



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

HEARING SESSION 9
HOUSING ALLOCATIONS/SUPPLY AND OTHER MATTERS
WEDNESDAY 21ST AUGUST 2019

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Hearing Session 9: Housing Allocations/Supply and Other Matters

9.1 Housing Allocations

- a. **Site allocation SW3.31 Cwmfelin, Bedlinog is proposed to be deleted. Should the site remain within the settlement boundary?**

Yes, the Council considers that the site should remain within the settlement boundary as it is considered that the principle of development on the site remains appropriate and the existing boundary provides a logical settlement boundary at this location.

The Council's response to Action Point 4.3 (ED045), alongside the candidate site assessments, outlines that it is considered the ecological issues raised (and other physical constraints) could be satisfactorily managed in order to deliver an acceptable residential development scheme. However, it is accepted that the landownership issues that need to be resolved in order to gain access to the site, provide enough uncertainty surrounding the timescales for development that the site cannot be relied upon to contribute towards meeting the housing requirement of the LDP Strategy.

It is considered that the Cwm Bargoed train line to the east, existing field boundaries and terrace properties along Oakland Street to the south west provide a logical settlement boundary for Bedlinog. Furthermore, retaining the site within the settlement boundary also recognises that an acceptable windfall development could come forward during the during plan period, providing the identified constraints can be overcome, and the fact the site provides one of the few development opportunities within the settlement.

9.2 Housing Supply (including Policy SW3)

- a. **To retain a housing supply 25% above the identified requirement, three additional sites are proposed to be allocated.**
- i. **All three sites have planning permission. Would the development of these sites for housing align with the Plan's spatial strategy?**

Yes, the Council considers that the development of these three sites would align with the spatial strategy of the Replacement LDP. The inclusion of these sites (two are located within the Primary Growth Area, one is located within the Other Growth Area), results in the spatial distribution of the housing provision remaining in accordance with the spatial strategy of the Plan, with 71.7% of the housing provision located in the Primary Growth Area, and 28.3% located in the Other Growth Area.

Furthermore, whilst the additional sites are committed sites, they are located within existing settlement boundaries and are close to established residential areas / local facilities as set out in the site assessments and Sustainability Appraisals shown at Appendix 1 of AP4.3. Consequently, their allocation is in accordance with the site search approach set out under national policy.

9.3 Other Matters

a. **In light of the letter sent to local authorities by the Minister for Housing and Local Government on 8 July 2019, would the Plan provide sufficient support for Affordable Housing-led sites? Specifically:**

i. **Should policy SW2 'Provision of Affordable Housing' state that, where grant funding facilitates it, affordable housing-led proposals would be supported?**

In order to provide additional clarity regarding the delivery of and support for affordable housing led sites, the Council considers the following Matters Arising Change to the reasoned justification of policy SW2 would be appropriate. An amendment to the specific policy wording is not considered necessary as the policy sets an indicative affordable housing provision target based on policy compliant developments permitted through the planning system as detailed at LDP paragraph 6.5.15.

Proposed Matters Arising Change

6.5.16 Social Housing Grant (SHG) has helped to deliver a significant number of affordable homes in the County Borough, but factoring in a contribution from SHG has not been included in this policy target as this would assume the continuation of similar levels of SHG than previous years. **If grant funding does facilitate the delivery of higher levels of affordable housing in the future, affordable housing led proposals, for example schemes with at least 50% affordable housing, would be supported.**

ii. **Should the reasoned justification to policy SW9 'Planning Obligations' state that identified site-specific levels of Affordable Housing relate to units provided through the planning system (i.e. subsidised by market dwellings)?**

In order to provide clarity in regard to site specific level of affordable housing, the Council considers the following Matters Arising Change would be appropriate, although the additional text is proposed to be

included in the reasoned justification of *Policy SW2: Provision of Affordable Housing*.

Proposed Matters Arising Change

6.5.14 The Council's Viability Assessment (2018) prepared to inform the LDP assessed the ability of new residential developments throughout the County Borough to provide an element of affordable housing within schemes, concluding that new residential developments in Merthyr Tydfil can provide 10% affordable housing in the Primary Growth Area, and 5% in the Other Growth Area. These requirements are reflected in Policy SW9: Planning Obligations **and indicate the levels of affordable housing that can be provided through the planning system in Merthyr Tydfil County Borough.**

- b. Would the Council's proposed changes to the minerals policy framework sufficiently align with national policy relating to safeguarding and extracting coal resources?

The Council has considered the issues raised by the Inspector in the Supplementary Note issued for Hearing 9 (ED052a) and following the Council's earlier submission of Action Point AP8.1.

To address the remaining issues of soundness raised by the Inspector, the Council would propose the following amended Matters Arising Changes. The text shown in red indicates the further amendments to the Matters Arising Changes set out in AP8.1.

Proposed Matters Arising Changes

LDP Paragraphs 6.8.94, 6.8.95 and footnote 4

6.8.94**7.97** Since mineral resources are finite, 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 policy and using evidence from an analysis of British Geological Survey resource maps, the LDP safeguards ~~Primary Coal resources~~ and Limestone and Sandstone resources which lie outside settlement limits. **Whilst primary coal resources are not required to be safeguarded, national policy allows such resources to be safeguarded in LDPs depending on individual local circumstances. The primary coal resource in Merthyr Tydfil County Borough provides high quality bituminous coal that can be used in industrial markets other than energy generation. In order to protect this valuable natural resource, the Plan safeguards primary coal resources against any unnecessary sterilisation. This is considered to be justified given the high quality and specialist applications of the primary coal resource that occurs in the County Borough, particularly if technology or energy security needs change. In addition, there are other industrial and specialised uses for coal which may necessitate and justify its future unplanned extraction. This is considered to be justified given the high quality and specialist applications of the primary coal resource that occurs in the County Borough, which may be needed by future generations. For example, there are industrial and specialised uses for coal which may necessitate and justify its future unplanned extraction.**

6.8.95**7.98** The act of safeguarding does not indicate an acceptance of future mineral working in these areas. The identified resources lie outside defined settlement limits where significant historic and environmental designations often exist. The impact on the safeguarded resource and

appropriateness of prior extraction will need to be considered in accordance with the Plan's policies. ~~In the case of safeguarded primary coal resources, national policy states that the use of coal for energy generation should not be permitted⁴ but recognises there may be wholly exceptional circumstances that justify its extraction. In this respect it is recognised that coal has other specific uses. These include use for industrial purposes, for example, in steel manufacture, the making of concrete and for domestic use. In wholly exceptional circumstances, there may be some public safety benefit in coal extraction, where, for example, historic coal mining has created land instability. Any proposals would need to be fully justified in the context of national policy.~~

LDP Paragraph 6.8.104

~~6.8.104~~**7.107** The demand for coal is difficult to predict and unexpected proposals for coal extraction may come forward over the plan period. ~~Such proposals will need to be carefully considered against environmental and amenity issues, taking into account the cumulative impacts of similar schemes in the area, be they existing or consented. National policy advises the use of coal for energy generation should not be permitted but recognises there are other specific non-energy uses for coal resources that may justify extraction in wholly exceptional circumstances⁵.~~

~~6.7.108~~ The primary coal resources safeguarded in the County Borough have other specific non-energy uses, as set out under LDP paragraph 6.7.97, that may justify its extraction. If, in wholly exceptional circumstances, planning applications come forward for industrial uses for coal then each case would need to be considered individually and the policies contained in MTAN 2: Coal applied, including the test outlined in paragraph 45 of MTAN 2. There may also be some public safety benefit in coal extraction in wholly exceptional circumstances where, for example, historic coal mining has created land instability⁶. Planning Policy Wales states that new proposals for opencast, deep-mine development or colliery spoil disposal should not be permitted. Should wholly exceptional proposals be put forward they would clearly need to demonstrate why they are needed in the context of climate change emissions reductions targets and for reasons of national energy security⁷. Proposals for the extraction of coal would need to be justified in accordance with national policy including, for example, in the context of climate change emissions reductions targets⁵.

⁴ PPW Edition 10, paragraphs 5.10.14, 5.10.15 and 5.14.32

⁵ PPW Edition 10, paragraph 5.14.32

⁶ PPW Edition 10, paragraph 5.10.15

⁷ PPW Edition 10, paragraph 5.10.14

⁵See PPW Edition 10, paragraphs 5.10.14, 5.10.15 and 5.14.32

Policy EcW13: Minerals Safeguarding

Policy EcW13: Minerals Safeguarding

Known mineral resource of coal, sandstone, sand and gravel, and limestone are safeguarded as shown on the proposals map.

New development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of development and in the case primary coal resources, there are wholly exceptional circumstances to non-energy related uses that justify its prior extraction; or
2. Prior extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The resource in question is of poor quality / quantity; or
4. The development would have no significant impact on the possible future working of the resource by reason of its nature, location or size.

LDP Paragraph 6.8.112 and footnote 7

~~6.8.112~~**7.115** In considering whether prior extraction of the resource is feasible, the reason for the safeguarded area (i.e. the potential long term benefit of the resource in question) should be considered relative to the need for development and any short term economic arguments. The environmental and amenity impact of extraction should also be considered. With regards to aggregates resources within 200 metres of settlement limits (in the case of hard rock) and 100 metres (in the case of sand and gravel) extraction of the resource will not generally be acceptable⁶. Typically, extraction of coal resources within 500 metres of identified settlement limits will not generally be acceptable. ~~Proposals for the prior extraction of primary coal resources will need to clearly demonstrate the exceptional circumstances that justify the prior extraction of the resource as required by policies EcW11, EcW13 and national policy⁷. Notwithstanding this, **The extraction of coal resources within 500m of a settlement would not generally be acceptable on environmental and amenity impact grounds⁸.**~~

⁶Minerals Technical Advice Note 1:Aggregates, paragraph 71

⁷PPW Edition 10, paragraphs 5.10.14, 5.10.15 and 5.14.32

⁸Minerals Technical Advice Note 2:Coal, paragraph 29

- c. **The draft National Development Framework 2020-2040 ('NDF') was published by the Welsh Government for consultation on 7 August.**
- i. **Although not expected to be published in its final form until late 2020, does the emerging NDF have any potential practical implications for the Plan, particularly in terms of the emerging spatial policy framework for the South East Wales region?**

No, whilst the final version of the NDF will be available from late 2020, the Council considers that the Replacement LDP is in general conformity with the draft NDF proposals.

With regard to the emerging spatial policy framework for the South East Wales region, it is not known at this point in time the precise levels of growth or allocations that a regional Strategic Development Plan (SDP) would identify for Merthyr Tydfil County Borough. The 10 local authorities in South East Wales are in the process of considering proposals to establish a Strategic Planning Panel (SPP) to develop a regional SDP. If approval from all local authorities is secured, it is anticipated that the earliest a draft Deposit SDP would be published is in 2023, with SDP adoption estimated for 2024 / 2025.

It is considered the Replacement LDP Strategy accords with the 'Centre of Regional Growth' role identified for Merthyr Tydfil in the draft NDF, capitalising on proposed public transport infrastructure improvements through the South Wales Metro scheme. In this respect, the Replacement LDP complements draft NDF policies 29 – The Heads of the Valleys – and 31 – Growth in sustainable transit orientated settlements.

The draft NDF identifies that under the Welsh Government central estimates, 71,200 additional homes are needed across the South East Wales region by 2038. Whilst there will be no details as to where this growth should be located until work on a regional SDP is progressed, the Council considers the growth strategy of the Replacement LDP would contribute towards future regional growth needs given the Replacement Plan provides for a higher level of growth than principal local authority household projections alone would indicate. In terms of other areas of growth in the region, the draft NDF also identifies Bridgend, Pontypridd and Caerphilly as Centres of Regional Growth alongside Newport and Cardiff, which are identified as Centres of National Growth.

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Consequently, the scope for conflict between the Replacement LDP and finalised NDF is anticipated to be limited.

Finally, whilst work is yet to formally commence on a SDP, if there are any implications for the Replacement LDP arising from the finalised NDF or future SDP (for example, if a regional SDP proposed a significantly different level of housing growth for the County Borough), then this would be considered as part of the monitoring and review process of the Replacement Plan.