

INTERNAL MEMORANDUM

To: Kate Glover - Development Control Case Officer
Reference: P/25/0294

From: Planning Policy and Implementation Section
Ask for: David James
Extension: 7053

Date: 19th December 2025

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW1, SW3, SW4, & SW13).

The requirements of Policy SW9 should be noted.

Particular consideration should also be given to the impact of the development on the character of the area (including the layout and density of the proposal), the impact on surrounding area and occupiers, the impact on heritage and biodiversity interests, traffic generation and parking provision, and any other relevant risks to public health and safety (Policies SW11, SW12, CW1, EnW1, EnW3 & EnW4).

Observations in respect of the above development

1. Proposed Development

A proposal for the retention of works to provide access, the re-profiling of ground levels and the construction of a retaining wall at rear of site. The change of use of the site to a residential development comprising the conversion of the partially demolished Norton Tavern to form 6 residential flats, the construction of 2 dwellings, and works to make good the vehicle/pedestrian access at the rear of the site, the creation of an associated parking area, and hard and soft landscaping, at the former Norton Tavern, High Street, Penydarren, 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 3 Housing Provision: To ensure the sufficient provision of land for the delivery of a range and choice of housing and affordable housing to address local housing needs.*
- *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 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.*

The following development plan policies would apply:-

- *Policy SW1 Provision of New Homes*
- *Policy SW2 Provision of Affordable Housing*
- *Policy SW3 Sustainably Distributing New Homes*
- *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 EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species*
- *Policy EnW4: Environmental Protection*

The following supplementary planning guidance is applicable:-

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 1: Affordable Housing (March 2012)*
- *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
- Strategic Placemaking: Previously Developed Land
- Active and Social Places: Living in a Place
- Activities in a Place: Community Facilities
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities of Places

Technical Advice Notes (TANs)

TAN 12: Design (March 2016).

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 7: Delivering Affordable Homes
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the development is located within the Primary Growth Area (Policies SW1 and SW3), 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 (Policy SW4).

Policy SW1 states that 2250 additional homes are required to sustainably grow our population. The development comprises 8 new units, which would represent a contribution to the 2250 units that are required during the plan period. Furthermore, Policy SW3 states that new homes will be concentrated within the main settlement of Merthyr Tydfil.

Policy SW9 relates to planning obligations. Where appropriate and having regard to development viability, planning obligations will be sought for:

1. On site provision of affordable housing on sites of 10 homes or more at a level of:
 - 10% in the Primary Growth Area.
 - 5% in the Other Growth Area.
2. A financial contribution towards the provision of affordable housing:
 - On sites of between 5 and 9 homes or;

- On sites of 10 or more homes, where on-site provision is not appropriate.

3. The provision of open space on sites of 10 homes or more, where there is an identified need.
4. Other relevant obligations not included within the Council's Community Infrastructure Levy (CIL) Regulation 123 List of Infrastructure.

In this instance, a contribution for the provision of affordable housing would be sought. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit (see below). A summary of the assessment can be seen below. CIL is also chargeable in this part of the County Borough.

Key Inputs		
	100% Market Housing	5% Affordable Housing
Development Revenue		
6 1-bed flats & 2 dwellings	£800,000	
Development Costs		
build costs including conversion works, external works, professional fees, profit, site purchase, etc	£767,000	
Residual Value	£33,000	
AH Contribution = RV 100% MH - RV 5% AH		

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.
- provide adequate facilities and space for waste collections and recycling.

Considering the nature of the development, and the location of the site (in close proximity to existing residential uses) consideration should be given to the above issues. Particular consideration should be given to the proposed density of the development, its layout and

relationship with adjacent spaces (with particular regard to the siting of the proposed new dwellings), as well as its impact local amenity, particularly its visual impact.

The impact of any additional traffic movements on local amenity and highway safety should be considered (although the previous use of the site as a Public House should be taken into account). The submitted plans indicate that the development would benefit from off-street parking. The proposed parking provision should be checked against the Council's current parking standards, and the views of the Engineering and Traffic Group Leader should be sought in these respects.

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 SW13 states that the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies. And that 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.

Given that the development results in the loss of a community facility (a public house), it would not be in accordance with Policy SW13. As such, evidence should be submitted with any planning application, which satisfies the criteria (above) of Policy SW13.

Proposals promoting alternative uses of community facilities will require robust evidence that demonstrates the facilities are no longer required or such a loss would not have a detrimental impact upon local service provision. Development proposals will therefore need to be supported by evidence which demonstrates that community buildings or facilities are either no longer required for their original purpose or are no longer economically viable. Statements of justification could include evidence that alternative provision is available within close proximity to the proposal site, and which satisfies local needs. Proposals will be required to demonstrate that the premises have been appropriately and actively marketed for a minimum of 6 months and that genuine effort to sell or let the property over that period have been unsuccessful. Evidence of active marketing of a property should include details of the sales literature, advertisement campaign and buyer interest over the period.

The submitted application form states that the previous, public house, use ended in 2020. Information has been provided, from the solicitors dealing with the property, stating that it was no longer viable to run the property as a public house, and detailing the attempts to market and sell it since approximately 2018. It is also noted that there are alternative similar community facilities in the vicinity of the property, namely the Horse and Groom public house and Penydarren Social Club (within 300 and 650m respectively). As such, in this instance the proposal would comply 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 and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The site is located within Urban Character Area 7 – Penydarren, and within the Merthyr Tydfil Landscape of Historic Interest. As such, the impact of the proposal on the character of these and any other relevant historic environment assets should be taken into consideration, and the views of the relevant Officer and external Heritage body sought in this regard.

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.