

DELEGATED REPORT

Application No:	P/22/0131
Site Address:	Land Adjacent To 1A Blaen Dowlais Dowlais Merthyr Tydfil CF48 3RB
Development:	A pair of semi-detached dwellings with off road parking
Case Officer:	David Cross
Site Visit:	15th June 2022
Application Expiry Date:	19th July 2022
Consultation reply date expired:	16th June 2022

APPLICATION SITE

This application relates to an area of land measuring approximately 0.04 of a hectare located at the end (north-west) of a row of terraced properties that form part of Blaen Dowlais. The site is characterised as an area of grassland that slopes gradually down from north-east to south-west with some shrub planting. The site is bound by an adopted highway to the north, with two detached properties (Caradoc Place) on the opposite side. To the east is a rear lane with playground and car parking area beyond. To the south-east is an end terraced property (1a Blaen Dowlais) and to the south-west is a main road with the Dowlais Rugby Club opposite.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a pair of 3 bedroom semi-detached dwellings measuring 11.9m wide by 7.1m deep and 8.4m high with a pitched roof. They would be of a modest design with a simple arrangement of windows and doors on the front and rear elevation. Accommodation would be provided within the roof space with roof lights incorporated in the front and rear roof plane. The external material finishes would comprise render on the elevations with a fibre cement slate roof.

The dwellings would be orientated with a frontage towards the main highway (Blaen Dowlais) and setback from the existing carriageway to accommodate a new 2m wide footpath that links to the wider highway network. Each of the plots would accommodate two off-street parking spaces on hardstanding areas to the rear of the property, which would be accessed from the rear lane.

Due to the changes in levels, it is proposed that retaining walls would be utilised in the rear gardens. Whilst a detailed landscaping scheme has not been provided, the submitted plans indicate grassed areas provided in the side and rear garden areas.

PLANNING HISTORY

P/20/0036 - Erection of a pair of semi detached dwellings with off road parking

REFUSED permission on 02.04.2020 for the following reasons:

- 1. The proposed semi-detached dwellings by virtue of their scale and design, would fail to integrate effectively with the streetscene to the detriment of the character and appearance of the area. As such, the proposed development does not accord with policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.*

P/19/0216 - Erection of a pair of semi-detached dwellings with off road parking (Reserved Matters).

REFUSED permission on 20th November 2019 for the following reason:

- 1. The proposed semi-detached dwellings by virtue of their siting, scale and design, would fail to integrate effectively with the street scene to the detriment of the character and appearance of the area. As such, the proposed development does not accord with policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.*

P/18/0394 - Erection of a pair of semi-detached dwellings with off road parking (Outline).

Permission GRANTED on 06.02.2019

CONSULTATION

Head of Engineering - No objection subject to conditions relating to retaining works, structural design and drainage.

Planning Division's Ecologist - No objection subject to enhancements including bird/bat boxes and a suitable landscaping scheme.

The Coal Authority - No objection subject to a condition relating to a scheme of intrusive site investigation.

Welsh Water - No objection subject to a condition relating to surface water and land drainage.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW), Edition 11, February 2021:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Para 4.0.3 seeks to ensure new development is designed in a way that minimises the need to travel, reduced dependency on the private car and enable sustainable access to employment, local services and community facilities. This is achieved through integrating development with sustainable transport and maximise the provision and use of sustainable forms of travel.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Para 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Technical Advice Notes (TAN):

- TAN 5 Nature Conservation and Planning, September 2009
- TAN 12 Design, March 2016
- TAN 18, Transport, March 2007

Local planning policy

Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031:

- Policy SW1 - Provision of New Housing
- Policy SW4 - Settlement Boundaries
- Policy SW9 - Planning Obligations
- Policy SW11 - Sustainable Design and Placemaking
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW5 - Landscape Protection
- Policy EnW4 - Environmental Protection

Supplementary Planning Guidance (SPG):

- SPG 1 Affordable Housing, March 2012
- SPG 2 Planning Obligations, March 2012
- SPG 4 Sustainable Design, July 2013
- SPG 5 Nature and Development, May 2015

PLANNING CONSIDERATIONS

Land use

The application site lies within the settlement boundaries where the majority of new development is generally encouraged and supported in principle by policy SW4 of the LDP. Furthermore, it is acknowledged that outline planning permission (P/18/0394) has been previously granted for the erection of a pair of semi-detached dwellings within the site. Therefore the principle of development has already been established.

Design

The proposed development would be located at the end of Blaen Dowlais and would be seen as a continuation of the existing street scene, which forms part of an established row of terraced properties that are of a traditional form and appearance. It is acknowledged that there are other properties within the vicinity, which are of a differing design and appearance, in particular the detached properties to the north (Caradoc Place) and the Dowlais Rugby clubhouse to the west of the site. However, these properties are appreciated in a different context to that of Blaen Dowlais.

The proposed dwellings would be set back approximately 2m from the edge of the highway (Blaen Dowlais) to enable the existing footpath to be extended across the front of the site. This would also result in the dwellings being positioned to follow the established building line with the adjacent terraces, which helps to integrate the development and reinforce the continuity of the street scene. As such, the siting of the dwellings is deemed to be appropriate.

In terms of the proposed scale of the semi-detached dwellings, the width, depth and height of the buildings is considered to be appropriate and would be similar to that of the existing terraces. The concerns relating to the design of the dwelling, as set out in the previous application (P/20/0036) relating to the poor frontage and fenestration have been suitably addressed. The scale of the building and proportions of the windows on the front elevation

would be similar to the existing properties along Blaen Dowlais, which helps to integrate the development in to the street.

The proposed render finish to the elevations of the dwellings is deemed to be appropriate and would complement the neighbouring properties. However, given the prevailing use of brown concrete roof tiles in the immediate vicinity, it is considered that the proposed slate roofs would be at odds with the character of the area. This concern could be adequately addressed by condition to agree an alternative roofing material.

Accordingly, the proposed dwellings are deemed to be of an acceptable design and would not have an adverse impact on the character or appearance of the site or surrounding area. Therefore, the proposal complies with policy SW11 of the LDP.

Amenity

The properties that would have the greatest potential to be affected by the proposal are the neighbouring terraces along Blaen Dowlais and the two detached houses (Caradoc Place) opposite the site to the north.

The proposed dwellings would be located to the side of No.1A Blaen Dowlais, approximately 12m away from its side elevation and 4m away from the adjoining garden boundary. There would be no direct overlooking into the neighbouring garden i.e. from side windows. There would also be sufficient separation between the properties not to give rise to adverse overbearing impacts. Similarly, the terrace property opposite (82 Blaen Dowlais) would be a sufficient distance away from the development and its front elevation would be off-set with the proposal, which minimises any direct overlooking between properties. The proposed dwellings would be positioned a sufficient distance (approximately 16m-23m) away from the detached houses at Caradoc Place and would be orientated at an oblique angle, which minimises any potential overlooking concerns.

For the above reasons, the development would not have an adverse impact on the residential amenity of neighbouring properties. Additionally, it is acknowledged that no objections were raised by the local residents. Therefore, the proposal complies with policy SW11 of the LDP.

Highway

The principal means of access to the semi-detached dwellings would be via Blaen Dowlais, which extends along the south-west (front) boundary. Parking in this area is largely accommodated along both sides of the street, which currently imposes some restriction on two-way traffic movements. Access to the two off-street parking spaces on the driveways would be provided from the adjoining rear lane (also adopted) to the north-east.

It is acknowledged that traffic movements in the general area could be restricted at times, largely due to the presence of on-street parking along both sides of Blaen Dowlais. However, the level of traffic generated by the development would not be significant and the parking provided to the rear of the plots would minimise any additional impacts. The proposed vehicular access onto the rear lane is acceptable and would not differ to the arrangement of other properties in the vicinity. Furthermore, the development would not impinge on the existing rear access serving 1A Blaen Dowlais.

The development would involve extending the existing footpath along Blaen Dowlais across the front of the site, which would link to another footpath that joins the northern boundary of site, opposite Caradoc Place. This would ensure suitable pedestrian access is provided and it would improve existing links to local facilities, such as the nearby playground/playing fields. Furthermore, it is acknowledged that the Head of Engineering has not raised any highway safety concerns with the development. Therefore, the proposal complies with policy SW11 of the LDP.

Environment

The majority of the site comprises amenity grassland that is regularly maintained, with an area of scrub located in the northern half, which has the potential to support nesting birds. The development of the site would result in the loss of small area of scrub land. Whilst a detailed landscaping scheme has not been provided, the submitted plans suggest that a simple grassed area would be provided. The introduction of hedge planting along the north-west boundary would help to a soft boundary treatment and secure privacy for the future occupants. The planting would also help compensate for the loss of scrub vegetation that may have had some limited ecological value. It is acknowledged that the Planning Division's Ecologist has not raised any significant concern in respect of ecological impacts. However it has been advised that a suitable landscaping scheme, together with the installation of the a bat and bird box within the site would provide suitable enhancements. This can be secured by condition to ensure a suitable scheme can be provided. Therefore, the proposal complies with policies EnW1 and EnW5 of the LDP.

Ground stability

It has been highlighted by the Coal Authority that the application site lies within an area that is at high risk from past coal mining activities that could present stability concerns for the development. A Coal Mining Risk assessment has been submitted in support of the application. It is noted in the report that there is significant risk to the development from shallow mine workings. As such, the report recommends further exploratory boreholes should be undertaken to examine in greater detail the risks to the development. This investigation would then inform the foundation design for the dwellings. The Coal Authority is satisfied with the initial assessment undertaken and has not raised any objection to the development subject to a further intrusive site investigation being carried out, which can be secured by condition. Therefore, it is considered that a suitable engineering solution would likely address any stability concerns to ensure the development of the site is safe.

Planning obligations

Policy SW9 of the LDP considers the requirements for any planning obligations or affordable housing contributions. It is noted that on sites of between 5 and 9 homes a financial contribution towards affordable housing may be sought. Given that the proposal relates to a pair of semi-detached dwellings, no contribution is required in this instance. Therefore, the proposal complies with policy SW9 of the LDP.

CONCLUSIONS

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following

recommendation, the ways of working set out at section 5 of the WBFG Act have been considered, as well as the Welsh Ministers well-being objectives set out in section 8 of the WBFG Act.

For the above reasons, the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: **BE APPROVED** subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. BD-01, Floor Plans - received 01.07.2022

Drawing No. BD-02, Elevations - received 01.07.2022

Drawing No. BD-03, Illustrations - received 01.07.2022

Drawing No. BD-05, Proposed Site Plan - received 01.07.2022

Drawing No. BD-06, Sections - received 01.07.2022

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Prior to the construction** of the dwellings hereby approved details/samples of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to the occupation** of the dwellings hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the dwellings.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan .

6. **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the intrusive site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the intrusive site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

7. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. **Prior to works commencing on site** details shall be submitted for the provision of a bird box and a bat box within the site, to be approved in writing by the local planning authority. All works shall be completed in accordance with the approved details prior to the opening of the drive thru coffee shop.

Reason - To provide biodiversity enhancements in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

18/7/22