



MERTHYR TYDFIL COUNTY BOROUGH COUNCIL LOCAL DEVELOPMENT PLAN 2006 - 2021

ADOPTED PLAN

SUSTAINABILITY APPRAISAL (SA) STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

Final Sustainability Appraisal Report May 2011

Appendix 15

**SA of Further Proposed Changes following the
October 2010 Examination Hearing Sessions
(published December 2010)**

Prepared by:

enfusion



MERTHYR TYDFIL COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN 2006-2021
ADOPTED PLAN

SUSTAINABILITY APPRAISAL (SA) incorporating
STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

Final Sustainability Appraisal Report

Appendix 15
SA of Further Proposed Changes following the
October 2010 Examination Hearing Sessions
(published December 2010)

For and on behalf of Enfusion Ltd

<i>date:</i>	<i>May 2011</i>	
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environmental planning and management for sustainability



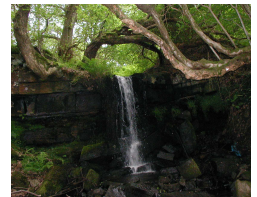
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MERTHYR TYDFIL COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN:

**Examination of Merthyr Tydfil Local Development
Plan 2006-2021**

**Programme for Further Work - Sustainability
Appraisal of Minor Proposed Changes to the LDP
- re: October 2010 Hearings**

December 2010



enfusion



Examination of Merthyr Tydfil Local Development Plan 2006-2021
Programme of Further Work - Sustainability Appraisal of Minor Proposed
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1.0 Purpose of the Report.

- 1.1 Merthyr Tydfil County Borough Council has prepared policy changes in response to the programme of further work identified in relation to the Examination of the Merthyr Tydfil Local Development Plan. The policy changes considered in this document were agreed with the Inspector after the Examination Hearing Sessions which took place in October 2010. The changes were forwarded to Enfusion Ltd to determine if there were likely to be any significant sustainability effects arising from those changes to the plan. A screening assessment of each proposed policy change or policy justification change was undertaken; this considered the significance of the policy change and whether there was likely to be a significant sustainability effect as a result of the change.

2.0 Screening Assessment Summary

- 2.1 The full Screening Assessment is provided at Appendix 1 in Tables 1 and 2. The items in Table 2 involve the replacement or removal of single words or revised punctuation and generally indicate progression of the Sustainability Appraisal (SA) objectives. Other changes update the policies or policy justification to reflect current information.
- 2.2 The policies in Table 1 have been the subject of more extensive changes including changes to policy wording but the predicted effects are not considered to be significantly different from the original policies and generally represent an improvement, with no potential significant adverse effects identified, of either the individual policies or the overall sustainability of the plan.
- 2.3 Therefore it was considered that the proposed minor changes were unlikely to have a significant effect and that no further detailed Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment work is required. A summary of the key findings are presented below.

Policy AS20: Retail Allocations

- 2.4 Earlier changes to Policy AS20 and the policy justification were considered in the third report on proposed changes, July 2010, under Proforma 28.

The Proforma now thoroughly addresses the issues brought up at the October examination sessions and explains the current changes to the policy justification. Paragraphs 4.20.1 - 4.20.8 now provide a reasonable and justified basis for the allocation of the bus centre site only and the target of a 1% growth rate and how that will be achieved including the identification of sites which potential for redevelopment in the future. It is considered that the initial comments on Policy AS20, and the SA comments on Proforma 28 are not materially affected and as such no further SA is required.

Policy AS19 – Merthyr Tydfil Town Centre /Primary Shopping Area.

- 2.5 The original policy AS19 and changes under Proforma 16 performed well against the SA Framework objectives but this revised version addresses the issue of the change of use of large retail units and the potential impact on the vitality of the town centre. Therefore, the performance of the policy is further improved in relation to communities, economy and employment and transport objectives. The minor change from 85% - 83% retention of A1 retail units will have no significant effect on the original SA. It is considered that due to the improvement in the performance of the policy no further SA is required.

Proposals and Constraints Map

- 2.6 The proposal to illustrate all relevant designations on the proposals map will lead to greater clarity for users of the plan. The changes to paragraph 3.19.1 direct plan users to the Coal Mining Referral Areas which are held by the Council. There are no policy implications of these proposed changes and as such it is considered that no further SA is required. The Proforma now thoroughly addresses the issues brought up at the October examination sessions and explains the current changes to the policy justification. Paragraphs 4.20.1 - 4.20.8 now provide a reasonable and justified basis for the allocation of the bus centre site only and the target of a 1% growth rate and how that will be achieved including the identification of sites which potential for redevelopment in the future.

Policy BW4 Settlement Boundaries/ Locational Constraints

- 2.7 The SA of changes in May 2010 assessed the effect of combining policies BW4, TB1 and TB2: Development outside settlement boundaries and found that the sustainability of the policy was improved. These further changes broaden the scope for development to rural enterprises and supports further expansion of existing rural businesses and refers to TAN 6 to provide a definition of "rural enterprise". These changes further progress the sustainability of the plan in relation to economy and employment and community objectives. No further SA is required.

Policy BW5: Natural Heritage

- 2.8 The SA of changes in March 2010 assessed the effect of changes to Policy BW5 and found that the revised policy and text brought about an overall improvement to the predicted sustainability effects of the policy. The proposed change simplifies the policy and confines it to natural heritage rather than incorporating built heritage which is covered by other policy. The text updates reference to national guidance in TAN5. There is no requirement for further SA.

Policy BW10 Minerals Safeguarding

- 2.9 These changes were screened in the Proposed Changes document (3) of July 2010 and the screening found that: The changes to the policy wording clarify the purpose of Policy BW10 and have no significant effect on the SA of the original policy. No further adverse effects are identified through the change. Deletion of the national designations of environmental and cultural importance from the mineral safeguarding areas illustrated on the proposals map is not deemed to have any significant adverse effect as Policy TB8 has been made more robust and specifically protects such areas from adverse impact. It is considered that no further SA is required.

Policy BW17 Securing Community Benefits

- 2.10 The threshold for affordable housing contributions is 10 units or more with potential for off site contributions from smaller developments. This policy applies to other areas of planning obligation/CIL where small developments will produce a cumulative need for community infrastructure and has removed the ten dwelling threshold in line with policy AS22. The supporting text now clearly refers to the Community Infrastructure Levy Regulations (2010) and the Council's own SPG for guidance. The supporting text also recognises issues of viability by stating: "However, when finalising Section 106 agreements, the Town Planning Division will need to strike a balance amongst competing causes and ensure that development remains viable and the strategy of the LDP is realised." This will ensure that there will be no adverse effect on housing objectives. Overall the revised policy and text represent a further progression towards meeting sustainability objectives and no further SA is required.

Policy BW19 Affordable Housing Targets

- 2.11 Whilst it is disappointing that the level of affordable housing has been reduced, this action is based on updated research and a realistic view of the level of development which is likely to be experienced in the County Borough. The viability of providing affordable housing has been taken into consideration. The supporting text now identifies clear targets for

affordable housing in the primary and secondary development areas and refers to provision through the exceptions site policy to provide housing in the other rural areas. Therefore, it must be considered that the LDP still strives to meet sustainability objectives relating to housing and communities and as such no further SA is required.

Policy AS22 Affordable Housing Contributions

- 2.12 The policy has been changed to reflect issues of development viability in the County Borough. As such, the policy now “seeks” rather than “requires” affordable housing provision and states that the figures in the policy are indicative rather than prescriptive. The indicative % in the secondary growth areas has also been reduced. Whilst this initially seems to reduce the potential for the provision of affordable housing, the Council are actually taking steps to ensure that they do not deter development in difficult economic circumstances by requiring too much planning obligation which ultimately could result in the provision of very little affordable housing due to reduced development. The policy also now provides for financial contributions to be levied on sites under 10 units in line with advice in PPW (3). Overall the policy represents a more flexible approach to the provision of affordable housing and still progresses the sustainability objectives in relation to housing, health and communities.

Policy AS24 Employment Site Protection

- 2.13 The change removes the word “only” from the policy making it less prescriptive and updates the policy to include site allocation E8. The inappropriate reference to sui generis uses is also removed. The policy still protects existing land in employment uses and as such there has been no significant effect on the SA.

Policy TB13 Exception Sites For Affordable Housing In The Countryside

- 2.14 The changes to the policy clarify both the issues of the location of exception site affordable housing i.e. adjoining settlement boundaries and in the Other Growth Areas of the LDP, and the supporting text now defines local need. Removal of the reference to development outside the settlement boundaries improves the performance of the policy in relation to landscape and biodiversity SA objectives and there is no significant or adverse effect on housing, health or communities objectives. No further SA is required.

APPENDIX 1 - SCREENING TABLES

Table 1 - Minor changes (Policies with wording amendments)

All text to be deleted in red and all new/replacement text in green

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
Policy AS20: Retail Allocations				
Proforma 3	Policy AS20 Paras 4.20.1 - 4.20.8	<p>4.20 Policy AS20: Retail allocations <i>During the plan period 2006-2021, land will be allocated for retail development at the following locations as shown on the LDP Proposals Map:-</i></p> <ul style="list-style-type: none"> • Merthyr Tydfil Central Bus Station (R1) <p><u>Policy Justification</u></p> <p>4.20.1 As an integral part of the LDP process, the Council commissioned a <i>Retail & Commercial Leisure Capacity Study</i> to ascertain the likely future retail requirements of the County Borough. This assessment concludes that, whilst there is currently a very good level of convenience goods</p>	<p>The Inspector requested that the Council :</p> <p>a) Produce a paper that considers the LDP's retail floorspace provision against the aspirations of the Enhanced Growth Strategy.</p> <p>b) In doing so, clarify the retention rate to which the Plan aspires and the regeneration ambitions for Merthyr Tydfil Town Centre.</p> <p>c) Further explain / justify the current</p>	<p>Earlier changes to Policy AS20 and the policy justification were considered in the third report on proposed changes, July 2010, under Proforma 28.</p> <p>The Proforma now thoroughly addresses the issues brought up at the October examination sessions and explains the current changes to the policy justification. Paragraphs 4.20.1 - 4.20.8 now provide a reasonable and justified basis for the allocation of the bus centre site only and the target of a 1% growth rate and how that will be achieved including the identification of sites with potential for redevelopment in</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>expenditure retention within Merthyr Tydfil, taking into account the LDP's strategy for enhanced growth, an additional 789 sq. metres (net) of convenience retail floorspace is likely to be required by 2021.</p> <p>4.20.2 It is envisaged that the requirement for additional convenience floorspace is sufficiently small to be met through the provision of one small supermarket, or a range of local provision, or a store extension in accord with the sequential test and, consequently, the LDP does not make specific allocations in this regard.</p> <p>4.20.3 In terms of comparison goods, and taking into account existing retail commitments through planning consents granted on land adjacent to Merthyr Tydfil Central Bus Station and land at Swansea Road, there is no requirement for additional floorspace over the</p>	<p>position, or, if necessary, consider / make additional retail allocations as appropriate.</p>	<p>the future.</p> <p>It is considered that the initial comments on Policy AS20, and the SA comments on Proforma 28 are not materially affected and as such no further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>plan period. This takes into account the fact that occasional visits to other centres, principally Cardiff, will remain an integral part of a regional retail scenario.</p> <p>4.20.4 Whilst the Council is accepting of the above, it also considers that during the lifetime of the Plan, it will be desirable to retain a greater proportion of net out-flowing expenditure. This being the case, the <i>Retail and Commercial Leisure Capacity Study</i> concludes that between 660 and 4000 sq metres (net) of new retail floorspace will be required for comparison goods by 2021, depending on which retention scenario the LDP sets out to follow. 660 sq metres equates to a 0% increase (constant retention rate), whilst 4000 sq metres equates to a 2% increase.</p> <p>4.20.5 The Council considers that a constant retention rate is the most appropriate approach at the time</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p style="color: red;">of writing (resulting in a requirement for 660 sq metres) but that this stance should be reviewed during the course of the Plan period taking account of likely improving conditions for investment, particularly in the town centre, where the Council's intention is for significant redevelopment over the longer term as mentioned at Para 4.19.5.</p> <p>4.20.5 Taking into account economic circumstances at the time of writing, the Council considers that a 1 percentage point increase in the retention rate is the most appropriate to achieve, and that this equates to a requirement for approximately 2300 sq metres (net) floorspace to be provided. An allocation of 5300 sq metres (gross) has been made at Merthyr Tydfil Central Bus Station, which provides the opportunity for approximately 3700 sq metres (net) retail floorspace. As approximately 1400 sq metres of this site already benefits from extant retail planning permission, the allocation serves to</p>		

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		<p>provide 2300 sq metres (net) i.e. the entire additional floorspace required. An appropriate scheme would entail remodelling the existing, outdated facility in order to assist in the delivery of public transport improvements as set out in Policy AS12, and would help to realise one of the key aspirations for the area set out in the <i>Merthyr Tydfil Town Centre Strategic Review (2009)</i>.</p> <p>4.20.6 In terms of specific allocation in the LDP, the overall requirement is sufficiently small to be met by a range of local provision or a store extension in accord with the sequential test. However, the Council recognises that opportunities also exist for floorspace to be provided at the site of the Hollies Health Centre upon cessation of activities during the mid part of the plan period, and also at Merthyr Tydfil Central Bus Station in addition to the floorspace already granted</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>planning permission.</p> <p>4.20.6 Whilst the Council considers it unrealistic to achieve a higher retention rate at this time, there remains an aspiration for this to be achieved over the plan period subject to improvements in the economic climate and the progression of town centre regeneration / redevelopment as set out at Para. 4.19.5. Particularly, it is recognised that opportunities exist for new retail floorspace to be provided at the site of the Hollies Health Centre upon cessation of activities during the mid part of the plan period. Furthermore, that the Hollies is capable of being combined with the adjacent Central Police Station site, which is also likely to become vacant during a similar timescale, in order to provide a single site capable of accommodating approximately 6500 sq metres (gross) of new retail</p>		

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		<p>floorpsace.</p> <p>4.20.7 The latter option would entail the use of the bus station itself and could increase the overall retail floorspace at this location by around 3,000 sq. metres (gross) to 5000 sq. metres (gross). It would entail remodelling the existing, outdated facility in order to assist in the delivery of public transport improvements as set out in Policy AS12, and would help to realise one of the key aspirations for the area set out in the Merthyr Tydfil Town Centre Strategic Review (2009).</p> <p>4.20.7 The LDP's monitoring framework and annual monitoring reports will be used to assess the situation on a regular basis.</p> <p>4.20.8 Policy AS20 above, and the retail allocation on the LDP Proposals Map, reflect the preference for bus station redevelopment.</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
Policy AS19 – Merthyr Tydfil Town Centre /Primary Shopping Area.				
Proforma 4	Policy AS19	<p>Policy AS19: Merthyr Tydfil Town Centre</p> <p><i>The Town Centre boundary is defined as shown on the LDP Proposals Map. Development proposals will be favoured where they maintain or enhance the retail, business, leisure, tourism, entertainment, arts, and cultural functions of the centre particularly with regard to improving its viability and attractiveness.</i></p> <p><i>In order to protect the vitality and viability of the Primary Shopping Area, proposals for changes of use to ground floors of class A1 retail premises will only be permitted where:-</i></p> <ul style="list-style-type: none"> ▪ <i>the proposal is for class A2 or class A3 retail use;</i> ▪ <i>the proposal does not lie adjacent to a non-A1 retail unit;</i> ▪ <i>the proposal does not involve an A1 retail unit with a frontage length</i> 	<p>The Inspector requested that the Council :</p> <p>a) Consider whether a 'units-based' approach to measurement offers adequate protection for larger retail outlets.</p> <p>b) Provide evidence to support the need for a threshold figure below which further losses of retail units would be resisted.</p> <p>c) Consider the wording of AS19 in order to make it clear that all criteria need to be met, and that the policy also applies to schemes which would further</p>	<p>The original policy AS19 and changes under Proforma 16 performed well against the SA Framework objectives. This revised version addresses the issue of the change of use of large retail units and the potential impact on the vitality of the town centre. Therefore the performance of the policy is further improved in relation to communities, economy and employment and transport objectives.</p> <p>The minor change from 85% - 83% retention of A1 retail units will have no significant effect on the SA.</p> <p>It is considered that no further SA is required due to the improved performance of the policy against SA objectives.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p><i>of 10 metres or more, or a corner retail unit; and</i></p> <ul style="list-style-type: none"> ▪ The proportion of A1 retail units will not fall below 85 per cent of the total number of commercial premises in the Primary Shopping Area. ▪ <i>the proportion of A1 retail units will not be less than 83 per cent of the total number of commercial premises in the Primary Shopping Area</i> 	<p>reduce the proportion of A1 units below the threshold, where that threshold has already been exceeded.</p>	
Proposals and Constraints Map				
Proforma 8	Proposals and Constraints Maps Para 3.19.1	<p>Para 3.19.1 of the LDP to be amended as follows in order to take account of the fact that the Planning Constraints Map no longer exists, but that the relevant information can still be accessed within the authority:-</p> <p>Unstable land</p> <p>3.19.1 Areas of potentially unstable land are known to exist in certain parts of the County Borough as a result of historical coal mining activity. Such areas of land lie both inside</p>	<p>During discussions that took place during the LDP hearing session held on 6th October 2010, it became apparent that most of the designations contained on the Planning Constraints Map should be included on the LDP Proposals Map on</p>	<p>Illustrating all relevant designations on the proposals map will lead to greater clarity for users of the plan. The changes to paragraph 3.19.1 direct plan users to the Coal Mining Referral Areas which are held by the Council.</p> <p>The proposed changes do not result in any significant changes to the SA; therefore no further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>and outside the settlement boundary and are identified as align with the Coal Authority's Coal Mining Referral Areas on the Planning Constraints Map. Maps highlighting the Coal Mining Referral Areas are held for inspection within the Council, are not necessarily exhaustive and the with responsibility for determining the extent and effects of such these constraints lie resting with the developer. Where development is proposed in these areas, the developer should consult with The Coal Authority.</p> <p>The Constraints map to be discontinued and all information relevant to policies in the LDP to be illustrated on 4 A0 proposals maps which cover the County Borough.</p> <p>In accord with the provisions of Profoma 8 and the amendments carried out to the LDP Proposals Map, all other references to the Planning Constraints Map in the LDP are proposed for removal. Whilst in certain instances, this involves limited redrafting of</p>	<p>the basis that they are subject of specific policies in the Plan.</p>	

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		relevant text, the Council has treated all these as minor changes to the Plan.		
POLICY BW4 SETTLEMENT BOUNDARIES/ LOCATIONAL CONSTRAINTS				
Proforma 7	Policy BW4 Paragraphs 3.4.5/3.4.6	<p>Policy BW4 Settlement boundaries/ locational constraints</p> <p>Settlement boundaries are defined on the LDP Proposals Map in order to define the area within which development will be allowed providing it is compatible with other relevant plan policies and material planning considerations.</p> <p>Outside defined settlement boundaries, proposals will be regarded as 'countryside development' and will not be permitted unless:-</p> <ul style="list-style-type: none"> • The development is associated with either agricultural, forestry rural enterprises or the winning and working of minerals; • The development is for the re-use, adaptation, or replacement of rural buildings and dwellings; 	<p>The Inspector requested that the Council : Consider the introduction of a reference to existing businesses (in the countryside) within the list of exceptions' set out in Policy BW4; also consider the deletion of 'and material considerations' from the policy text and Consider introducing a definition of the term 'rural enterprise' and a cross reference to</p>	<p>The SA of changes in May 2010 assessed the effect of combining policies BW4, TB1 and TB2: Development outside settlement boundaries and found that the sustainability of the policy had been improved. These further changes broaden the scope for development to rural enterprises and supports further expansion of existing rural businesses and also refers to TAN 6 to provide a definition of "rural enterprise". These changes further progress the sustainability of the plan in relation to economy and employment and community objectives, therefore no further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<ul style="list-style-type: none"> • The development supports the expansion of an existing business in the countryside. • The development is for tourism, recreation or leisure facilities where the need for a countryside location is fully justified. • The development is for the provision of public utilities, infrastructure or waste management facilities that cannot reasonably be located elsewhere. • The development is required for the reclamation or treatment of unstable or contaminated land. • The development is for renewable energy. <p>Where, 'countryside development' is considered acceptable in principle, the proposal must also satisfy other relevant plan policies and material planning considerations.</p> <p>3.4.5 It should be noted that the types of countryside development considered acceptable in principle by the above policy do not represent a completely exhaustive list as the LDP does not</p>	<p>paragraph 3.1.3 of TAN 6 in the justification of Policy BW4.</p>	

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		<p>attempt to address every potential development scenario. However, the stipulated uses are representative of the types of development that are most likely to arise in the local area, making the policy both compliant with national policy and locally distinctive. In this respect, and particularly in relation to the expansion of existing businesses in the countryside, the LDP should be read in conjunction with Para 3.1.3 of TAN 6: Planning for Sustainable Rural Communities (July 2010).</p> <p>New paragraph:</p> <p>3.4.6 For the purposes of Policy BW4, the definition of 'rural enterprise' is taken as that defined in Paragraph 4.3.2 of TAN 6: Planning for Sustainable Rural Communities (July 2010).</p>		
POLICY BW5: NATURAL HERITAGE				

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
Proforma 7	Policy BW5 Paragraphs 3.5.4/3.5.5	<p>Policy BW5: Natural heritage</p> <p>The Council will protect and support the enhancement of the County Borough's distinctive natural heritage. Development proposals will only be permitted where they maintain, enhance or do not cause harm to:</p> <ul style="list-style-type: none"> • The character of the County Borough's settlements and landscape setting including its countryside the landscape character of the countryside; • national and local nature conservation designations; • trees, woodlands and hedgerows that have natural heritage value or contribute to the character and amenity of an area; and • other biodiversity interests including protected and priority species and ecological networks. <p>3.5.4 Second sentence: Planning Policy Wales (Edition 3</p>	<p>The Inspector requested that the Council consider re-wording the first criterion of Policy BW5 and identify the precise location for the proposed cross-references to TAN5.</p>	<p>The SA of changes in March 2010 assessed the effect of changes to Policy BW5 and found that the revised policy and text resulted in an improvement to the predicted sustainability effects of the policy.</p> <p>The proposed changes simplify the policy and confine it to natural heritage rather than incorporating built heritage which is covered by other policy. The text updates reference to national guidance in TAN5. There is no requirement for further SA.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>2010) sets out a clear statement of national development control policy for SSSI's in paragraphs 5.5.8 and 5.5.9, and this will also be used to assess and additional advice is provided in section 5.4 of TAN 5: Nature Conservation and Planning (2009). Regard will also be had to these national requirements when assessing all development proposals which affect Merthyr's SSSI's.</p> <p>3.5.5 First sentence: A variety of European protected species are present within the County Borough and development proposals that are likely to affect such species will also be assessed against the requirements of Planning Policy Wales (para. 5.5.11 and 5.5.12, Edition 3, 2010), specially, paragraphs 5.5.11 and 5.5.12 and Chapter 6 of TAN 5: Nature Conservation and Planning (2009).</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
POLICY BW10 MINERALS SAFEGUARDING				
	Policy BW10	<p>The LDP contributes to meeting society's need for a continuous and secure supply of minerals by:-</p> <ol style="list-style-type: none"> 1. safeguarding mineral resources from permanent development which would sterilise them or hinder their extraction; 2. safeguarding mineral reserves from development which would prevent their extraction in order to maintain a minimum 10 year land bank of permitted aggregate reserves. 	Policy criteria not visible on previous proposed changes document due to technical error.	<p>These changes were screened in the Proposed Changes document (3) of July 2010 and the screening found that:</p> <p>The changes to the policy wording clarify the purpose of Policy BW10 and have no significant effect on the SA of the original policy. No further adverse effects are identified through the change.</p> <p>Deletion of the national designations of environmental and cultural importance from the mineral safeguarding areas illustrated on the proposals map is not deemed to have any significant adverse effect as Policy TB8 has been made more robust and specifically protects such areas from adverse impact.</p> <p>It is considered that no further SA is</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
				required.
POLICY BW17 SECURING COMMUNITY BENEFITS				
	Policy BW17 Paragraphs 3.17.4/3.17.5	<p>Securing community infrastructure benefits</p> <p>Development proposals will only be permitted where adequate community infrastructure capacity exists or where additional capacity is capable of being provided as part of the development without unacceptable impacts on people or the environment. In order to address the impacts of particular developments, the Council will seek to secure community infrastructure benefits through planning obligations on developments of 10 units or more. Such obligations may relate to:-</p> <ul style="list-style-type: none"> • affordable Housing • suitably designed and located public open space and play, recreation, sport and leisure facilities • education provision • specialist social care accommodation • other community facilities • highway works, pedestrian and cycling facilities, and public transport 	In respect of Policy BW17, consider re-wording paragraph 3.17.5 to make it clear that it will be for the planning department to decide on the total level of community infrastructure contributions and the sub-division among competing causes, and consider replacing the cross-reference to paragraph 3.7.2 of PPW with an appropriate reference to the CIL regulations.	<p>The threshold for affordable housing contributions is 10 units or more with potential for off site contributions from smaller developments. This policy applies to other areas of planning obligation/CIL where small developments will produce a cumulative need for community infrastructure and has removed the ten dwelling threshold in line with policy AS22. The supporting text now clearly refers to the Community Infrastructure Levy Regulations (2010) and the Council's own SPG for guidance.</p> <p>The supporting text also recognises issues of viability by stating:</p> <p>"However, when finalising Section 106 agreements, the Town Planning Division will need to strike a balance amongst competing causes and</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>improvements</p> <ul style="list-style-type: none"> • improvements to the public realm • waste management and recycling • drainage and sewerage works. <p>3.17.4 The LDP sites that are expected to generate planning obligations are those housing allocations of 10 units or more included in the schedule of housing sites at Appendix 4. It should be noted however, that obligations may not solely be limited to allocated sites. Planning obligations will only be sought where they satisfy the criteria set out in Paragraph 3.7.2 of Planning Policy Wales (Edition 3, 2010). 122 of the Community Infrastructure Levy Regulations (2010).</p> <p>3.17.5 Individual Council departments will be responsible for stating the precise level and nature of their requirements as part of the planning application process with obligations only being sought where there is an identified need as outlined in Appendix 4. The level of provision required will be based on recognised formulae</p>		<p>ensure that development remains viable and the strategy of the LDP is realised." This will ensure that there will be no adverse effect on housing objectives.</p> <p>Overall the revised policy and text represent a further progression towards meeting sustainability objectives and no further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>used by individual departments, for example, the Fields in Trust 6 acre standard. However, when finalising Section 106 agreements, the Town Planning Division will need to strike a balance amongst competing causes and ensure will need to be struck ensuring that development remains viable and the strategy of the LDP is realised. With regard to the introduction of the Community Infrastructure Levy, the Council will prepare an implementation timetable to accompany the first LDP Annual Monitoring Report. Further information on planning obligations is contained in the Council's SPG on Planning Contributions (available Autumn 2010).</p>		
POLICY BW19 AFFORDABLE HOUSING TARGETS				
Proforma 2	Policy BW19 Paragraphs 3.19.1 – 3.19.4	<p>Affordable Housing target</p> <p>During the Plan period, the Local Development Plan will provide 410 260 affordable dwellings across the County Borough in order to contribute to the identified level of housing need.</p>	In response to issues raised by the Inspector, the LHMA has been revised in line with the issues raised by the Inspector at the October 2010	Whilst it is disappointing that the level of affordable housing has been reduced, this action is based on updated research and a realistic view of the level of development which is likely to be experienced in the County Borough. The viability of

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>3.20.1 3.19.1 The delivery of affordable housing is a key issue both locally and nationally. The most recent Local Housing Market Assessment (LHMA) for Merthyr Tydfil, dated February November 2010, has identified that of the overall dwelling requirement in the County Borough up to 2021, 930 510 dwellings need to be in the form of affordable housing. The precise level of need differs between the 3 market areas identified and currently stands at 540 300 units in Merthyr Tydfil, 330 180 units in the Mid Valleys and 60 30 units in Treharris /Trelewis.</p> <p>3.20.2 3.19.2 The LDP target of 410 260 units is below the level of need identified within the LHMA but is nevertheless considered to be ambitious, and represents a target that is both realistic and deliverable when development viability is taken into consideration. Approximately 300 240 units will be delivered through Policy AS22, which sets targets and a threshold for planning contributions on new housing development. The distribution of these units will be 200 in the Primary Growth</p>	<p>hearing sessions, and the level of need identified reflects the definition of affordability included at paragraph 4.1 of TAN 2.</p> <p>Post October 2010 Further Work</p>	<p>providing affordable housing has been taken into consideration. The supporting text now identifies clear targets for affordable housing in the primary and secondary development areas and refers to provision through the exceptions site policy to provide housing in the other rural areas. Therefore, it must be considered that the LDP still strives to meet sustainability objectives relating to housing and communities, as such no further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>Area, 30 in the Secondary Growth Area and 10 in the Other Growth Areas. A Rural Exceptions policy (Policy TB13) is expected to deliver the remaining 110 20 units which will only be provided in the Other Growth Areas.</p> <p>3.19.3 The Social Housing Grant (SHG) programme (as well as other sources of funding) is likely to deliver an additional 300 units over the Plan period with the remainder of the affordable housing requirement being met through the re-use of empty homes (funded by Section 106 Agreements and other funding streams such as recently secured SCIF). The Social Housing Grant (SHG) programme (as well as other sources of funding) and the re-use of empty homes (funded by Section 106 agreements and other funding streams such as recently secured SCIF(Strategic Capital Investment Fund)) are likely to meet the remainder of affordable housing need as identified in the most recent LHMA.</p> <p>3.20.4 3.19.4 The delivery of affordable housing is dependent on a number of</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		factors and the Council recognises that securing affordable housing must be balanced against the other policy requirements of the Plan. For further information on affordable housing, reference should be made to the LDP Background Paper: Affordable Housing and the most recent Local Housing Market Assessment referred to above.		
POLICY AS22 AFFORDABLE HOUSING CONTRIBUTIONS				
Proforma 2	Policy AS22 Paragraphs 4.22.2 – 4.22.4	<p>Affordable housing contributions</p> <p>In order to ensure the delivery of affordable housing across the County Borough, the LDP will require seek, on sites of 10 units or more, the indicative provision of:</p> <ul style="list-style-type: none"> • 10% affordable housing in the Primary and Secondary Growth Area • 5% affordable housing in the Secondary and Other Growth Areas. <p>Where applicants for planning permission can demonstrate that on-site provision of affordable housing is not possible, the</p>	The Inspector requested that the Council ensure the LDP maximises/seeks appropriate level of affordable housing (dependent on level identified through revisions to LHMA) and other miscellaneous affordable housing matters.	The policy has been changed to reflect issues of development viability in the County Borough. As such, the policy now "seeks" rather than "requires" affordable housing provision and states that the figures in the policy are indicative rather than prescriptive. The indicative % in the secondary growth areas has also been reduced. Whilst this initially seems to reduce the potential for the provision of affordable housing, the Council are actually taking steps to ensure that they do not deter development in difficult economic

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>Council will require a financial contribution towards the provision of affordable housing elsewhere in the County Borough. corresponding growth area of the LDP. A financial contribution will also be sought on sites that fall below the threshold of 10 units.</p> <p>4.22.2 The percentage targets included in the above policy recognise that development viability in the County Borough is a major consideration. These targets should therefore be treated as indicative, and negotiation will be necessary on the exact type and amount of affordable housing to be delivered on a site-by-site basis. The result of negotiations will depend on information such as viability assessments, the most up to date Local Housing Market Assessment, and other relevant information from housing stakeholders including Registered Social Landlords and the Councils' Housing Department.</p> <p>4.22.3 Where an on-site housing contribution is demonstrated not to be</p>		<p>circumstances by requiring too much planning obligation which ultimately could result in the provision of very little affordable housing due to reduced development. The policy also now provides for financial contributions to be levied on sites under 10 units in line with advice in PPW (3).</p> <p>Overall the policy represents a more flexible approach to the provision of affordable housing and still progresses the sustainability objectives in relation to housing, health and communities.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>possible, a commuted sum of an equivalent value to the cost of providing the on-site affordable housing will be required by the Council. The decision to accept a commuted sum will be taken on the grounds that it provides a housing and planning solution, and will not be in response to viability issues. <i>Policy AS22 seeks commuted sums on sites below the threshold in accordance with paragraph 9.2.17 of Planning Policy Wales (Edition 3, July 2010.)</i> In the case of sites assessed and formally concluded by the Council as being in locations of high affordable housing need, the Council may seek to negotiate levels of affordable housing provision of up to 100%, having regard to all relevant considerations including the viability of such provision.</p> <p>4.22.4 For further information on the targets, thresholds and commuted sums, reference to the LDP Background Paper: Affordable Housing should be made, along with the Council's SPG on Affordable Housing Council's SPG on Affordable Housing (available Autumn</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		2011) should be made, along with the LDP Background Paper: Affordable Housing and the Affordable Housing Viability Study.		
POLICY AS24 EMPLOYMENT SITE PROTECTION				
	Policy AS24 Paragraphs 4.24.2 – 4.24.4	<p>In order to protect the employment function of the County Borough’s business and employment sites, development proposals will be restricted as follows:-</p> <p>At Rhydyicar Business Park and at site allocation E8 (Car Park, Hoover Factory), development will only be permitted if:</p> <ul style="list-style-type: none"> • it falls within use class B1; or • it provides an ancillary facility or service to the primary employment use. <p>At Pengarnddu, Pant Industrial Estate, Goatmill Road, Willows/Dragon Park, Triangle Business Park and Merthyr Tydfil Industrial Park, development will only be permitted if:</p> <ul style="list-style-type: none"> • it is within use classes B1, B2 or B8; or • It is an appropriate Sui-Generis use; or 	At LDP Hearing Session 11 held on 5 th October 2010, the Inspector asked the Council to consider whether Policy AS24 was written with sufficient flexibility.	The change removes the word “only” from the policy making it less prescriptive and updates the policy to include site allocation E8. The inappropriate reference to sui generis uses is also removed. The policy still protects land employment uses and as such there are no significant changes to the sustainability effects of the policy. No further SA required.

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<ul style="list-style-type: none"> • it provides an ancillary facility or service to the primary employment use, or • it is an acceptable commercial service unrelated to class B uses. <p style="color: green;">Development proposals for uses other than those stipulated and that would result in the loss of employment land /premises at the above sites will only 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.</p> <p>4.24.2 For these reasons, the above policy sets out to protect all those business and employment sites identified specifically designated on the LDP Proposals Map including most of which are existing / functioning sites, and but some of which are sites proposed for development through LDP allocations. Ancillary land uses may be acceptable where those uses complement the broader employment activities and address the wider needs of people employed on those sites.</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>4.24.3 Examples of appropriate Sui Generis uses include a builder's merchant; a freight contractor's yard; and a vehicle depot. 4.24.3 Examples of commercial activities unrelated to use class B, which might be considered acceptable include indoor health, fitness and play facilities; day nurseries; and a commercial vehicle repair and maintenance facility.</p> <p>4.24.4 With the exception of the Rhydycar Business Park and site allocation E8 (Car Park, Hoover Factory), which is are B1 only, all business and employment sites identified designated in the LDP comprise uses that can be categorised as B1, B2 or B8 under the Town and Country Planning Use Classes Order 1987 (as amended). Under the waste management policies of the Plan, existing and proposed B2 sites are identified as areas of search for appropriate new waste management facilities.</p>		
POLICY TB13 EXCEPTION SITES FOR AFFORDABLE HOUSING IN THE COUNTRYSIDE				

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
Proforma 2	Policy TB13 Paragraphs 5.13.1 – 5.13.3	<p>Exception sites for affordable housing in the countryside</p> <p>Development proposals for the provision of affordable housing outside and adjoining settlement boundaries identified in the LDP will be permitted where it can be demonstrated that: -</p> <ul style="list-style-type: none"> • the proposed development cannot be accommodated within defined settlement boundaries; • the site does not exceed 10 dwellings or 0.5 hectares; • the proposed development is solely for the provision of affordable housing to meet an identified local need within the Other Growth Areas of the LDP; and <p>the development is compatible with other plan policies and material planning considerations.</p> <p>5.13.1 The purpose of Policy TB13 is to allow affordable housing to be provided in areas where there is an identified local</p>	<p>The Inspector requested that the Council ensure the LDP maximises/seek appropriate level of affordable housing (dependent on level identified through revisions to LHMA) and other miscellaneous affordable housing matters.</p>	<p>The changes to the policy clarify issues surrounding the location of exception site affordable housing (i.e. adjoining settlement boundaries and in the Other Growth Areas of the LDP) and the supporting text now defines local need.</p> <p>Removal of the reference to development outside the settlement boundaries improves the performance of the policy in relation to landscape and biodiversity SA objectives and there is no significant or adverse effect on housing, health or communities SA objectives. No further SA is required.</p>

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>need that cannot be met within defined settlement limits. For the purpose of this policy, 'local need' is identified as a need for Affordable Housing within the the Other Growth Areas of the LDP, that as the need identified in the LHMA in those areas cannot be met through other sources (i.e. Policy AS22). The person/household in need of affordable housing must also live within and/or have a family connection to the Other Growth Areas. The Council's preference will always be for development to take place within residential settlement boundaries, however, it is recognised that factors such as the availability of land and high land values may dictate that it is not always possible to deliver affordable housing in such locations.</p> <p>5.13.2 In permitting the development of affordable housing outside settlement limits, the Council will require developers to demonstrate why development cannot take place within them, and that appropriate mechanisms are in place to ensure all dwellings are secured, for</p>		

Change Ref Number	LDP Policy/ Paragraph	Post Suspension Proposed Changes	Justification of change	SA comments
		<p>affordable housing, in perpetuity.</p> <p>5.13.3 Affordable Housing Exception sites shall not be larger than 10 units as this accords with the requirements of national planning policy (Para 9.2.23, Planning Policy Wales (Edition 2 3, 2010)) that rural affordable housing exception sites should be "small" in size. Setting the limit at 10 dwellings also accords with the definition of a small site in both the LDP itself and the Annual Joint Housing Land Availability Study.</p>		

Table 2 - Minor Changes

All text to be deleted in red and all new/replacement text in green

Paragraph	Change	Source from which change results.	SA Comments
N/A	<p>Table of Contents Contents page and associated page numbers to be amended to reflect changes to LDP Policies and supporting text.</p>	<p>Minor change Page numbers to be amended as necessary to reflect changes within the Plan.</p>	<p>Factual corrections. No effect on SA.</p>
1.1	FORMAT OF THE DEPOSIT PLAN	Minor Change	Minor wording change. No effect on SA.
1.1.5	<p>First sentence: Chapter 3 of the Deposit Plan contains the borough-wide strategic policies and translates the spatial priorities of Chapter 2 into distinct policy mechanisms that set out the general criteria against which planning proposals will be considered having regard to the LDP's Vision, Primary Aim and Strategic Objectives.</p>	Minor Change	Minor wording change. No effect on SA.
1.1.13	<p>The Proposals Map maps avoids incorporating designations that area not directly proposals of the LDP itself (e.g. Scheduled Ancient Monuments, conservation areas, sites of special scientific interest). These are shown on a separate constraints map, which also utilises an Ordnance Survey base, but which is regarded as supporting documentation</p>	Post Suspension Changes - Representor 50	Wording change to reflect changes to the proposals map as noted above (Proforma 8). No effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	to, rather than part of the Plan (see below).		
<p>1.1.14</p> <p>1.1.13</p>	<p>Supporting documentation</p> <p>A range of documents have been prepared to complement and support the policies and proposals of the Deposit Plan. Those documents that will specifically form part of the deposit consultation exercise Plan are as are as follows:-</p> <ul style="list-style-type: none"> • Planning Constraints Map • Sustainability Report, including a non-technical summary • Habitats Regulations Assessment Screening Report • Initial Consultation Report • SINC survey summary report 	<p>Minor Change</p>	<p>Wording change to reflect changes to the proposals map and deletion of constraints map as noted above (Proforma 8). No effect on SA.</p>
<p>1.1.15</p> <p>1.1.14</p>	<p>Further supporting documentation will be made is available for inspection, during deposit consultation but will not form part of the consultation exercise. This includes and includes:-</p> <ul style="list-style-type: none"> • Renewable Energy Assessment • Local Housing Market Assessment • Gypsy and Traveller Accommodation Needs Survey and Assessment • Retail & Commercial Leisure Capacity Study • Site Assessment Proformas. 	<p>Minor Change</p>	<p>Wording change to deal with status of plan as it is adopted. No effect on SA.</p>
<p>1.2.5</p>	<p>Existing Plans</p> <p>The existing adopted development plan framework in</p>	<p>Minor Change</p>	<p>Wording change to deal with status of plan. No effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>Merthyr Tydfil is provided by:-</p> <ul style="list-style-type: none"> • the Mid Glamorgan (Merthyr Tydfil County Borough) Replacement Structure Plan 1991-2006 (adopted August 1996) • the Merthyr Tydfil Borough Local Plan 1994-2006 (adopted May 1999) • the Mid Glamorgan (Merthyr Tydfil County Borough) Minerals Local Plan for Limestone Quarrying (adopted September 1999). 		
1.2.6	<p>These plans remain in force as the primary tools for decision making on land use planning matters until such time as the LDP reaches adoption. However, the further the LDP advances through the statutory process, the greater the weight that can be afforded it as a material planning consideration until ultimately, it will replace all the aforementioned.</p>	Minor Change	Wording change to deal with status of plan. No effect on SA.
1.3	<p>OUTLINE OF LDP PROCESS LDP MONITORING</p>	Minor Change	No effect on SA.
1.3.1- 1.3.23	<p>Text to be deleted and replaced as below</p>	Minor Change	No effect on SA.
1.3.27 1.3.1	<p>Monitoring</p> <p>Planning Policy Wales (Edition 2-3, 2010) requires that local authorities monitor and evaluate the performance of their plans to ensure that they remain relevant, effective and as</p>	Minor Change - Policy reference update.	No effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	up to date as possible.		
<p>1.3.28</p> <p>1.3.2</p>	<p>Central to the strategy of the Merthyr Tydfil LDP is the concept of sustainable development and evaluation of the success of the plan will therefore require consideration of achievement against the main aspects of sustainability as identified in the sustainability appraisal. With the key sustainability indicators providing the starting point for measuring how effective the plan's policies are, the monitoring process will also draw on a wide range of information available at a national, regional and local level.</p>	<p>Minor Change – due to paragraph re-numbering.</p>	<p>No effect on SA.</p>
<p>1.3.29</p> <p>1.3.3</p>	<p>Following adoption, the Council will produce an Annual Monitoring Report (AMR), which will assess how effectively the policies and proposals of the plan are performing. <i>In order to do this, the AMR will explain how the various targets and triggers set out at Chapter 6 of the LDP help inform the monitoring and review process.</i> If policies are found not to be achieving objectives or where there are substantial shifts in circumstances, the policies concerned will be re-examined as part of the future review or replacement of the plan.</p>	<p>Minor change due to paragraph re-numbering / Post Suspension Proposed Changes - Representor 73</p>	<p>No effect on SA.</p>
<p>1.3.24</p> <p>1.3.26</p> <p>1.3.4 –</p> <p>1.3.6</p>	<p>Text to be re-numbered.</p> <p>1.3.4 As part of the plan preparation process, the Council's Town Planning Division considered the extent to which contingency arrangements are in place to</p>	<p>Minor Change – due to paragraph re-numbering</p>	<p>No effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>help deliver the LDP's strategy in the event of key elements of the Plan not coming forward as envisaged.</p> <p>1.3.5 It was considered that housing and employment are the most significant elements of the LDP and, in terms of site allocations an overprovision has been made compared with identified requirements. Each site is awarded a timescale for its anticipated delivery (see Appendix 4 and Appendix 5). The stipulated timescales relate to one of the 3 component phases of the plan period and a site's inclusion within a particular timeframe reflects its perceived deliverability having regard to a variety of local and wider issues. Those sites to be delivered during the first phase of the LDP i.e. 2006-2011, whilst important, are not necessarily the most critical sites. Therefore, if some of these sites have not come forward during the anticipated timeframe, development of Phase 2 sites i.e. those planned for the period 2012-2016, will not be resisted.</p> <p>1.3.6 The LDP monitoring and review process (see below) will be used to ascertain the extent to which policies and proposals are performing and will be used as a basis for informing changes to the distribution /phasing of allocations if necessary and appropriate.</p>		

Paragraph	Change	Source from which change results.	SA Comments
<p>1.3.30 1.3.33</p> <p>1.3.7 – 1.3.10</p>	<p>Text to be re-numbered</p> <p>Review</p> <p>1.3.7 It is intended that the plan be reviewed on a 4-year cycle and that review of the SA/SEA baseline information and trends also takes place to feed into this revision. Any amendments will need to go through the same stages as the preparation of the LDP itself.</p> <p>Supplementary Planning Guidance</p> <p>1.3.8 The Council has previously published a range of topic specific advice notes and these will remain in place for the immediate future. No new supplementary planning advice will be issued in tandem with has been issued with the LDP as the priority remains to has been to progress the Plan to adoption. However, the Council will consider has considered the scope for SPG and a formal SPG preparation programme will be has been developed; after the LDP Examination has occurred. The programme will commence after LDP adoption and consultation with the general public will take place before any SPG is finalised.</p> <p>Development Briefs</p> <p>1.3.9 The Council considers that development briefs are an</p>	<p>Minor Change – clarification and paragraph re-numbering</p>	<p>Changes to deal with the status of the plan. No effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>extremely useful tool in helping to promote particular development types at key locations in the County Borough. Developers are unlikely to take the risk of developing difficult or constrained sites unless it can be clearly demonstrated that the site is genuinely capable of development. Likewise, the local community will be interested to know precisely how a particular area will utilised in future.</p> <p>1.3.10 In order to provide a greater degree of certainty and to aid the regeneration process, the Council will require development briefs to be prepared for certain key sites in the County Borough. The schedule of housing sites at Appendix 4 provides more detail in this regard and is designed to help facilitate the appropriate development of those sites within a suitable timeframe ensuring the sustained and incremental success of the Plan.</p>		
1.4.2	<p>Final sentence:</p> <p>In producing the LDP, the Council must have regard to national planning policies as set out in <i>Planning Policy Wales (Edition 2 3, 2010)</i>, <i>Minerals Planning Policy Wales (2000)</i>, and various <i>Circulars</i> together with variety of <i>Technical Advice Notes (TANs)</i>.</p>	Minor Change - Policy reference update.	No effect on SA.
1.4.7	Third sentence:	Minor Change - Policy	

Paragraph	Change	Source from which change results.	SA Comments
	The Council has worked closely with the other 10 unitary authorities in the south-east Wales region as required by <i>Planning Policy Wales (Edition 2.3, 2010)</i> and apportioned householder forecasts up to 2021 through the South East Wales Strategic Planning Group (SEWSPG).	reference update.	No effect on SA.
1.4.19	Consultation and collaboration has underpinned the preparation of the LDP from the outset with the result that the deposit Plan's proposals integrate effectively with a broad cross section of relevant plans, programmes, strategies and initiatives as outlined above. Collaboration has taken place through formal arrangements such as the South East Wales Regional Waste Group but has also taken the form of more informal joint working with the adjacent local authorities on a variety of cross boundary issues such as landscape. The local community and key stakeholders have also made a valuable contribution through, for instance, the LDP Community Involvement Scheme.	Minor Change	Change to deal with the status of the plan. No effect on SA.
1.5.2	SA/SEA is an iterative process that has been undertaken throughout LDP preparation to ensure the emergence of a land use strategy that is as sustainable as possible. The appraisal has comprised a number of distinct stages and these are outlined fully in the Sustainability Report published alongside the deposit plan Plan. The Council is confident that the SA process has provided a credible and sufficiently robust assessment of all the Plan's policies and proposals and that this will be borne out in the LDP monitoring process	Minor Change	Change to deal with the status of the plan. No effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	which will utilise many of the identified sustainability indicators as a basis for assessing the Plan's performance.		
2.4.2	<p>Overall, the deposit plan Plan aims to provide the basis for meeting the economic, social and environmental needs of the County Borough in order that they:-</p> <ul style="list-style-type: none"> • reflect local aspirations for Merthyr Tydfil based on the vision agreed by the local community and other stakeholders • provide a basis for rational and consistent development decisions • guide growth and change, while protecting local diversity, character and sensitive environments. 	Minor Change	Change to deal with the status of the plan. No effect on SA.
2.5.9	The urban extension that was proposed in the Primary Growth Area as part of the LDP Preferred Strategy has not been taken forward to the Deposit-Adopted Plan. The reasons for this are outlined in the <i>Sustainability Report</i> (published separately) but also relate to the fact that the site cannot be made available for development during the required timescale and, therefore, cannot contribute to a realistic LDP Strategy.	Minor Change	Change to deal with the status of the plan. No effect on SA.
2.5.16	The centre of Treharris along with the other local shopping centres identified in the Plan, has an important role to play in helping to maintain the viability of the wider community. Through policies such as BW15 and AS18, the LDP aims to assist in revitalising Treharris by protecting the services and community facilities that already exist, facilitating	Hearing session 13 – Inspector's note point 32. Post October 2010 Further work Proforma 7.	The text has been removed to clarify the status of Treharris. No significant effect on the SA.

Paragraph	Change	Source from which change results.	SA Comments
	appropriate improvements and enhancements, and safeguarding the centre's retail function as part of a clearly defined retail hierarchy.		
2.5.17- 2.5.28 2.5.16 – 2.5.27	Paragraph re-numbering to be amended to reflect deletion of paragraph 2.5.16. Text to remain unchanged.	Minor Change - Consequential change to deletion of 2.5.16	No effect on SA
3.5.1	Merthyr's Tydfil's natural heritage, which includes both its landscape and biodiversity, has been highly influenced by human activity most notably during the Industrial Revolution, which had a profound effect on the condition and appearance of the County Borough. Much has been done to eradicate the negative evidence of such human activity and natural regeneration has contributed greatly to the improvement of large areas of land. The result is that today's County Borough offers a distinctive natural environment in terms of both landscape and biodiversity.	Minor Change	No effect on SA
3.5.3	Policy BW5 applies to any proposals that would, or would be likely to, have an impact on landscape and biodiversity interests and should be read in conjunction with paragraph 5.5.2 of Planning Policy Wales (Edition 3, July 2010). Two area-specific policies also directly relate. Policy AS4 identifies two areas of historic landscape interest where particular priority will be given to their protection,	Post Suspension proposed Changes – Representor 72	Policy update - No effect on SA

Paragraph	Change	Source from which change results.	SA Comments
	conservation and enhancement and Policy AS6 covers development proposals affecting SINCS and identifies the level of restriction such designations place on development.		
3.5.4	<p>Second sentence:</p> <p><i>Planning Policy Wales (Edition 3 2010) sets out a clear statement of national development control policy for SSSI's in paragraphs 5.5.8 and 5.5.9, and this will also be used to assess and additional advice is provided in section 5.4 of TAN 5: Nature Conservation and Planning (2009). Regard will also be had to these national requirements when assessing all development proposals which affect Merthyr's SSSI's.</i></p>	<p>Hearing session 11 – Inspector's note point 20</p> <p>Post October 2010 Further work Proforma 7</p>	Policy update - No effect on SA
3.6 Policy BW6	<p>Townscape and built heritage</p> <p>The Council will protect and support the enhancement of the unique built heritage of the County Borough. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character and setting of any of the following:-</p> <p>. Listed Buildings;</p>	<p>Minor Change - Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p>	No effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	<ul style="list-style-type: none"> · Scheduled Ancient Monuments; · Conservation Areas; · Registered Historic Parks and Gardens of Special Historic Interest; · Townscape character and the local distinctiveness of settlements; · Other historic, archaeological and cultural features of acknowledged importance. 		
3.6.3	<p>The distribution of existing townscape and built heritage designations such as Listed Buildings, Scheduled Ancient Monuments and Conservation Areas is illustrated on the Planning Constraints LDP Proposals Map. A corresponding list of heritage features at Appendix 2.</p>	Minor changes	To reflect deletion of constraints map. No effect on SA.
3.7 Policy BW7	<p>Policy BW7: Sustainable design and place making</p> <p>The Council will support good quality sustainable design and require new developments to:-</p> <ul style="list-style-type: none"> · be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout form, mix and density; 	<p>Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p> <p>Post Suspension Proposed</p>	Punctuation changes have no effect on SA. The introduction of the words "where appropriate" in criterion 10 slightly weakens the performance of the policy but cannot be considered to have a

Paragraph	Change	Source from which change results.	SA Comments
	<ul style="list-style-type: none"> · integrate effectively with adjacent spaces and the public realm to enhance the general street scene and create good quality townscape; · not result in unacceptable impact on local amenity in terms of visual impact, loss of light or privacy, disturbance and traffic movements; · incorporate a good standard of landscape design; · sensitively relate to existing settlement patterns and take account of natural heritage and the historic environment on-site and in terms of potential impact on neighbouring areas of importance; · foster ‘inclusive design’ by ensuring the development allows access for the widest range of people possible; · contribute to the provision of usable open and outdoor play space, ensuring its accessibility and connectivity to other green infrastructure, footpaths and cycleways; · incorporate resource efficient / adaptable buildings and layouts using sustainable design and construction techniques, including the re-use and recycling of construction and demolition waste on site, and energy and water conservation / efficiency measures; · minimise the demand for energy and, where appropriate, 	<p>Change – Representor 76</p>	<p>significant effect. No further SA required.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>utilise the renewable energy resource through appropriate layout, orientation, mix of uses, density of development, landscaping, optimal use of local topography and incorporation of renewable energy technologies;</p> <ul style="list-style-type: none"> · incorporate facilities for the segregation, recovery and recycling of waste; and · provide a safe environment by addressing issues of security, crime prevention, and the fear of crime in the design of buildings and the space and routes around them. 		
3.7.1	<p>Third sentence:</p> <p>The above policy, which has been formulated with regard to <i>Planning Policy Wales (Edition 2, 3 2010)</i> and TAN: 12 Design (2002), sets out the fundamental considerations that are necessary to achieve good quality design in all forms of built development, and will ensure that the best elements of the existing built form continue to be integrated with quality new development as part of a vibrant local economy.</p>	Minor Change - Policy reference update	Factual correction – no effect on SA.
3.7.2	<p>The Council welcomes discussions with prospective developers or their agents early on in the planning process. Specific information, for example, plans; elevations; perspectives; photographs; and written material such as design and access statements may often be required to clarify intentions and consider a proposal's relationship to the wider area. Early discussions also allow developers to</p>	Post October 2010 Further work Proforma 7 / Minor Change - Policy reference update	Factual correction – no effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	<p>demonstrate the extent to which their proposals meet Secured by Design principles, the sustainability and environmental performance criteria set out in the Code for Sustainable Homes (2008) and /or the Building Research Establishment Environmental Assessment Method (BREEAM) standards, against which, the Council affords due regard. The Council will apply the sustainable building standards set out in paragraph 4.11.4 of <i>Planning Policy Wales (Edition 2, 3 2010)</i>.</p>		
3.7.3	<p>Reducing energy demand, increasing energy efficiency and the generation of energy from renewable sources in new developments is a key element of the LDP strategy that aims to make a valid contribution to achieving carbon neutral development and combating the effects of climate change. The Renewable Energy Capacity Study (2008) undertaken as part of the LDP process identifies renewable energy opportunities and the potential for different technologies to be used across the County Borough. Feasibility studies for low and zero carbon technologies will be assessed in part against the findings of the Capacity Study.</p>	<p>Hearing session 13 – Inspector's note point 36 / Post October 2010 Further work Proforma 7</p>	<p>Minor change of wording but which improves the sustainability performance of the text.</p>
3.7.4	<p>Developers will be required to investigate power generation using technology that harnesses local resources as part of the Design and Access Statement submitted with individual planning applications. Technologies and measures that might be incorporated into building design to achieve</p>	<p>Post Suspension Proposed Change – Representor 69</p>	<p>Factual correction – no effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>sustainable buildings include biomass heating; biomass combined heat and power; green roofs /biodiversity roofs; ground sourced heat pumps; external and internal insulation; solar water heating; solar photovoltaics; passive solar design; rainwater recycling; and, micro-wind turbines. It should be noted that some technologies will require separate consents / licenses granted outside the planning system.</p>		
<p>3.8 Policy BW8</p>	<p>Development and the water environment</p> <p>Proposals for built development will only be permitted where:-</p> <ul style="list-style-type: none"> · they avoid identified river flood plains in order that these areas continue to fulfil their flood flow and water storage functions; · they do not have an adverse effect on the quality and/or quantity of surface waters or groundwater resources, and where opportunities exist, they incorporate measures to improve existing water quality; and · adequate water and sewerage systems exist, or are reasonably accessible, or are capable of being provided prior to the development becoming operational without placing unacceptable pressure on existing capacity or 	<p>Minor Change – Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p>	<p>No effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>causing unacceptable environmental harm.</p> <p>In addition, development proposals will be required to avoid exacerbating flood risk locally and elsewhere within the river catchment by incorporating sustainable drainage systems (SuDS) for the disposal of surface water.</p> <p>Alternative methods of surface water disposal will only be considered where a developer demonstrates that the incorporation of SuDS is inappropriate for practical or environmental reasons.</p>		
3.10.1	<p>Mineral Resources</p> <p>Since mineral resources are infinite, it is necessary to ensure that resources, which could be of future economic importance, are safeguarded from other types of permanent development. In accordance with national mineral policy guidance and using evidence from an analysis of British Geological Survey resource maps and digital data, the LDP safeguards Primary and Secondary Coal resources and Limestone and Sandstone resources which lie outside settlement limits and do not contain National Designations of environmental and cultural importance. Cross-reference to the Planning Constraints</p>	Minor Change	Correction to reflect deletion of constraints map – no effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	LDP Proposals Map should also be made in order to identify all national Designations, particularly Scheduled Ancient Monuments.		
3.12 Policy BW12	<p>Development proposals and transport</p> <p>Where appropriate, the Council will expect development proposals to demonstrate how they will:-</p> <ul style="list-style-type: none"> • help reduce the need to travel • encourage the use of transport other than the private car • avoid increasing traffic to unacceptable levels • avoid causing or exacerbating highway safety problems. <p>Transport assessments will be required for developments likely to result in significant trip generation.</p>	<p>Minor Change -</p> <p>Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p>	<p>No effect on SA.</p>
3.13.6	75 per cent of proposed units are accommodated on brownfield land as defined in <i>Planning Policy Wales (Edition 2, 3 2010)</i> and 90% are located within 400 metres of an existing public transport stop.	<p>Minor Change - Policy update reference</p>	<p>Factual correction – no effect on SA.</p>
3.14.2	<p>Final sentence:</p> <p>The over allocation of 7.1 hectares compared to the</p>	<p>Minor Change - Clarification</p>	<p>Factual correction – no</p>

Paragraph	Change	Source from which change results.	SA Comments
	background paper above papers is to provide a degree of flexibility.		effect on SA.
3.16.2	Most existing commercially-based leisure uses are located in and around the town centre and include a cinema, bingo halls, a gymnasium /fitness centre, hotels, restaurants, public houses and nightclubs. Such uses bring advantages to the town centre not only in leisure/ recreation terms but also through the economic benefits they deliver. For this reason, they will continue to be supported as a means of increasing town centre vitality and viability (see Policy AS16 and AS19).	Minor Change - Hearing session 13 – Inspector's note point 33.	Factual correction – no effect on SA.
3.16.3	Formal leisure Formal leisure and recreational facilities are provided by a range of agencies although the majority of facilities are owned and operated by the Council (see Appendix 6). Facilities, which often vary in quality, are distributed widely throughout the County Borough and range from basic sports pitches and playgrounds to more diverse establishments such as sports halls and community/leisure centres. Where new residential development places an added burden on Council maintained facilities, the LDP will require improvements to be delivered through the implementation of Policies BW17 and AS17. These policies are designed to secure community infrastructure benefits that will help alleviate additional demands arising from	Minor change – factual correction	Factual correction – no effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	those new housing developments identified at Appendix 4.		
3.16.5	<p>Final sentence to be amended and to form a new paragraph.</p> <p>Large tracts of open space between and within Merthyr Tydfil's urban areas are recognised as possessing significant leisure and amenity importance. The most expansive of these are highlighted on the LDP proposals map on the basis of their perceived recreational value in accord with the Council's 'Coed Merthyr' recreational, access and landscape strategy. However, there are a considerable number of smaller sites throughout the County Borough which have a similar or complementary value, but which it is not possible to show on the LDP proposals map for reasons of clarity. All Council owned / maintained sites are listed at Appendix 6, and whilst the list is considered comprehensive, it is not completely exhaustive of the situation in Merthyr Tydfil owing to the fact that there are also privately owned sites, which may serve a similar function, but for which reliable data is not currently available.</p>	<p>Hearing session 13 – Inspector's note point 33</p>	<p>No effect on SA</p>
3.16.6	Facility protection	Hearing 13 – no reference	

Paragraph	Change	Source from which change results.	SA Comments
	<p>Policy BW16 sets out to protect and support the enhancement of all leisure facilities categorised under Paras 3.16.2 – 3.16.5. All Council owned / maintained sites open air leisure sites owned / maintained by the Council are listed at Appendix 6, and whilst the list is considered comprehensive, it is not completely exhaustive of the situation in Merthyr Tydfil owing to the fact that there are also privately owned sites, which may serve a similar function, but for which reliable data is not currently available.</p>	<p>in Inspector's note. Post October 2010 Further work Proforma 7</p>	<p>Minor changes – no effect on SA.</p>
<p>3.16.6 3.16.7</p>	<p>In addition, the County Borough has an extensive rights of way network centred around the strategic routes of the Taff Trail, Celtic Trail, Trevithick Trail, Abermorlais Trail, Taff Bargoed Trail and Heads of the Valleys Cycle Route (all shown on the LDP Proposals Map). This network will be developed further during the LDP period and integrated with the ongoing preparation of a definitive rights of way map for the County Borough so that safe access to physical recreation opportunities is made available to all and overall standards of health and wellbeing improve.</p>	<p>Minor Change - Consequential change due to addition of paragraph.</p>	<p>Minor change – no effect on SA.</p>
<p>3.19.1 3.18.5</p>	<p>Unstable land Areas of potentially unstable land are known to exist in certain parts of the County Borough as a result of historical coal mining activity. Such areas of land lie both inside and outside the settlement boundary and are identified as align</p>	<p>Post October 2010 Further Work Proforma 8</p>	<p>See above under Proforma 8.</p>

Paragraph	Change	Source from which change results.	SA Comments
	<p>with the Coal Authority's Coal Mining Referral Areas. on the Planning Constraints Map Maps highlighting the Coal Referral Areas are held for inspection within the Council, are not necessarily exhaustive and the with responsibility for determining the extent and effects of such these constraints lie resting with the developer. Where development is proposed in these areas, the developer should consult with The Coal Authority.</p>		
<p>3.19.2 3.18.6</p>	<p>Development proposals on land affected by instability will be assessed against development control policy within paragraphs 13.9.1 and 13.9.2 of <i>Planning Policy Wales (Edition 2, 3 2010)</i>.</p>	<p>Minor Change - Policy update reference</p>	<p>Factual update – no effect on SA.</p>
<p>4.4.1</p>	<p>First sentence: <i>Planning Policy Wales (Edition 2, 3 2010)</i> requires that local planning authorities take into account information on the <i>Register of Landscape of Historic Interest in Wales</i> in preparing their Local Development Plans and in considering the implications of developments which are of such a scale that they would have more than a local impact on the character of an area on the Register.</p>	<p>Minor Change - Policy update reference</p>	<p>Factual update – no effect on SA.</p>
<p>4.5.2</p>	<p>Third sentence: National development control policy within paragraphs 4.7.14 to 4.7.18 of <i>Planning Policy Wales (Edition 2 3, 2010)</i></p>	<p>Minor Change - Policy update reference</p>	<p>Factual update – no effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
	will be applied alongside Policy AS5.		
4.9.2	<p>In Merthyr Tydfil, the <i>strategic highway</i> routes are :-</p> <ul style="list-style-type: none"> • the A 470(T), which runs in a north-south direction throughout the entire length of the County Borough; • the A 465(T), which runs east-west across the head of the Taff Valley; • the A 4060(T) , which provides a direct connection between the A 470(T) and the A465(T) on the eastern flank of the main Merthyr settlement. 	<p>Minor Change</p> <p>Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p>	No effect on SA.
4.16.5	<p>First sentence:</p> <p>Developers proposing major commercial leisure developments on land unallocated by the Plan are directed to adopt a sequential approach, as set out in <i>Planning Policy Wales (Edition 2.3, 2010) paras 10.2.9 to 10.2.13</i>, in their selection of sites with first priority being given to suitable town centre sites where land or buildings for conversion are available; then edge of centre sites and, finally out of centre sites in locations accessible by a variety of means.</p>	<p>Minor Change - Policy update reference</p>	Factual update – no effect on SA.
4.17.2	<p>First sentence:</p> <p>The need for new facilities is based on the findings of the Council's Open Space Assessment undertaken as part of the LDP process in accord with advice contained at Paras 2.1 4.1 and 2.2 4.3 of <i>Planning Policy Wales (Edition 3, 2010)</i>, <i>Technical Advice Notes 16: Sport, Recreation and Open</i></p>	<p>Minor Change - Policy update reference</p>	Factual update – no effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	<p><i>Space (2009)</i>, which requires that local planning authorities provide a framework for well located sport, recreation and leisure facilities that are accessible to all.</p>		
4.18.3	<p>Final sentence: Outside this, proposals will be subject to an assessment of need and a strict application of the sequential test as set out in <i>Planning Policy Wales (Edition 23, 2010)</i>.</p>	Minor Change - Policy update reference	Factual update – no effect on SA.
5.5 Policy TB5	<p>Special needs housing</p> <p>Development proposals for special needs such as community care provision, institutional, residential and nursing homes will be permitted subject to consideration against the following criteria:-</p> <ul style="list-style-type: none"> · the proposal is located within defined settlement boundaries unless it can be demonstrated that no appropriate site exists to accommodate a facility for which there is identified need; · the proposal must not conflict with transportation considerations including access, parking, traffic generation, accessibility to public transport and enjoyment of public rights of way; and · the proposal must be capable of being provided with the relevant utility services and infrastructure. 	Minor Change - Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.	No effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
5.6 Policy TB6	<p>Static caravans, residential mobile homes and gypsy / traveller accommodation</p> <p>Development proposals for static caravans, residential mobile homes and gypsy/traveller accommodation will be permitted where:-</p> <ul style="list-style-type: none"> · the proposal is located within defined settlement boundaries, unless, in the case of gypsy /traveller accommodation, it can be demonstrated that no appropriate site exists to accommodate a facility for which there is identified need; · the proposals does not conflict with transportation considerations including access, parking, traffic generation, accessibility to public transport and enjoyment of public rights of way; and · the proposal is capable of being provided with the relevant utility services and infrastructure. 	<p>Minor Change - Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p>	<p>No effect on SA.</p>
5.6.1	<p>First sentence:</p> <p><i>Planning Policy Wales (Edition 2 3, 2010) recognises the valuable contribution that residential mobile homes can make in providing low cost housing provision, particularly, in meeting the accommodation needs of small households.</i></p>	<p>Minor Change - Policy reference update</p>	<p>Factual update - no effect on SA.</p>
5.8	<p>Mineral proposals</p>	<p>Minor Change -</p>	

Paragraph	Change	Source from which change results.	SA Comments
Policy TB8	<p>Proposals for mineral extraction and associated development will only be allowed where:-</p> <ol style="list-style-type: none"> 1. they would not result in unacceptable environmental impacts; 2. they would not result in an unacceptable impact on the health and amenity of neighbouring land uses including the effects of dust, noise, vibration and traffic; 3. they are acceptable in terms of geological, hydrological and hydro-geological factors; 4. they would not conflict with transportation considerations including access, parking, traffic generation, and enjoyment of public rights of way; 5. they would not have an unacceptable impact on land stability; 6. they include acceptable proposals for progressive and final restoration, aftercare and beneficial after-use; and 7. they maximise opportunities to re-use and recycle mineral waste. <p>The production and use of alternative and recycled materials will be supported as substitutes for naturally</p>	Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.	No effect on SA

Paragraph	Change	Source from which change results.	SA Comments
	occurring aggregates.		
5.8.2	Whilst individual characteristics of mineral working may vary, there are many common factors that need to be considered in assessing proposals. The above policy is applicable to new or extended mineral workings and associated development, including aggregate recycling facilities; review of existing operations; and onshore oil and gas exploration and development, including coal bed methane extraction.	Post Suspension Proposed Change – Representor 51	Point of clarification that application for oil or gas exploration and /or development will be subject to Policy TB8. No further SA required.
5.8.4	Mineral resources commonly about the settlement boundary and any proposals to work such resources would be expected to maintain an appropriate separation distance from sensitive land uses. In respect of coal, the principle of coal working not generally being acceptable within 500 metres of settlement as set out in paragraph 29 of Mineral Technical Advice Note 2: Coal (2009) will be adhered to. Where exceptional circumstances are considered to exist, regard will also be had to paragraph 49-51 of Mineral Technical Advice Note 2: Coal (2009).	Post Suspension Proposed Change – Representor 53	Clarification which clearly references higher policy which will have been subject to SA.
5.8.4 5.8.5	Policy TB8 should be read in conjunction with national minerals policy particularly with regard to the need for Environmental Impact Assessments and Health Impact Assessments. The requirements of paragraph 62 of Minerals Planning Policy Wales (2000) will be considered alongside Policy TB8 and where coal working is not environmentally	Minor Change – consequential re-numbering of paragraph	Paragraph numbering – no effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	acceptable a Social Impact Assessment will need to be prepared to enable an assessment of the benefits and disbenefits to the community. Community benefits will be considered in line with the examples identified in paragraph 46 of Minerals Technical Advice Note 2: Coal (2009).		
<p>5.8.5</p> <p>5.8.6</p>	<p>Aggregates</p> <p>The Council is satisfied that with the continued working at current production levels, the existing quarries in the County Borough will continue to meet Merthyr's proportional level of contribution to the estimated regional need for aggregate minerals. As the aggregates landbank provides for more than 20 years of extraction, further extensions to existing sites or new extraction sites are only likely to be justified in rare and exceptional circumstances.</p>	<p>Minor Change – consequential re-numbering of paragraph</p>	<p>Paragraph numbering – no effect on SA.</p>
<p>5.9</p> <p>Policy TB9</p>	<p>Buffer Zones (200m for aggregates / 500m for coal) have been established between permitted, active and inactive mineral operations in the County Borough and other sensitive land uses. Within these zones, proposals for new development will only be allowed where:-</p> <p>1) They would not unacceptably affect operations within the mineral site.</p> <p>2) They would not be unacceptably affected by operations within the mineral site.</p>	<p>Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.</p> <p>Policy amendment = Inspector's comment at Hearing 11 – no reference in note.</p>	<p>Point of clarification – no effect on SA.</p>

Paragraph	Change	Source from which change results.	SA Comments
5.9.4	<p>Mineral resources commonly abut the settlement boundary and any proposals to work such resources would be expected to maintain an appropriate separation distance from sensitive land uses. In respect of coal, the principle of coal working not generally being acceptable within 500 metres of settlements as set out in paragraph 29 of Minerals Technical Advice Note 2: Coal (2009) will be adhered to. Where exceptional circumstances are considered to exist, regard will also be had to paragraph 49-51 of Minerals Technical Advice Note 2: Coal (2009).</p> <p>Policy TB9 will be applied in conjunction with paragraph 40 of Minerals Planning Policy Wales (2000) and paragraph 32 and 33 of Mineral Technical Advice Note 2: Coal (2009).</p>	Post Suspension Proposed Change – Representor 53	Clarification of reference to higher guidance. No effect on SA.
5.10 Policy TB10	<p>Waste management facilities</p> <p>Development proposals for new and expanded in-building and open air waste management facilities other than those involving new landfill capacity/sites will be permitted subject to consideration against the following criteria:-</p> <p>1. There is demonstrable need for the proposal within the context of the County Borough’s waste management</p>	Minor Change - Punctuation amendment = to clarify the intention of the Policy and overcome ambiguity.	Clarification that all criteria should be considered. No significant effect on the SA.

Paragraph	Change	Source from which change results.	SA Comments
	<p>requirements and/or regional need;</p> <p>2. The proposal must not have an unacceptable impact on the health and amenity of neighbouring land uses including the effects of dust and other emissions, noise and odours;</p> <p>and</p> <p>3. The proposal must not conflict with transportation considerations including access, parking, traffic generation, accessibility to public transport and enjoyment of public rights of way.</p>		
<p>5.11</p> <p>Policy TB11</p>	<p>Access, parking and accessibility of local facilities</p> <p>Proposals for development, should ensure that:-</p> <ul style="list-style-type: none"> • any new highways are designed and constructed in accordance with the Manual for Streets and include operational and non-operational parking provisions according to adopted standards set out in CSS Wales – Wales Parking Standards and the land use, density and location proposed; • the access needs and mobility requirements of all sections of the community, particularly those with special needs and disabilities, are met. <p>Should it be proposed to use reduced standards of highway design or construction, the proposal must be fully explained</p>	<p>Minor Change - Punctuation amendment to clarify the intention of the Policy and overcome ambiguity.</p>	<p>Clarification that all criteria should be considered. No significant effect on the SA</p>

Paragraph	Change	Source from which change results.	SA Comments
	and justified.		
APPENDIX 1			
	HISTORIC PARK AND GARDEN (shown on planning constraints LDP Proposals map)	Minor Change	Change to reflect deletion of constraints map. No effect on SA
	Text to remain unchanged		
	SITES OF SPECIAL SCIENTIFIC INTEREST (shown on planning constraints LDP Proposals map)	Minor Change	Change to reflect deletion of constraints map. No effect on SA
	Text to remain unchanged	Minor Change	
APPENDIX 2			
Schedule of townscape and built heritage designations			
	LISTED BUILDINGS (shown on planning constraints LDP Proposals map)	Minor Change	Change to reflect deletion of constraints map. No effect on SA
	Text to remain unchanged	-	
	SCHEDULED ANCIENT MONUMENT (shown on planning constraints LDP Proposals map)	Minor Change	Change to reflect deletion of constraints map. No effect on SA

Paragraph	Change	Source from which change results.	SA Comments
			effect on SA
	Text to remain unchanged	-	
	CONSERVATION AREAS (shown on planning constraints LDP Proposals map)	Minor Change	Change to reflect deletion of constraints map. No effect on SA
APPENDIX 3			
Summary of population calculations with associated dwelling and employment land requirements.			
	(L) Additional Land Required (2021) 9.2ha	Minor Change - Clarification	Factual correction
APPENDIX 4			
Schedule of housing sites with anticipated planning obligations for community infrastructure provision where appropriate.			
	<ul style="list-style-type: none"> The Community Infrastructure Contributions listed in the following schedule are prioritised in order of importance. Utilities infrastructure and highways contributions are categorised as LOW, Medium or HIGH. These categories indicate the perceived level of impact the contribution will have on development costs. Potential ground conditions on many sites result from former mining activity in the locality. Appropriate technical investigation and advice on ground stability and other risks should therefore be sought prior to the submission of any planning application. 	Text at start of Appendix was omitted from previous changes document	The new text further clarifies the Council's approach to planning obligations. No significant effect on SA.

Paragraph	Change	Source from which change results.	SA Comments
	<ul style="list-style-type: none"> • Development of sites constructed by the capacity of the public waste water treatment works may require developers to fund essential improvements. Private funding of essential improvements will be required should no Regulatory improvements be planned under Welsh Water's Capital Investment Programme. <p>The extent of planning obligations will be dependent on development viability.</p>		
H19	<p>Goitre Lane, Gurnos</p> <ul style="list-style-type: none"> · Greenfield site · Utilities infrastructure provision – LOW - Hydraulic overloading of local sewerage network - High voltage underground network cables bearded border southern boundary – to be diverted, or planned around. · Contribution required towards affordable housing (on site) · Financial contribution required towards education provision · On-site contribution required towards leisure provision that meets Council specifications <p>including appropriate arrangements for aftercare</p>		Spelling correction – no effect on SA

Paragraph	Change	Source from which change results.	SA Comments
	<p>management</p> <ul style="list-style-type: none"> · Development brief required 		
H22	<p>Rear of Haydn Terrace, Penydarren</p> <ul style="list-style-type: none"> · Greenfield site · Utilities infrastructure provision – LOW - High voltage underground cable bearders borders site to the western boundary - Small section south west corner of site crossed by surface water sewer – can be planned around · Contribution required towards transportation improvements – LOW - Traffic Impact Assessment required to assess extent of work required · Contribution required towards affordable housing provision (on site) · On-site contribution required towards leisure provision that meets Council specifications including appropriate 		Spelling correction – no effect on SA

Paragraph	Change	Source from which change results.	SA Comments
	arrangements for aftercare management.		
H32	<p>The Greenie, Penydarren</p> <ul style="list-style-type: none"> · Greenfield site · Utilities infrastructure provision – LOW - Low voltage underground and overhead cables bearder border site to the south and south-east bearder border. · Contribution required towards affordable housing provision (on site preferred) · Financial contribution required towards education provision · Financial contribution required towards leisure provision. 		Spelling correction – no effect on SA
H33	<p>Gethin Tip, Abercanaid</p> <ul style="list-style-type: none"> · Predominantly greenfield site · Utilities infrastructure provision – MEDIUM - High voltage underground and EXTRA high voltage overhead cables bearder border site to the majority of the eastern boundary and small central section of site – to be diverted. 		Spelling correction – no effect on SA

Paragraph	Change	Source from which change results.	SA Comments
	<ul style="list-style-type: none"> - Hydraulic overloading of local sewerage network - Trunk distributor water main runs along eastern boundary of site and crosses site at north eastern corner – to be planned around. · Contribution required towards transport improvements – MEDIUM/HIGH - Traffic Impact Assessment required to assess extent of work required. Access will cross Taff Trail cycle path · Flood mitigation measures will be required on this site – a surface water flood assessment will be required to ascertain the exact nature and scale. · Contribution required towards affordable housing provision (on site) · Financial contribution required towards education provision · On-site contribution required towards leisure provision that meets Council specifications including appropriate arrangements for aftercare management 		

Paragraph	Change	Source from which change results.	SA Comments
	<ul style="list-style-type: none"> · Development brief required 		
H49	<p>Maen Ganol, Trelewis</p> <ul style="list-style-type: none"> • Brownfield site • Utility infrastructure provision- MEDIUM • Local area suffers from low water pressure • new water main needed. • High voltage overhead lines to be diverted underground and existing underground cables – possible need to plan around. • Located at north east boundary. • Possible transformer upgrade needed to accommodate development. • Contribution required towards transportation improvements – MEDIUM • Traffic Impact Assessment required to assess extent of work required. • Contribution required towards affordable housing provision (on site) • Financial contribution required towards leisure provision 		To reflect new information - no effect on SA
<p>APPENDIX 7</p> <p>Existing and proposed business/employment sites advanced as areas of search for waste management facilities</p>			

Paragraph	Change	Source from which change results.	SA Comments
	<p>Paragraph to be inserted before Table 1 of Appendix 7.</p> <p>It should however be noted that there are areas within existing employment sites that fall within DAM Zone C2 (see LDP Proposals Map). TAN 15: Development and Flood Risk (2004) identifies incinerators and waste disposal sites as highly vulnerable development and indicates that such developments are not suitable within Zone C2. Developers should consult the Local Planning Authority or the Environment Agency for further information on any site that is potentially at risk from flooding.</p>	<p>Minor change - clarification</p>	<p>Factual update and clarification – no effect on SA</p>
<p>APPENDIX 8</p> <p>Retail floorspace statistics</p>			
	<p>Within defined hierarchy - gross floorspace estimates (m2)</p> <p>MERTHYR TYDFIL TOWN CENTRE</p> <p>Existing 50,140</p> <p>Committed via unimplemented planning consents /LDP allocations</p> <p>5,0005300</p>	<p>Minor Change - factual</p>	<p>Factual correction - no effect on SA</p>

Paragraph	Change	Source from which change results.	SA Comments
	Total 55,140		
	DISTRICT AND LOCAL CENTRES		
	Existing 7,000		
	Committed via unimplemented planning consents /LDP		
	Allocations Nil		
	Total 7,000		
	Total Existing		
	57,140		
	Total Committed		
	5,000 5,300		
	Beyond defined hierarchy – gross floorspace estimates (m2)		
	EDGE OF CENTRE / OUT OF CENTRE RETAIL PARKS		
	Existing 37,550		
	Committed via unimplemented consents 18,500		
	Total 56,050		

Paragraph	Change	Source from which change results.	SA Comments
	<p>WITHIN EXISTING INDUSTRIAL / BUSINESS SITES</p> <p>Existing 26,302</p> <p>Committed via unimplemented planning consents Nil</p> <p>Total 26,302</p> <p>DISPERSED ACROSS OTHER LOCATIONS</p> <p>Existing 4,122</p> <p>Committed via unimplemented planning consents Nil</p> <p>Total 4,122</p> <p>Total Existing</p> <p>67,974</p> <p>Total Committed</p> <p>18,500</p> <p>SOURCE : GOAD Plan, Roger Tym and Partners and MTCBC Estimates.</p>		