



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

HEARING SESSION 5
STRATEGIC AND SITE ALLOCATIONS
ACTION POINT 4.1 – COUNCIL RESPONSE

HEARING 3 – ACTION POINT 1 RESPONSE

Action Point

Council to submit pre-application plans and letter to developer relating to site SW3.4 Brondeg.

Council's Response

This response has been prepared by the Council in regard to an issue that arose at Hearing Session 4. In order to clarify the area that the representors want to include within the settlement boundary and housing allocation, and to set out the Council's position on this area of land, the following documents have been attached:

- The Council's response to the pre-application enquiry at land South of Brondeg;
- A plan outlining the area that was subject to the pre-application enquiry;
- Two plans submitted by Marvel Ltd indicating the change to the housing allocation that they are requesting.

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For the attention of Peter Waldren

Dyddiad/Date: 25th July 2016

Ein Cyf./Our ref.: PA/16/0058
Eich Cyf./Your ref.:

Gofynnwch am/Please ask for: Huw Roberts
Llinell Uniongyrchol/Direct Line: 01685 726204
e-bost/e-mail: Huw.Roberts@Merthyr.gov.uk

Dear Peter,

RE: Proposed residential development – Land south of Brondeg, Heolgerrig

I refer to your letter, site location plan and fee received on 20th June 2016 and your subsequent meeting with Huw Roberts (Group Leader Development Control), Craig Watkins (Planning Policy Officer), Rolf Brown (Countryside Officer/Ecologist), Tom Bramley (Landscape Architect) and Gerald Coughlan (Highways Engineer) on 19th July 2016. At the meeting your cheque for £200 was returned as VAT is not chargeable for Statutory Pre-application Enquiries.

As highlighted in your letter, the majority of the eastern part and a small section of the western part of the pre-application enquiry site were granted outline planning permission (P/06/0061) for residential development on 13th December 2013. All matters, except for access, were reserved for future consideration. These parts, along with the remainder of the pre-application enquiry site, are located within the settlement boundary (Primary Growth Area) as identified in the Merthyr Tydfil Local Development Plan (LDP). The area of land relating to the extant permission (P/06/0061) along with land to the north of this site is also allocated for housing (H14) in the LDP. As such, the principle of residential development on the pre-application enquiry site is considered acceptable subject to satisfying other policies in the LDP and material considerations.

The following development plan policies are considered relevant:

The adopted Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

Policy BW1: Development Strategy – Primary Growth Area;
Policy BW4: Settlement Boundaries/ locational constraints;
Policy BW5: Natural Heritage;
Policy BW7: Sustainable Design and Place Making;
Policy BW8: Development and Water Environment;
Policy BW12: Development Proposals and Transport;
Policy BW13: Managing housing growth;
Policy BW17: Securing Community Infrastructure Benefits;
Policy BW19: Affordable Housing Target;
Policy AS1: Housing allocations in the Primary Growth Area;
Policy AS4: Historic Landscape;
Policy AS6: Local nature conservation designations;
Policy AS22: Affordable Housing Contributions;

The western section of the site forms part of a Site of Importance of Nature Conservation (SINC) no. 12 – Cwmglo and a significant proportion of this part of the site is also covered by a Tree Preservation Order (TPO) and an Ancient/Ancient Semi Natural Woodland. The Cwm Glo and Glyndyrus Site of Special Scientific Interest (SSSI) also abuts the southern boundary of the site. During the meeting you were provided with a plan which identified these areas. It is clear that the impact of any residential development on these designations would be one of the principle considerations in the determination of any application.

I, along with my colleagues, are surprised that volume house builders consider the size of the allocated site *'insufficient to provide them with the critical mass necessary to peak their commercial interest in this location'* since, literally a stone's throw away from the site, Redrow have constructed houses on 1.7 hectares. Notwithstanding this, any proposal on the site must be considered on its own planning merits. As stated above, the principle of residential development on this site has been established since the adoption of the LDP (i.e. within the settlement boundary and part allocated for housing). It is the constraints of the site which have to be overcome. It is appreciated that recent ecological assessments have been carried out on the site (these have not been provided to enable an assessment and would be required as part of any application), however as advised in the meeting the loss of a considerable area of land which is covered by a SINC, TPO and Ancient/Ancient Semi Natural Woodland would be unacceptable. This significant loss would not be outweighed by the number of houses that could be developed to help the deficit in the 5 year housing land supply. It is also considered that any mitigation put forward for the loss of trees (and ecology) subject of the TPO and Ancient/Ancient Semi Natural Woodland would not overcome this harm. Given the site abuts a SSSI, Natural Resources Wales (NRW) would also probably require a significant protection buffer to the southern part of boundary. Given this it is considered that the proposal would be contrary to policies BW5 and BW7 of the LDP.

The area of land (on the western section of the site) which is 'only' designated as a SINC (i.e. land outside of the TPO and Ancient/Ancient Semi Natural Woodland) may be, subject to appropriate mitigation and/or compensatory measures (as highlighted by policy AS6 of the LDP), acceptable for residential development. I would draw your attention to paragraph 4.1 of Supplementary Planning Guidance Note 5: Nature and Development (available on the Councils Web-site) which outlines the sequential approach that needs to be evidenced before a planning decision can be made in respect of biodiversity. As pointed out by policy AS6, before permitting any development full account must be taken of the *'relevant features so as to prevent damage to their conservation value'*. If, based on the submitted evidence, this part of the SINC was found to be acceptable for residential development the impact of any proposal on the adjoining protected trees and woodland would also have to be fully assessed. For example, the retained trees/woodland should not only have a sufficient buffer from the development but should also be used as a landscape setting. As such any houses should front these areas and not abut them with rear gardens and close boarded fences. In this way the areas would become an important part of the development which would help safeguard them for current and future generations to value/enjoy.

The impact of any residential development on the amenities of the adjoining residents also needs to be considered (policy BW7). It is clearly impossible to fully consider this impact without any further details of layout and design. As requested in the meeting, the Landscape Architect also considers that any future application should be supported by a Landscape and Visual Impact Assessment (using Landmap) and comprehensive tree survey.

As the Highways Engineer highlighted in the meeting, due to past mine workings, a mining risk assessment report would need to be submitted with any application. He also pointed out that a Transport Assessment would need to be provided to assess the impact of vehicular traffic movements from the proposal on the surrounding junctions and road network.

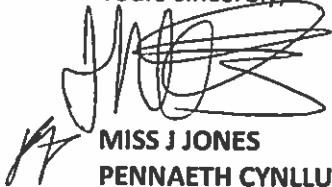
In line with Policy AS22, the Council would seek to secure an on-site contribution towards affordable housing of 10 percent on an application of this size and type through a Section 106 agreement, although this would be dependent on the economic viability of the development. Community Infrastructure Levy (CIL) is chargeable on residential development in this part of the County Borough at £25 per square metre of gross internal floorspace. The adopted Merthyr Tydfil Open Space Strategy (June 2016) indicates that there is a deficit of a

variety of types of open space in the ward. Therefore, open space provision will also be sought as part of any development of the site.

In conclusion, the principle of the proposal is acceptable; however there would be irreversible harm caused to the area of land covered by a TPO and Ancient/Ancient Semi Natural Woodland. If this area were to be excluded, and protected from any future residential development, there is a possibility that the remaining SINC land on the western side of the site could be developed if an acceptable assessment is undertaken and appropriate mitigation and/or compensation proposed. The above comments are made based on some internal consultations and therefore all statutory and other consultations (including public consultation) would need to be carried out and the comments forthcoming considered in the determination of any application.

The above advice is made at an officer level and would therefore not prejudice any decision that may be made in the future by the Council. I trust the above is of assistance; however, if you wish to clarify any issues raised above or wish to gain advice on alternative proposals, please do not hesitate to contact Huw Roberts.

Yours sincerely,

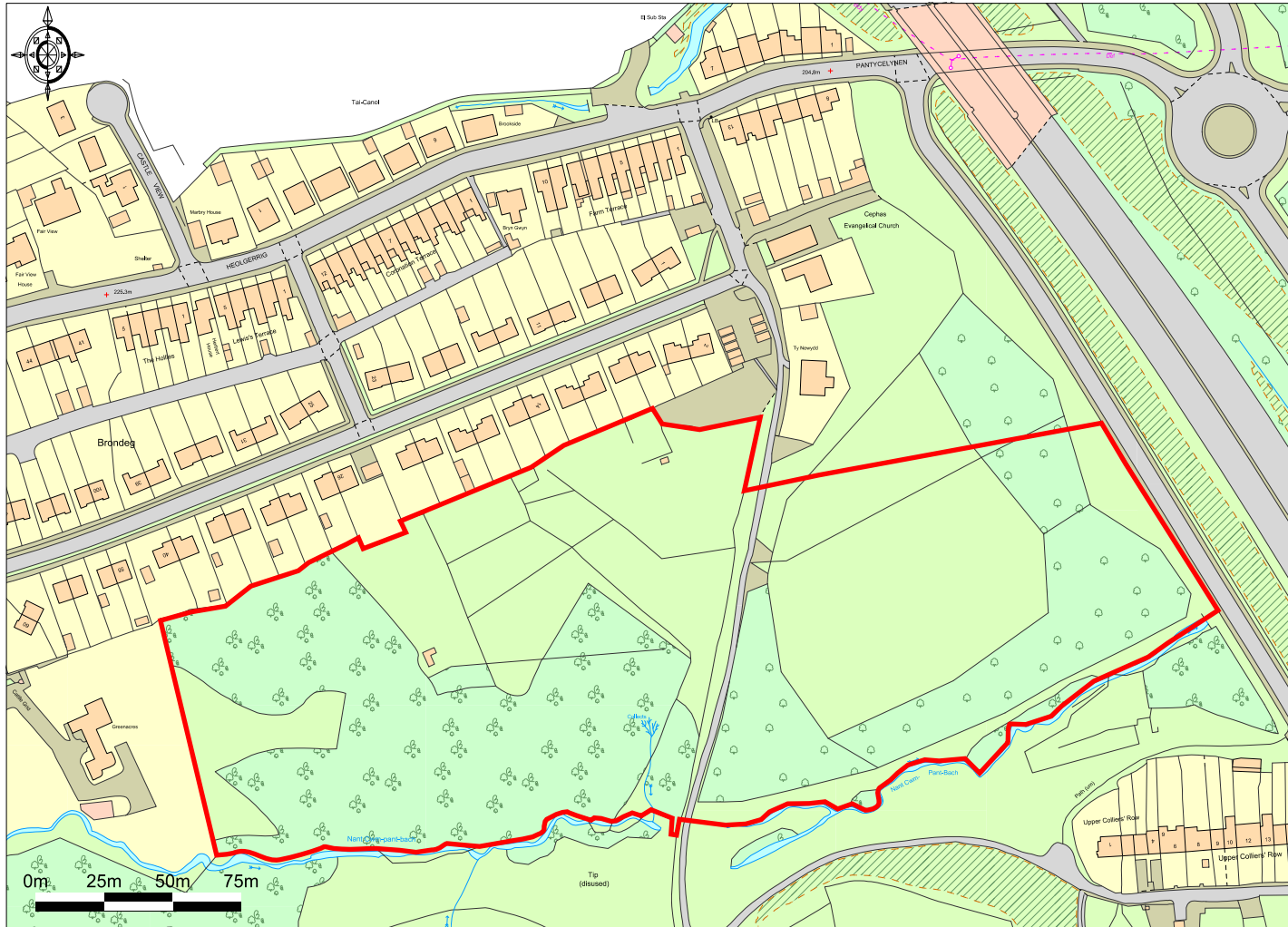


MISS J JONES

PENNAETH CYNLLUNIO A CHEFN GWLAD/HEAD OF PLANNING AND COUNTRYSIDE

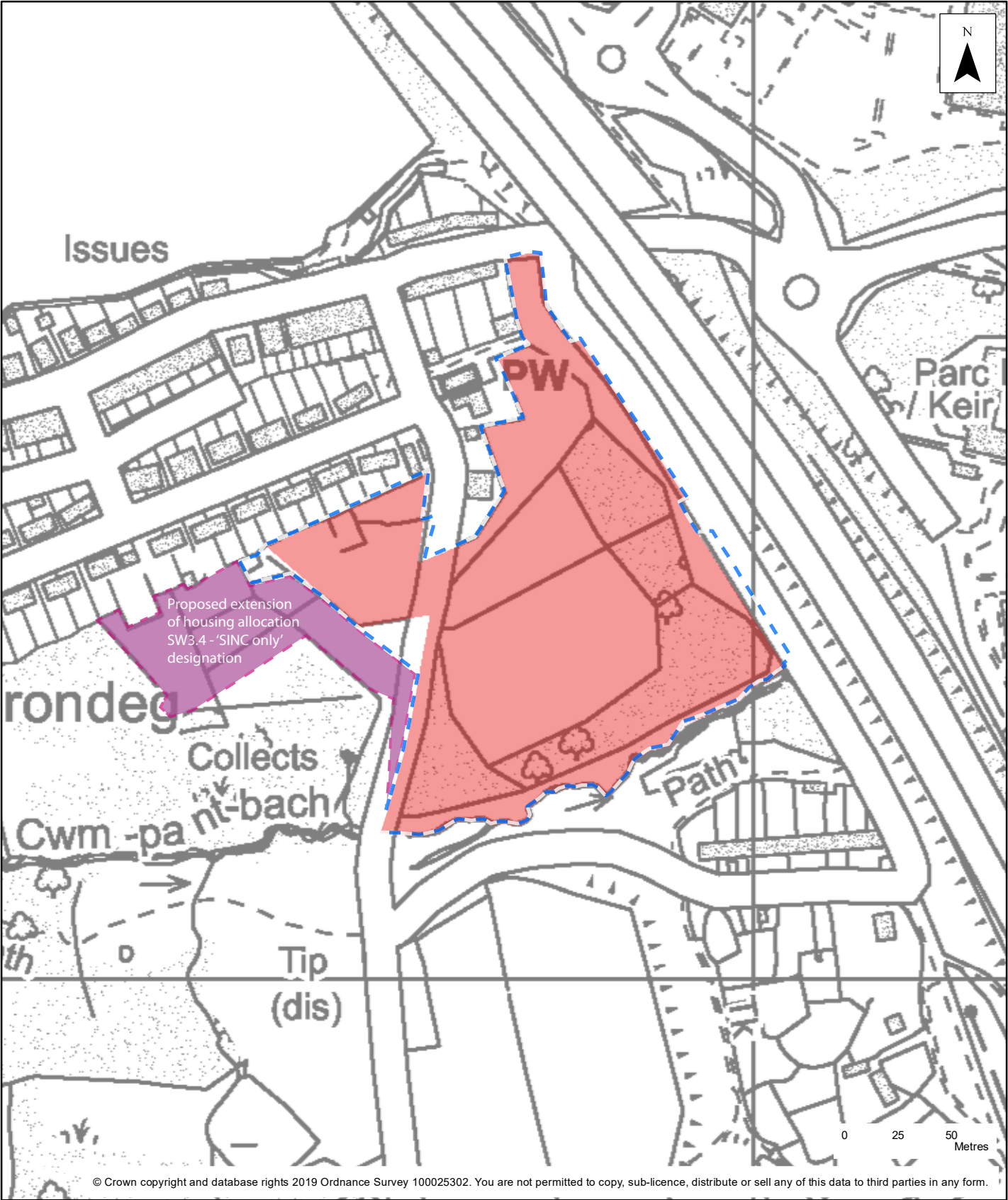
Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddim yn arwain at oedi. Rhwch wybod inni beth yw'ch dewis iaith e.e Cymraeg neu'n ddwyieithog.

We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual.





Policy: SW3 Sustainability Supplying New Homes

Site Name: Brondeg, Heolgerrig



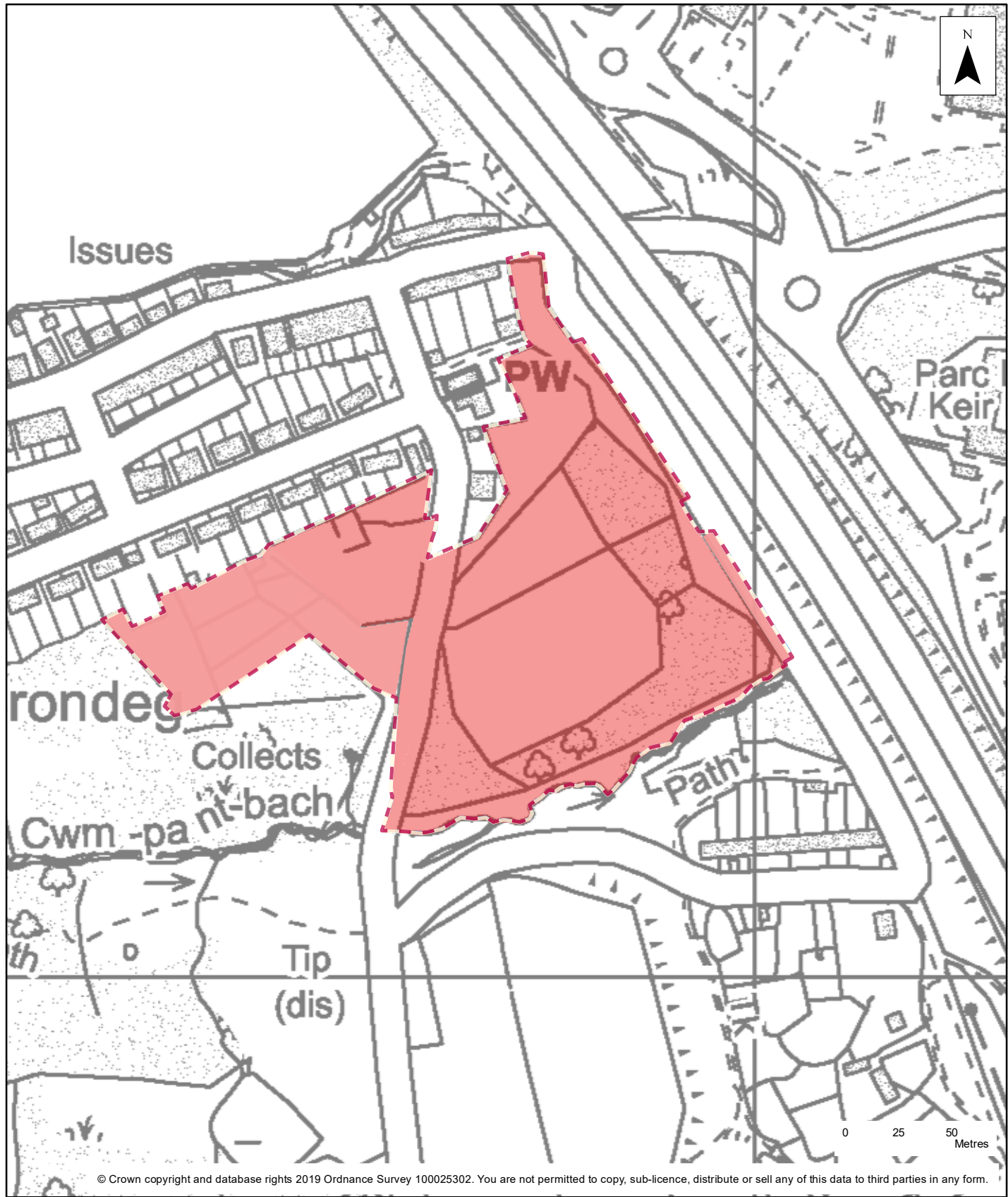
 Housing Allocation Site Area as amended (Focused Change)

 Housing Allocation Area (Deposit Plan)

 Suggested extension of proposed housing allocation SW3.4 boundary 'SINC only' designation

Policy: SW3 Sustainability Supplying New Homes

Site Name: Brondeg, Heolgerrig



Proposed revised SW3.4 (Brondeg) boundary including SINC only land