
From: Lade, Natasha
Sent: 05 April 2022 11:03
To: Cross, David
Cc: Watkins, Craig
Subject: P220075 - change of use Martin Evans House, Riverside Court, Town Centre
Attachments: P220075 - CoU from offices to hotel, bar and restaurant Martin Evans House.docx

Good morning Dave,

I hope you are doing Ok.

I attach policy team comments on the above application.

Kind regards.

Natasha

Natasha R Lade BA (Hons)

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INTERNAL MEMORANDUM

To: David Cross - Development Management Case Officer
From: Planning Policy
Please ask for Natasha Lade
Ext.: 6220

Date: 5th April 2022

Ref: P/22/0075

Observations in respect of the request for policy advice on planning application no. P/22/0075 at Martin Evans House, Riverside Court, Merthyr Tydfil, CF47 8LD.

1. Proposed Development

The application submitted is for the change of use from offices to a hotel to the first and second floors with a reception, bar and restaurant to the ground floor at Martin Evans House, Riverside Court, 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:

Economy – page 34, Tourism pages 14, 55, 70 & 170, Broadband – pages 40 & 91 and Strategic Placemaking Principles – pages 65 & 66, Policy 3 - page 67.

Planning Policy Wales (Edition 11, February 2021).

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

- Strategic & Spatial Choices: Accessibility and Inclusive Design (paragraphs 3.5, 9, 10, 12, 13 & 16) & Promoting Healthier Places (paragraph 3.19).
- Active and Social Places: Sustainable Transport (Paragraphs 4.1.20/20/30 & 31) and Retail and Commercial Development (paragraphs 4.3.30-36 & 39).
- Productive and Enterprising spaces: Tourism (Section 5.5, paragraph 5.5.4 & 5.5.6).)

- Distinctive and Natural Places: The Historic Environment (Paragraphs 6.1.10); Water and Flood Risk (paragraphs 6.6.5, 18, 19, 24, 26 & 29); Framework for Addressing Air Quality and Soundscape (Paragraphs 6.6.7-8, 14 & 26) and Lighting Paragraph (6.8.4).

Technical Advice Notes

Technical Advice Note 13: Tourism (October 1997).

Technical Advice Note 15: Development and Flood Risk (July 2004 under review)

Technical Advice Note TAN 18: Transport (March 2007)

Technical Advice Note 12: Design (March 2016)

Technical Advice Note 4: Retail and Commercial Development (November 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 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 14: To develop the town and local centres as accessible, attractive, viable and vibrant places.*
- *LDP Objective 15: To support sustainable tourism, leisure and recreation developments and encourage an all year round tourism industry and*
- *LDP Objective 18: To promote the efficient use of resources and ensure an integrated network of waste management facilities.*

The following local development plan policies would apply: -

- *Policy SW4: Settlement Boundaries.*
- *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 EcW5: Town and Local Centre Retailing Areas and*
- *Policy EcW7: Tourism, Leisure and Recreation Development.*

The following Supplementary Planning Guidance is also applicable: -

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013).*

3. Policy Considerations

The Council formally adopted The Merthyr Tydfil County Borough Council Replacement Local Development Plan (RLDP) (2016 - 2031) in January 2020. This Policy advice therefore considers the development proposal against the policies contained within it.

The application property is located within the Town Centre, situated within the *Primary Growth Area* settlement boundary, where Policy SW4 applies. Here new development is considered acceptable in principle; subject to the proposal, being compatible with the Plan's other relevant policies and all other material considerations.

The application property lies within the Town Centre boundary, where Policies EcW3 and EcW5 apply. Policy EcW3 relates to the retail hierarchy, with the Town Centre being the favoured location for retail and other complementary uses where they improve the vitality and viability of the Town Centre. Hotel, restaurant and bar uses are acceptable complementary commercial uses. The proposal is therefore in accordance with this policy.

Policy EcW5 further supports development that enhances the vitality and viability of the Town Centre. The main purpose of the Town Centre boundary is to define an area where retail, leisure and other town centre uses should be concentrated, in accordance with the sequential approach and the uses protected under the retail impact test. Paragraph 6.7.45 acknowledges that retail uses should carefully blend with cultural, leisure and other uses if the Town Centre is to continue to thrive. Bringing a vacant building into beneficial use, will contribute to this.

Moreover, Policy EcW7 supports tourism and leisure uses particularly where they aid the revitalisation and regeneration of the Town Centre. The policy also supports the Welsh Government's 'Town Centre First' approach. In this case, the proposals in principle accord with this policy.

However, given the property's proximity to residential properties regard should be had to Policy SW11: Sustainable Design and Placemaking. This Policy 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,
- 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 utility services and infrastructure without causing any unacceptable environmental impacts,
- incorporate measures to improve ground and surface water quality wherever possible,
- provide adequate facilities and space for waste collections and recycling, and
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

Furthermore, PPW states that the 'agent of change principle' requires that a business or person responsible for introducing a change is responsible for managing that change and any related impacts on, for example, the amenity of an existing use. In practice, this means the developer will need to implement solutions to address air quality and or noise to ensure that the development is acceptable.

In addition, Part of the application property sits within Flood Zone B, as illustrated on the LDP Constraints Map. Land within flood zone B, are areas known to have flooded in the past, where levels should be checked against the extreme (0.01%) flood level.

Paragraph 6.6.26 of PPW11, which considers development and flood risk, states that reference should be made to TAN 15: Development and Flood Risk. Section 5 of TAN 15 considers the vulnerability of different land uses to flooding and identifies hotel use as highly vulnerable development and retail and commercial use as less vulnerable development (Paragraph 5.1, Figure 2). Paragraph 11.4 advises that developers should discuss requirements that may be expected to satisfy TAN 15, with the LPA, in relation to proposed development within Flood Zone B. In this case, the advice of the Council's Highways and Drainage Engineer and Natural Resources Wales is pertinent.

Policy EnW4 further 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 amongst other things:

- Pollution of land, surface water, ground water and the air.
- Hazardous substances.

- 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 are also relevant and 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 could be imposed or legal obligation requested to secure any necessary mitigation and monitoring processes both during and post construction.

The application property also lies within the Town Centre (High Street and Pontmorlais) Urban Character Area and the Merthyr Tydfil Landscape of Outstanding Historic Interest. Accordingly, Policy CW1 is also relevant, which aims amongst other things, to support localized management initiatives, regeneration and conservation schemes in relation to urban character areas and appropriately inform the process of change with regard to historic landscapes.

Finally, 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 intend to reduce the need to travel and encourage the use of sustainable transport. Given this and that parking provision does not appear to have been included in the proposals and the Taff Trails runs along the rear of the property it would be prudent to seek the views of the Highways and Drainage Engineer.