

INTERNAL MEMORANDUM

To: Gareth Davies - Development Control Case Officer

Reference: P/25/0087

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 16th April 2025

Summary

The proposal meets the requirements of Replacement LDP Policy SW4 (Settlement Boundaries), and satisfies the criteria of Policy SW13 (Protecting and Improving Local Community Facilities).

There is no objection to the proposal, provided that it would preserve or enhance the architectural quality, character, and the historic and cultural importance of the relevant designated historic environment assets, particularly the Grade II* Registered Cyfarthfa Park, the Grade I Listed Cyfarthfa Castle, the Cyfarthfa Park Historic Park and Garden and the Cyfarthfa Conservation Area (Policy CW1).

Consideration should also be given to the impact of the development on the character of the surrounding area, the impact on the designated open space site, the impact on surrounding area and occupiers (particularly in terms of loss of traffic movements and highway safety), the impact on biodiversity, and any other relevant risks to public health and safety (Policies SW10, SW11, SW12, EnW1, EnW3 & EnW4).

Observations in respect of the above development

1. Proposed Development

An application for the repair, replacement and installation of new drainage pipes, an attenuation tank and manholes, to reduce the risk of flooding from surface water from the castle and surrounding area, at Cyfarthfa Castle, Cyfarthfa Park, 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 5 Infrastructure: To ensure that community infrastructure and open space supports the 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 15 Leisure, Recreation and Tourism: To support sustainable tourism, leisure and recreation developments and encourage an all year round tourism industry.*

The following development plan policies would apply:-

- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW10: Protecting and Improving Open Spaces*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy SW13: Protecting Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy CW2: Cyfarthfa Heritage Area*
- *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*

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
- Strategic Placemaking: Previously Developed Land
- Activities in a Place: Community Facilities
- Economic Infrastructure: Tourism
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities of Places

Technical Advice Notes (TANs)

TAN 12: Design (March 2016)

TAN 15: Development, flooding and coastal erosion (April 2025)

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 8: Flooding
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The site of the proposal is within the Grade II* Registered Cyfarthfa Park, and the curtilage of the Grade I Listed Cyfarthfa Castle (Policy CW1). It is located within the Primary Growth Area, and within the settlement boundary where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policy SW4). The site is also within the Cyfarthfa Park Historic Park and Garden, the Cyfarthfa Conservation Area and the Cyfarthfa Heritage Area (Policies CW1 & CW2).

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 SW10 states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in a loss of open space will not be permitted unless:

- 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.

The development would be located within the designated Open Space Site of Cyfarthfa Park, with access to the site being affected during construction. This should be managed to ensure that the site can be accessed and utilised by the public, as far as is practicable, and that the reinstatement works do not have an unacceptable adverse impact on or result in the loss of open space.

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;
- 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;
- minimise the demand for energy and utilise renewable energy resources;
- provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;
- incorporate measures to improve ground and surface water quality wherever possible; and
- 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 Listed buildings and structures, within a Historic Park and Garden and Conservation Area, and within a publicly-accessible tourist attraction) consideration should be given to the above issues.

Particular consideration should be given to the impact of the works on the character of the Listed buildings, and the Historic Park and Garden, reinstatement methods and materials, access arrangements during construction, and the impact of altered and increased traffic movements on highway safety and local amenity (it is noted that an Access Strategy has been submitted in support of the application). As such, the views of the Engineering and Traffic Group Leader and Environmental Health Dept. 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.

The proposal would impact existing and proposed Active Travel routes within Cyfarthfa Park. 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 development would result in improved drainage and flood resilience at the existing community facility of Cyfarthfa Castle and Park. As such, it would satisfy the above criteria, and be 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 proposal is located within the Grade II* Registered Cyfarthfa Park, and the curtilage of the Grade I Listed Cyfarthfa Castle, a Historic Park and Garden, the Cyfarthfa Conservation Area, UCA 5, and the Merthyr Tydfil Landscape of Outstanding Historic Interest. The development would therefore have an impact on the character of the above historic environment assets, particularly the Listed buildings and structures, and the Historic Park and Garden. It is noted that a Heritage Impact Assessment has been submitted in support of the application.

The views of the relevant Officer and external Heritage body should be sought as a priority, to ensure that the proposal would preserve or enhance the architectural quality, character, and the historic and cultural importance of the designated historic environment assets.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW3 states that development proposals likely to have an adverse impact on Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, or Priority Habitats and Species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the conservation value of the site;
2. Adverse impacts on nature conservation features or geological features can be avoided;

3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development maintains and where possible enhances biodiversity and geodiversity interests.

The development would be partially located within SINC 18 (Cyfarthfa Park), and an area of Ancient Woodland. As such, the Council's Ecologist should be consulted.

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.

Considering the altered and increased traffic movements that would result, the potential noise generated by proposal should be particularly considered. As such, the views of the Environmental Health department should be sought as appropriate.