

**Cynllun Datblygu Lleol Newydd Cyngor Bwrdeistref Sirol Merthyr Tudful (2016-2031)**  
**Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 – 2031)**



**MATERION YN CODI NEWIDIADAU COFRESTR SYLWADAU |**  
**MATTERS ARISING CHANGES REPRESENTATIONS REGISTER**

Hydref 2019 | October 2019

Miss J Jones  
Prif Swyddog Cynllunio a Gwasanaethau Cymdogaeth |  
Chief Officer Planning & Neighbourhood Services  
Cyngor Bwrdeistref Sirol Merthyr Tudful |  
Merthyr Tydfil County Borough Council  
Uned 5 | Unit 5  
Parc Busnes Triongl | Triangle Business Park  
Pentrebach  
Merthyr Tudful | Merthyr Tydfil  
CF48 4TQ

# Merthyr Tydfil Replacement Local Development Plan 2016 - 2031

## Matters Arising Changes Representations Register

October 2019

### Introduction

This register provides a copy of the duly made representations that were received by the Council during the Replacement LDP Matters Arising Changes public consultation that took place from **9<sup>th</sup> September to 21<sup>st</sup> October 2019**.

The 'Matters Arising Changes' or MACs are changes to the Replacement Deposit LDP that have been proposed by the Council in response to the Inspector's Matters and Issues agendas and Action Points arising from Examination Hearing Sessions. Further details can be found on the Council's website: [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP)

In this register representations are ordered by representor ID number. This will be referenced in your previous correspondence with the Council regarding the Replacement LDP.

An index list of representors names, organisations (where applicable) and ID numbers are provided overleaf. If you do not know the ID number, please search the list of representor names to find the relevant representor and page number.

The Representations Register also contains bookmarks which will appear on the left hand side in Adobe Acrobat reader when selected. These will direct you to the desired representation when clicked on.

This document provides a factual record of the representations received on the Replacement LDP Focused Changes.

Please note that every effort has been made to redact personal information such as addresses, signatures and other private contact details.

Should you require further assistance, please contact the LDP Team by phone on 01685 726279 / 01685 726277 / 01685 726220 / 01685 727053 or by emailing: [devplanning@merthyr.gov.uk](mailto:devplanning@merthyr.gov.uk)

<b>Representor ID Number</b>	<b>Name and Organisation (where applicable)</b>	<b>Page</b>
103	Natural Resources Wales	4
108	The Glamorgan-Gwent Archaeological Trust	7
116	Home Builders Federation	8
119	Dŵr Cymru Welsh Water	12
124	Coal Authority	15
164	Cwm Taf UHB	21
248	Trago Mills	22
297	Shirley Price	25
357	Merthyr (South Wales) Ltd	26

**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 - 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LOP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LOP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LOP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LOP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title		
First Name	<b>Catherine</b>	
Last Name	<b>Howe</b>	
Job Title (where relevant)	<b>Senior Advisor - Development Planning</b>	
Organisation (where relevant)	<b>NRW</b>	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no.		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments will be publically available and cannot be treated as confidential. Your information will be retained on the Council's LDP Database and will only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number\* (if relevant)** L1\_03 ,

\*You will have a Representor number if you have made representations at previous stages of the Replacement LOP process or if you have requested to be included on the Council's LOP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
MACs 10, 25, 26 and 32	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

We have noticed the following errors in the Matters Arising Changes, which require correction:

MAC 10

HSRA Concept Plan

The outline for the DAM zone C2 on the Concept Plan is incorrect and needs to be amended.

MAC 25

Fourth sentence (typo):

'...The Council will seek to ensure new development contributes to these aims to maintain and enhance biodiversity, and therefore promote the reliance of ecosystems...'

The word 'reliance' should be replaced with 'resilience'.

MAC 26

Last sentence (typo):

'...It should be chosen with reference to available Green Infrastructure Assessments, use a landscape-scale approach and to take account of the five key ecosystem reliance attributes contained in the Section 6 Duty (Biodiversity and Resilience of Ecosystems Duty) of the Environment (Wales) Act. A long-term management plan detailing the agreed mitigation and/or compensation measures should be provided'.

The word reliance should be replaced with 'resilience'.

MAC 32

Third sentence (strikethrough missing):

'...In addition to the provision of Sustainable Drainage Systems (SuDS) to reduce diffuse pollution, Tthis could include measures such as, sustainable drainage systems (SuDS) to reduce diffuse pollution, the provision of fish passages...'

This sentence should read:

'...In addition to the provision of Sustainable Drainage Systems (SuDS) to reduce diffuse pollution, this could include measures such as the provision of fish passages...'

### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.	<input checked="" type="checkbox"/>
I want to speak at a public hearing.	<input type="checkbox"/>

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing** (e.g. Matters Arising Change X in relation to...)

N/A

**3c. If this representation represents a petition, please indicate how many people it represents:**

N/A

**3d. If additional documents have been provided to support your representations, please list them below:**

N/A

Once completed please sign and date your representation form:

<b>Signed:</b>	Catherine Howe	<b>Dated:</b>	02 October 2019
----------------	----------------	---------------	-----------------



Our ref: LDP/MTY/JBHD

ARCHAEOLOGICAL PLANNING

Policy and Implementation  
Merthyr Tydfil County Borough Council  
Unit 5 Triangle Business Park  
Pentrebach  
Merthyr Tydfil

CF48 4TQ

1<sup>st</sup> September 2019

Dear Sir

**Re: Merthyr Tydfil Local Development Plan 2016-2031:  
Consultation on Proposed Matters Arising Changes.**

Thank you for consulting us regarding this document.

As we have previously noted, the historic environment is an important part of the Merthyr Tydfil area, and is formed of statutorily designated historic assets of areas and structures, as well as a wide range of non-designated historic assets. These should not be seen as any constraint to development, but viewed with the Well-being of Future Generations (Wales) Act, contribute substantially to the well-being goals relating to culture and community, and by understanding and enhancement to the remaining goals.

The Historic Environment is embedded within the document as LOP Objective 9: To protect, enhance and promote all heritage, historic and cultural assets; and the LOP Policies CW1: The Historic Environment and CW2: Cyfarthfa Heritage Area, expanding to the SA Objectives 16 and 18. We welcome the recognition of the historic assets in MAC23.1, MAC23.2, MAC23.3, and MAC24, stating the importance of understanding the value and significance of both designated and undesignated historic assets. To achieve this, a statement of significance should be prepared as part of a Heritage Impact Assessment; and consulting the Historic Environment Record. This should also include early consultation with us, as the archaeological advisors to your Authority, as other aspects of assessment and mitigation may be more appropriate in some cases. This will ensure appropriate management of the Historic Environment within the development process.

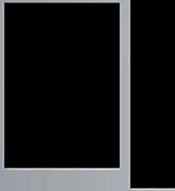
The importance of the historic environment in its own merit is recognised, but it also impacts in other areas relating to the management of natural resources as well as all types of development. Although the document mentions the designated sites and areas, these are approximately 2% of the existing, as many more non-designated buildings and areas are noted in the Historic Environment Record.

If you have any questions or require further advice on this matter, please do not hesitate to contact us.

Yours faithfully,

[Redacted signature]

Judith Doyle BA (Hons) MBA MCIfA  
Archaeological Planning Officer



**From:** [Mark Harris](#)  
**To:** [Development Planning](#)  
**Subject:** Merthyr Replacement LDP MAC"s consultation  
**Date:** 04 October 2019 16:18:12  
**Attachments:** [image001.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)  
[mtcbc-MAC"s response-form MAC 17 sustainable design.pdf](#)

---

**\*\*\*WARNING THIS IS AN EXTERNAL EMAIL\*\*\***  
**\*\*\*External attachment warning, although this email has been scanned for threats, please take extra care before opening attachments from unrecognised senders.\*\*\***

Please find attached HBF's consultation response forms relating to two of the proposed MAC's.

I would also advise that HBF supports the following MAC's:

MAC 17 support the inclusion of the words '*Where appropriate*' new development will be required to:

MAC19

MAC 64

Regards

Mark

**Mark Harris**  
Planning & Policy Advisor Wales

HOME BUILDERS FEDERATION



This e-mail is confidential, and may be legally privileged. If you are not the intended recipient, do not copy, use or disclose its content, but contact the sender immediately.

Whilst we run anti-virus software on all Internet emails we are not liable for any loss or damage sustained as a result of software viruses. The recipient is advised to run their own anti-virus software.





**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 - 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LOP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LDP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LDP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LDP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title	Mr	
First Name	Mark	
Last Name	Harris	
Job Title (where relevant)	Planning and Policy Advisor Wales	
Organisation (where relevant)	<b>HBF</b>	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no.		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments will be publicly available and cannot be treated as confidential. Your information will be retained on the Council's LOP Database and will only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number • (if relevant)**

... 11 1 6

\*You will have a Representor number if you have made representations at previous stages of the Replacement LDP process or if you have requested to be included on the Council's LDP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

The HBF request clarification as to whether or not the the additional requirement no.6 is meant to apply to all new housing? The supporting text at para 4.69 (MAC18) indicates that decisions about mix and tenure will be based on the LHMA which nearly solely relates to affordable housing. WE do not consider it appropriate fro the Council to control the mix of private homes on a development as this should be left to the market to decide.

### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.	<input type="checkbox"/>
I want to speak at a public hearing.	<input type="checkbox"/>

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing** (e.g. Matters Arising Change X in relation to...)

--

**3c. If this representation represents a petition, please indicate how many people it represents:**

--

**3d. If additional documents have been provided to support your representations, please list them below:**

--

Once completed please sign and date your representation form:

<b>Signed:</b>				<b>Dated:</b>	04/10/19
----------------	--	--	--	---------------	----------

**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 - 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LOP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LDP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LDP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LDP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title	Mr	
First Name	Ryan	
Last Name	Norman	
Job Title (where relevant)	<b>Lead Forward Plans Officer</b>	
Organisation (where relevant)	<b>Welsh Water</b>	
Address Line 1	<b>Developer Services</b>	<b>1</b>
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no.		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments will be publicly available and cannot be treated as confidential. Your information will be retained on the Council's LOP Database and will only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number • (if relevant)**

1119

\*You will have a Representor number if you have made representations at previous stages of the Replacement LDP process or if you have requested to be included on the Council's LDP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
MAC32 & MAC64	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

MAC32 - We welcome the inclusion of the new paragraph 6.6.39 on the SuDs Approval Body (SAB). The management of surface water by way of SuDs will ensure that capacity within our sewerage network is reserved for foul-only flows from new development sites.

MAC64 - We have no issue with the removal and addition of the specified text.

### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.	<input checked="" type="checkbox"/>
I want to speak at a public hearing.	<input type="checkbox"/>

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing** (e.g. Matters Arising Change X in relation to...)

--

**3c. If this representation represents a petition, please indicate how many people it represents:**

--

**3d. If additional documents have been provided to support your representations, please list them below:**

--

Once completed please sign and date your representation form:

<b>Signed:</b>	Ryan Norman	<b>Dated:</b>	11th October 2019
----------------	-------------	---------------	-------------------

**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 - 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LOP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LOP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LOP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LOP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title	<b>Mrs</b>	
First Name	<b>Melanie</b>	
Last Name	<b>Lindsley</b>	
Job Title (where relevant)	Development Team Leader (Planning)	
Organisation (where relevant)	<b>The Coal Authority</b>	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no.		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments **will** be publically available and cannot be treated as confidential. Your information will be retained on the Council's LDP Database and **will** only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number\* (if relevant)** \_\_\_\_\_

\*You **will** have a Representor number if you /have made representations at previous stages of the Replacement LOP process or if you have requested to be included on the Council's LOP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

MAC48 - The Coal Authority notes that additional wording has been added to Policy EcW13 Minerals Safeguarding in respect of the prior extraction of coal. However, as drafted, please see below, I assume that there is a word missing?

Any reserves of minerals can be economically extracted prior to the commencement of development; or, and in the case primary coal resources, there are wholly exceptional circumstances to justify its prior extraction; or



### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.	<input checked="" type="checkbox"/>
I want to speak at a public hearing.	<input type="checkbox"/>

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing** (e.g. Matters Arising Change X in relation to...)

--

**3c. If this representation represents a petition, please indicate how many people it represents:**

--

**3d. If additional documents have been provided to support your representations, please list them below:**

--

Once completed please sign and date your representation form:

<b>Signed:</b>	M Lindsley	<b>Dated:</b>	21 October 2019
----------------	------------	---------------	-----------------

**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 - 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LOP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LOP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LOP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LOP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title	<b>Mrs</b>	
First Name	<b>Melanie</b>	
Last Name	<b>Lindsley</b>	
Job Title (where relevant)	Development Team Leader (Planning)	
Organisation (where relevant)	<b>Tile Coal Authority</b>	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no.		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments **will** be publically available and cannot be treated as confidential. Your information will be retained on the Council's LDP Database and **will** only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number\* (if relevant)** \_\_\_\_\_

\*You **will** have a Representor number if you /have made representations at previous stages of the Replacement LOP process or if you have requested to be included on the Council's LOP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

MAC49 - The Coal Authority notes the additional wording added to the paragraph in respect of the prior extraction of coal, with reference made to national policy.

### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.	<input checked="" type="checkbox"/>
I want to speak at a public hearing.	<input type="checkbox"/>

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing** (e.g. Matters Arising Change X in relation to...)

--

**3c. If this representation represents a petition, please indicate how many people it represents:**

--

**3d. If additional documents have been provided to support your representations, please list them below:**

--

Once completed please sign and date your representation form:

<b>Signed:</b>	M Lindsley	<b>Dated:</b>	21 October 2019
----------------	------------	---------------	-----------------

**From:** [Lindsey Richardson \(Cwm Taf UHB - Planning and Performance\)](#)  
**To:** [Development Planning](#)  
**Cc:** [REDACTED]  
**Subject:** FW: REPLACEMENT MERTHYR TYDFIL LOCAL DEVELOPMENT PLAN 2016-2031: CONSULTATION ON PROPOSED MATTERS ARISING CHANGES  
**Date:** 18 October 2019 13:48:49  
**Attachments:** [image003.png](#)

---

**REPLACEMENT MERTHYR TYDFIL LOCAL DEVELOPMENT PLAN 2016-2031: CONSULTATION ON PROPOSED MATTERS ARISING CHANGES**

On behalf of **Cwm Taf Morgannwg University Health Board** I am emailing to advise that having reviewed the Matters Arising Changes there is nothing that we would object to or wish to change.

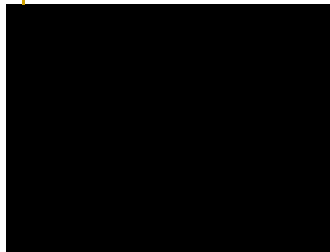
Kind regards  
Lindsey Richardson

**Lindsey Richardson**

**Head of Planning - Primary Care, Localities & Mental Health**

**Cwm Taf Morgannwg University Health  
Board**

**Bwrdd Iechyd Prifysgol Cwm Taf Morgannwg**



[REDACTED]  
*Please consider the environment before  
printing this email*

[REDACTED]  
*A wnewch chi ystyried yr amgylchedd  
cyn argraffu'r neges hon.*



NR/190053/L000I

17 October 2019

Submitted by post and email to [devplanning@merthyr.gov.uk](mailto:devplanning@merthyr.gov.uk)

The LOP Team  
Merthyr Tydfil County Borough Council  
Unit 5 Triangle Business Park  
Pentrebach  
Merthyr Tydfil  
CF48 4TQ

Dear Sir/Madam

**On behalf of Trago Mills (Merthyr Tydfil) Limited (Participant 248)**  
**Representations to Merthyr Tydfil County Borough Council Replacement local**  
**Development Plan 2016 - 2031**  
**Matters Arising Changes Public Consultation**

Mango Planning is instructed by Trago Mills (Merthyr Tydfil) Limited ("Trago Mills"), which owns and operates the Trago Mills Outlet Centre at Merthyr Tydfil.

On behalf of Trago Mills we attended the Examination in Public of the Merthyr Tydfil Replacement Local Plan 2016-2031 on June 28<sup>th</sup> 2019.

Representations made to the Examination and to the earlier stages of the Plan focussed on the descriptions of Trago Mills and Cyfarthfa Retail Park and their respective locations in retail planning policy terms and the sequential test.

We support the clarification set out in **MAC 3** that Cyfarthfa Retail Park and Trago Mills are both considered to be out-of-centre.

We had highlighted in our earlier representations that there had been inconsistencies in the descriptions of the sequential status of the two sites, and potential for a confused and therefore unsound basis for the assessment of planning applications in these locations against the sequential test. The recognition that both locations are of equal sequential status is welcomed.

Trago Mills also welcomes the acknowledgment that the Outlet Centre has a strong functional relationship with the town centre that has brought about economic benefit

to Merthyr Tydfil.

The amended wording proposed by MAC 36 is also intended to provide clarification that Cyfarthfa Retail Park and Trago Mills are both considered to be out-of-centre locations. MAC 36 states:

*“Within the County Borough, Merthyr Tydfil town centre is the principal town centre supported by seven local centres of Dowlais, Gurnos, Cefn Coed, Brecon Road/Morgantown, Troedyrhiw, Aberfan and Treharris. Cyfarthfa Retail Park off Swansea Road provides an established out-of-centre retail park in close proximity to the Town Centre. There are also out-of-centre retailers at Trago Mills, Swansea Road, Dowlais Top Retail Area, Dowlais and at the Triangle Business Park”. (my emphasis)*

While the principle of MAC 36 is supported, it is considered that the wording adopted is confusing and misleading and has the potential to undermine the clarity brought about by MAC 3.

The reference in MAC 36 to Cyfarthfa Retail Park being “in close proximity” to the town centre is an unnecessary inclusion given that it has already been established that this location is “out of centre” in sequential test terms. It adds nothing to the Plan or the relevant policy and its application in a development management context.

Any planning application at an out of centre location in Merthyr Tydfil would be required to consider whether there are alternative sites within or at the edge of the centre that could accommodate that requirement. Cyfarthfa Retail Park is recognised not to fall within either of these definitions.

Reference to proximity therefore is not only confusing but detracts from the more relevant considerations to which regard must be had when considering out of centre proposals. That is the linkages between locations and the centre and the propensity for enhancement of those linkages. Linkages are not just a factor of mere distance but of function. No evidence has been put before the Inquiry of the functional linkage between Cyfarthfa Retail Park and the town centre; in stark contrast to the evidence of a strong functional link between Trago Mills and the town centre.

We therefore respectfully request that the words “in close proximity to the town centre” be deleted from MAC 36.

Trago Mills also welcomes the alterations made in MAC 39 which recognises that certain retailers (e.g. bulky good and those needing large showrooms) may not be able to find suitable sites within or at the edge of the centre. In such cases locating them at an existing out of centre site such as Trago Mills, where shared and linked trips can take place and where there is evidence of a strong propensity for functional linkage with the town centre, is the most sustainable solution.

Thank you for your consideration of the above points. Please do not hesitate to contact me should you wish to discuss or require any additional information.

Yours Faithfully



**Nia Russell**  
**Associate**



## **MERTHYR LDP EXAMINATION – MAC’S**

### **RESPONSE ON BEHALF OF THE RESIDENTS OF CWRT NANT LLWYNOG**

#### **IN RELATION TO SW3.31 CWYMFELIN SLOPES**

The above site has been removed from the new LDP. It cannot be achieved within the timescale of the new LDP, due to land ownership issues and uncertainty about the relocation of the Rugby Club building. It therefore makes sense for it not to be included at this point in time.

However, the council have clearly ignored the issues and concerns raised by us at the start of this process, in our initial submission, without providing any evidence as to how all these very real issues can be addressed and overcome.

The council will still encourage and support development here, by stating that the land could be built on should a ‘windfall opportunity’ arise.

Hearing 9 – Agenda item 9.1 raised the question of whether the settlement boundary around this site should be removed? *We cannot find any reference to the outcome of this question in the latest report document.*

Having looked at the council’s response, we find no mention of the further debate at Hearing 9. Raising this omission with them, we are informed that there were no action Points from Hearing 9 and that their decision is therefore to leave the settlement boundary as it currently stands. *Their response to the question was to say that it is the Inspector’s decision as to whether or not it should be removed.*

We would therefore request that the final document makes reference to this issue and gives a clear indication of the decision about the actual settlement boundary.

PAUL & SHIRLEY PRICE

**REPLACEMENT DEPOSIT LOCAL DEVELOPMENT PLAN 2016 – 2031**

**MATTERS ARISING CHANGES RESPONSE FORM**

We would like your views on the Matters Arising Changes proposed to the Replacement Local Development Plan (LDP) and amended documents which support these (for example the amended Sustainability Appraisal or Habitats Regulations Assessment). The proposed changes to the Replacement LDP are set out in the Matters Arising Changes (MAC) Schedule.

This form should be used for all representations (i.e. comments or objections). Guidance notes for completion are provided overleaf. Electronic versions of this form are available at [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP). **Your representations must be received by the Council by Monday 21st October 2019.**

It is important to note that all comments made in previous LDP consultations have already been considered by the Inspector as part of the Examination. Comments at this stage should therefore only relate to the proposed MACs as this consultation does not provide an opportunity to add to or make new comments to the Deposit LDP.

All of the MAC consultation documents can be viewed on the Council's website [www.merthyr.gov.uk/ReplacementLDP](http://www.merthyr.gov.uk/ReplacementLDP), at the Council's Civic Centre and Pentrebach Offices, and at all local libraries during normal opening hours.

**PART 1: CONTACT DETAILS**

	Personal Details	Agent's Details (if applicable)
Title		Mr
First Name		Joe
Last Name		Ayoubkhani
Job Title (where relevant)		Planning Associate
Organisation (where relevant)	Merthyr (South Wales) Ltd	Barton Willmore
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone no		
Email Address		

Please tick if you would prefer correspondence in Welsh ☐

We prefer to correspond by e-mail. Please tick if you would prefer future updates by post ☐

*Please note all comments will be publically available and cannot be treated as confidential. Your information will be retained on the Council's LDP Database and will only be used in relation to preparation of the Local Development Plan.*

**Representor ID Number\* (if relevant)**

\*You will have a Representor number if you have made representations at previous stages of the Replacement LDP process or if you have requested to be included on the Council's LDP database. The Representor Number will be indicated on previous correspondence from the Council. Please quote this number, if possible, to assist the Council in identifying you and recording your representation.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input type="checkbox"/>	<input checked="" type="checkbox"/>	Test 3 <input type="checkbox"/>
---------------------------------	-------------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

	Support	Object	Comment
MAC 73	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

MAC 73 introduces Table A5.2: Site Specific Infrastructure Schedule - Employment Allocations which sets out infrastructure requirements for Policy EcW1.3 Ffos y Fran. Despite being an employment allocation, the delivery mechanism for infrastructure is stated as follows: "*Developer will be required to deliver infrastructure as part of construction of **housing development**.*" (emphasis added). Being an employment allocation, the reference to housing development is an error and therefore the policy as drafted is inappropriate and unsound.

**PART 2: Your Comments on the Matters Arising Changes** (Please use one Part 2 section for each comment that you wish to make)

**2a. Before you set out your comments in detail, it would be helpful to know whether you think that as a result of the Matters Arising Changes proposed by the Council the Plan is sound and meets the procedural requirements. If you think that the Plan is unsound, which test of soundness do you think it fails? (Please tick)** *Further details regarding the soundness tests are provided in the Annex at the end of this form.*

Test 1 <input checked="" type="checkbox"/>	Test 2 <input type="checkbox"/>	Test 3 <input type="checkbox"/>
--	---------------------------------	---------------------------------

**2b. Which Matters Arising Change are you supporting or objecting to? (Please use a separate Part 2 for each change being commented on)**

Matters Arising Change (MAC) reference number:	Support	Object	Comment
MAC 45	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**2c. Please set out your comments in the space below, using additional sheets if required, clearly indicating which Matters Arising Changes your comments relate to.** If you consider that the proposed Matters Arising Changes will not make the Plan sound, please clearly explain your reasons why and what further changes are required. If you propose a change to a Matters Arising Change you should consider the implications on the Sustainability Appraisal. Where proposed changes have significant sustainability effects the representation should include relevant Sustainability Appraisal information. Please indicate in the space provided below if you are submitting additional material to support your comments.

MAC 45 states:

*"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, 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."*

The above clarification is fully supported by Merthyr (South Wales) Ltd (who operate the Ffos-y-Fran (FYF) land reclamation scheme.

Nearly the entirety of coal extracted from FYF is utilised in industrial processes, rather than for uses solely related to energy generation, with the majority being exported for use by TATA Steel in Port Talbot (the UK's largest steelworks). TATA Steel are a major employer and important component of the Welsh economy. If this coal was not available from FYF then TATA would have to import their coal from long distances abroad, which would add significantly to their carbon footprint. FYF provides a local source of coal which will have the lowest impact in terms of carbon emissions and climate change when compared to imports. The extraction of coal from FYF is therefore considered to accord with the exceptional circumstances set out in Para 5.10.14 of PPW (Edition 10) through the evidenced need to continue providing coal for industrial uses in the context of climate change emissions reductions targets. Alternatively, as set out by the Council in their response to Action Point 9.2, the future of TATA Steel in South Wales would be in question if the raw material needed for steel making could not be provided.

Notwithstanding the above, the amplification text to the policy should also recognise that national policy allows coal mining in exceptional circumstances where there are public safety benefits (Para. 5.10.15 of PPW Edition 10 refers). Such public safety benefits exist for the comprehensive mining and restoration scheme being implemented at FYF as the wider area contains contains derelict land as a result of its industrial past (where it is highly likely that unrecorded shafts, adits and/or mine workings lie). Such public safety benefits have been referred to in MAC 47 (which is fully supported) but not in MAC45. Without this additional clarification the plan is unsound as it does not fit and have regard to national policy.

### Part 3: What happens next?

At this stage of the LDP process, you can only make comments in writing (these are called 'written representations'). The Inspector may decide that further Hearing Sessions are necessary as a result of the Matters Arising Changes consultation. In the event that additional Hearing Sessions are considered necessary you should indicate on this form whether you would wish to speak at any future Hearing Session(s) in addition to providing written representations during the Matters Arising Changes Consultation. You should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at any future Hearing Session(s).

All representations received by the closing date will be forwarded directly to the Inspector for consideration. Please note that the Council will not be responding to duly made representations.

**3a. Do you want your comments to be considered by 'written representations' or do you want to speak at any additional hearing sessions of the Public Examination (where further hearing sessions are considered necessary)?** (Please tick)

I do not want to speak at a public hearing and am happy for my written comments to be considered by the Inspector.

☐

I want to speak at a public hearing.

☒

**3b. If you want to participate in a hearing, indicate below what you want to speak about at the public hearing (e.g. Matters Arising Change X in relation to...)**


--

**3c. If this representation represents a petition, please indicate how many people it represents:**

**3d. If additional documents have been provided to support your representations, please list them below:**

--

Once completed please sign and date your representation form:

<b>Signed:</b>		<b>Dated:</b>	21/10/19
----------------	---	---------------	----------