefore considered to comply with Policy EcW2.

Policy EcW13 seeks to safeguard known mineral resource of coal, sandstone, sand and gravel, and limestone, as shown on the proposals map. New development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of development, and in the case of primary coal resources, there are wholly exceptional circumstances to justify its prior extraction; or
2. Prior extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The resource in question is of poor quality / quantity; or
4. The development would have no significant impact on the possible future working of the resource by reason of its nature, location or size.

The application site is within an area of protected coal resource.