

INTERNAL MEMORANDUM

To: Rebecca Owens - Development Control Case Officer
Reference: P/24/0016

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

Date: 12th February 2024

Summary

While there are some potential concerns raised, due to the density of the development and the potential for increased traffic movements, in this instance the proposal is considered to be in accordance with policy SW11 and EnW4.

The proposal would also satisfy policies SW1, SW3 and SW4. In this instance, the proposal complies with policies SW13 and EcW5.

Particular consideration should also be given to policies SW12, CW1 and EnW1.

The requirements of Policy SW9 should also be noted.

Observations in respect of the above development

1. Proposed Development

Application for the demolition of an existing rear extension, the and conversion of the existing building into 4 self-contained flats, at La Bodega, 1 Pant Road, Dowlais, 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 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 12 Economic Development: To provide and safeguard appropriate land for economic and skills development.*
- *LDP Objective 14 Town and Local Centres: To develop the town and local centres as accessible, attractive, viable and vibrant places.*

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 EnW4: Environmental Protection*
- *Policy EcW5: Town and Local Centre Development*
- *Policy EcW9: District Heating*

The following supplementary planning guidance is applicable:-

- *SPG 2: Planning Obligations*
- *SPG 4: Sustainable Design*

National Planning Policy

Planning Policy Wales (Edition 11, February 2021)

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
- Activities in Place: Retail and Commercial Development
- Active and Social Places: 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 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the proposal is located within the Primary Growth Area (Policies SW1 and SW3), as defined by the LDP, as well as the Dowlais Local Centre (Policy EcW5) 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 proposal comprises 4 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. Given that the proposal is for four residential units, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. However, Community Infrastructure Levy (CIL) is chargeable on residential development in this part of the County Borough.

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.
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

Considering the nature of the development, and the location of the site (in close proximity to existing residential and commercial uses) consideration should be given to the above issues. The first and third criterion are particularly relevant. The proposal would introduce a fairly dense form of development, with 4 small flats being created within a single property. This

could result in an inappropriate form of development in terms of the local context, and a negative impact on local amenity.

The submitted plans indicate that the development would benefit from off-street parking. As mentioned above, the proposal would introduce 4 new residential units, which could result in significantly increased traffic movements, with a negative impact on local amenity and highway safety (fourth criterion above). The proposed parking provision should therefore be checked against the Council's current parking standards, and the views of the Engineering and Traffic Group Leader should be sought in this respect.

Considering the above, the proposal has the potential to be contrary to Policy SW11.

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.

The proposal would result in the loss of a community facility (a former pub/restaurant), and as such would not be in accordance with Policy SW13. Evidence should be submitted which satisfies the criteria (above).

Information has been submitted with the application, indicating that the pub/restaurant has not operated for nearly 4 years (March 2020). It advises that the business had been declining prior to the pandemic, and that the pandemic, along with subsequent price increases (energy, stock etc), and the condition of the building (the former restaurant seating area has been demolished), made the business unviable.

It is also noted that there are pubs, cafes and restaurants in the surrounding areas of Dowlais and Pant.

In this instance, taking the above into account, it is considered that the proposal satisfies the criteria above, and is therefore 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 and

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

The site is located within a Landscape of Outstanding Historic Interest in Wales. 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.

Given the density of the proposed use, it has the potential to result in increased noise. As such, the views of the Environmental Health department should be sought as appropriate.

Policy EcW5 advises that development enhancing the vitality and viability of the Town and Local Centres will be supported. And that within local centres, the change of use of the ground floor to 'non-A' use classes will only be permitted where:-

- It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and,
- The proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre; and,
- The proposal would not result in the creation of a dead window frontage; and,
- The proposal would not have an unacceptable effect on the amenity and viability of neighbouring uses, having regard to the 'agent of change principle'.

Given that the proposal would result in the loss of a commercial use, it would not be in accordance with Policy EcW5. As such, evidence should be submitted, justifying the loss and satisfying the criteria (above) of Policy EcW5.

As mentioned above, in relation to Policy SW13, the pub/restaurant use has not operated for nearly 4 years (due to the pandemic and other factors), and the restaurant seating area has been demolished due to its poor condition. As such it is considered that the first criterion above has been satisfied. Additionally, the proposal would bring a vacant unit, within Dowlais Local Centre, back into use.

Furthermore, there are other existing vacant units within the Local Centre, should commercial uses be looking to locate there.

Finally, given that the area is a mix of residential and commercial uses, it is not considered that the introduction of an additional residential use would result in an over-concentration of non-A1 uses, nor would it have an unacceptable impact on the viability of neighbouring uses.