

DELEGATED REPORT

Application No:	P/19/0235
Site Address:	Land Rear Of 9-15 Newton Street Abercanaid Merthyr Tydfil
Development:	Proposed detached dwelling , double garage and workshop
Case Officer:	David Cross
Site Visit:	11th September 2019
Application Expiry Date:	13th January 2020
Consultation reply date expired:	26th September 2019

APPLICATION SITE

This application relates to an irregular shaped area of land measuring approximately 0.2 hectares located on the southern edge of Abercanaid. The site is characterised as an area of vacant grassland with overgrown vegetation along its boundaries including a number of trees and unmanaged hedgerows. The land within the site generally slopes down from west to east.

The site is bound to the west by the Taff Trail, which is elevated above the site and to the north by a watercourse, which also runs along rear garden boundaries of terraced properties that front onto Newton Street. On all other sides the site is bound by vacant land with the open countryside located to the south.

The application site lies entirely within the Afon Taf Site of Importance for Nature Conservation (SINC 58).

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a detached dwelling located within a central position of the site with a workshop and garage to be erected to the east and south-east of the dwelling respectively.

The proposed two storey dwelling would measure 11.3m wide by 12.6m deep and 8.1m high with a hipped roof. It would incorporate a central gable feature on the front elevation which would have a natural stone finish. The rest of the building would comprise a simple arrangement of windows and doors with a rendered finish on the elevations and a slate roof. A Juliette balcony would be provided on the eastern elevation.

The proposed workshop would measure 12.8m wide by 6.2m deep and 4.7m high with a hipped roof. The building would include two narrow windows on the southern side of the building and would be accessed from the garden area. The external finishes would comprise render on the elevations with a slate roof.

The proposed garage would measure 6m wide by 6m deep and 4.6m high with a hipped roof. The external finishes would comprise natural stone on the front elevation with a rendered finish on all other side and a slate roof.

The existing driveway serving the site was recently constructed as part of a previous application (P/15/0433). This access is initially level with the Taff Trail measuring approximately 4.5m wide and reducing to 3m wide over a length of 18m, where it leads to a 6m wider section of the driveway in front of the garage. The driveway would be finished with a gravel surface using a grid system.

Whilst a detailed landscaping scheme has not been provided, the submitted plans illustrate the planting of ivy and jasmine along parts of the driveway and along the sides of the garage and workshop. A patio area would be provided around the dwelling, together with a decked area in the side (east) garden area. The remaining parts of the site would remain grassed areas. A 1.8m high fence would be erected along the boundaries of the site, which includes the provision of a buffer zone between the development and the watercourse to the north.

PLANNING HISTORY

P/15/0433 - Erection of detached dwelling, barn, shed and car shelter with associated access works.

Permission GRANTED on 31.03.2016

CONSULTATION

Engineering and Highways Manager	-	No objection subject to conditions relating to structural design and access.
Planning Division's Ecologist	-	No objection subject to mitigation measures being implemented.
Rights of Way	-	No response.
Environmental Health Manager	-	No response.
Welsh Water	-	No objection.
Wales & West Utilities	-	No objection.
Western Power Distribution	-	No response.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and a site notice was displayed within the vicinity of the site.

As a result of this publicity exercise one letter was initially received, which raised a concern in respect of the proposed barn that may be used to house horses and ponies. It has subsequently been clarified by the applicant that the building is intended to be used as a domestic workshop and not a barn. The submitted plans and the description of the development have been amended accordingly to reflect this. A further publicity exercise was carried out with the local resident and no further concerns were raised.

POLICY CONTEXT

The following policies are relevant in the determination of this application:

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

- Policy BW1 - Development strategy – Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW12 - Development proposals and transport
- Policy BW16 - Protecting / enhancing the network of leisure facilities
- Policy BW17 - Securing community infrastructure benefits
- Policy AS4 - Historic landscape
- Policy AS6 - Local nature conservation designations
- Policy AS22 - Affordable housing contributions
- Policy TB11 - Access, parking and accessibility of local facilities

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 is located within the settlement boundary and the Primary Growth Area, where the majority of new development is generally encouraged by policies BW1 and BW4 of the LDP. It is noted that planning permission (P/15/0433) has also recently been granted for a detached dwelling with a workshop and garage within the site. Therefore the principle of developing the site has already been established.

Design

The proposed dwelling would be located in an area that is somewhat isolated from the existing properties in the area, given its siting to the rear of Newton Street on land that is largely enclosed by existing vegetation. Given the limited relationship with nearby properties, the site is capable to accommodating a dwelling that differs in its design to the more traditional terraced style of the area i.e. along Newton Street. There are also detached two storey dwellings and bungalows within the vicinity along Gethin Street.

The dwelling would be setback approximately 19m away from the Taff Trail, which helps to minimise any visual intrusion on the enjoyment and recreational use of the Taff Trail. Indeed the general siting of the dwelling, workshop and garage is similar to that previously approved under application P/15/0433. The scale of the dwelling is deemed to be appropriate for the site. Its footprint would not differ significantly to the dwelling previously approved (P/15/0433), albeit, there is a notable difference in height given that the previous scheme was for a single storey building. However, the construction of a two storey dwelling would be consistent with other properties in the vicinity. The development would also be at a lower level to the Taff Trail and nearby properties due to the sloping nature of the land.

The dwelling has been designed with a symmetrical appearance to the front elevation, incorporating a natural stone gable feature to add interest and break up the mass of the building. The arrangement of windows elsewhere have largely been informed by the internal spaces of the building, with a proposed Juliette balcony that overlooks the garden. The overall design of the building is acceptable and would not have an adverse impact on the character or appearance of the area. In this respect, it is noted that the retention of the existing trees and hedgerows along the boundaries of the site would largely screen the development. Therefore the proposal complies with policy BW7 of the LDP.

Amenities

The neighbouring properties along Newton Street, which have rear gardens that lie adjacent to the northern boundaries of the site, would have the greatest potential to be affected by the development. These terraced properties would be situated at least 29m away from the proposed dwelling and their respective rear gardens are separated (4m-5m away) from the site boundary by a water course.

Taking into account the siting and orientation of the proposed dwelling and the separation distance from the existing properties along Newton Street, it is considered that the development would not give rise to adverse overlooking or overbearing concerns. In this regard no concerns were raised by local residents in respect of any adverse impact on their amenities. Therefore the proposal complies with policy BW7 of the LDP.

Highways

Access to the site from Newton Street would be via a private access road which also forms part of the Taff Trail. This private road serves a small group of dwellings at Gethin Street to the north-west of the site and a number of dwellings further along the Taff Trail to the south-east. There is an existing informal gated access into the application site, which has been in a place for a few years. Additionally, the driveway which formed part of the previously approved scheme (P/15/0433) has largely been constructed to serve the development.

The general design of the driveway is essentially the same as that previously approved (P/15/0433) and is of an acceptable standard to serve a single dwelling. There would be adequate room to enable vehicles to turn within the site and exit on to the Taff Trail in a forward gear. Additionally, there would be sufficient room to accommodate at least 3 parking spaces on the driveway and in the garage. There would be adequate visibility for drivers exiting the site to see oncoming traffic, including pedestrians and cyclists. The access road also widens to the north-west of the site, which provides sufficient room to enable vehicles to pass along the access road. The traffic speeds along the Taff Trail are expected to be generally low and self-regulated by its established shared use with pedestrians and cyclists. It is acknowledged that the Engineering and Traffic Group Leader has not raised any highway safety concerns. Therefore the proposal complies with policies BW12 and TB11 of the LDP.

Ecology

The application site lies entirely within the Afon Taf Site of Importance for Nature Conservation (SINC 58). As such, an Ecological Appraisal (EA) has been carried out which considers the potential impacts of the development on a number of protected species and the qualities of the SINC. It should be noted that the previously approved (P/15/0433) dwelling could still be implemented within the site. Notwithstanding this, the EA provides a more up-to-date assessment of the site and the potential impacts.

Given the location of the development within the SINC, there would inevitably be some impact on its environment through the loss of habitat environments on the ground and the future domestic use of the site. The EA identifies the potential use of the site for foraging bats, nesting birds, reptiles and otters along the watercourse. Additionally, some Japanese Knotweed was identified within the site.

It is concluded in the EA that the proposal will affect a small area of land within the Afon Taf SINC, which is thought to be an overgrown allotment. Whilst some habitats identified within the site are mentioned in the SINC designation, these habitat types are common and widespread. The EA notes that the SINC is designated for a combination of features, but largely for its riparian corridor and woodland. The EA considers the removal of the onsite habitat is unlikely to have a significant impact on the integrity of the Afon Taf SINC or the features for which it is notified.

The EA sets out a number of recommendations to assist in mitigating some of the potential impacts the proposal would have on the SINC and protected species. This includes the provision of a 5m to 8m wide buffer zone between the development and the adjacent watercourse, which would be suitably fenced off. A hibernacula for reptiles would also be provided within this area, together with bird and bat boxes provided in the southern and western elevations of the buildings. A reptile mitigation strategy has been included as part of EA to ensure no harm to reptiles during the construction phase. Provided the mitigation measures are implemented the EA considers the development would not have an adverse impact on protected species. It is acknowledged that the Planning Division's Ecologist has not raised any objection to the proposal subject to the provision of appropriate mitigation measures, which can be secured by condition. The Planning Division's Ecologist has also set out additional enhancements, including the provision of green roofs or walls on the workshop building and garage. Whilst these features would be welcomed, regard has been given to the extant permission, which can still be implemented, which did not include such features. However, the applicant has agreed to plant ivy adjacent to the workshop and garage which would be left to grow up the elevations of the buildings and would

provide some biodiversity enhancement. Therefore the proposal complies with policies BW5 and AS6 of the LDP.

Planning obligations

The requirement for an affordable housing contribution or any other appropriate planning obligations was previously assessed by the Town Planning Division's Policy and Implementation Group Leader as part of the extant permission P/15/0433. At that time it was concluded, based on the Three Dragons Toolkit, no such planning obligations would be sought as this would likely render the development financially unviable. Therefore, the proposed development complies with policies BW17 and AS22 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 and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by 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. Newton 01B, Proposed Plans and Sections, Received 03.10.2019
- Drawing No. Newton 02E, Proposed Plans, Elevations and Section, Received 14.12.2019
- Drawing No. Newton 03D, Proposed Plans and Elevations, Received 14.12.2019
- Ecological Appraisal, October 2019, Issue 1VB

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

3. **Prior to the construction of the dwelling** hereby approved details/samples of the materials to be used in the construction of the external surfaces of the dwelling, garage and workshop 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 BW7 of the Merthyr Tydfil Local Development Plan.

4. **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 BW7 of the Merthyr Tydfil Local Development Plan .

5. **Prior to the occupation of the dwelling** 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 dwelling.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

6. **No development shall take place**, or any demolition works or site clearance, until details of a scheme for the eradication of Japanese Knotweed (*Fallonica japonica*, *Rouse decraene*, *Polygonum cuspidatum*) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason - To ensure compliance with the Wildlife and Countryside Act 1981.

7. **Prior to works commencing on site** details for the provision of a buffer zone to the south of the adjacent watercourse, together with details of the boundary fencing to enclose this area, shall be submitted to and approved in writing by the local planning authority. The land within the buffer zone shall remain free from any development and shall not form part of the residential curtilage. The boundary fencing shall be erected in accordance with the approved details prior to the commencement of development and shall remain in place in perpetuity.

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

8. The clearance/development of the site shall be carried out in accordance with the recommendations set out in Section 6 of the Ecological Appraisal(Dated October 2019, Issue 1VB).

Reason - To minimise any potential harm to protected species and to protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil 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 BW7 of the Merthyr Tydfil Local Development Plan.

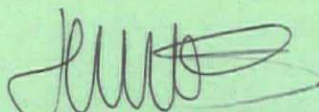
10. Notwithstanding the provisions of schedule 2, part 1, class(s) A, B, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extensions, roof alterations, porches or buildings/platforms shall be erected other than those expressly authorised by this permission.

Reason - In the interest of visual amenity and to protect the natural environment in accordance with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

11. The proposed workshop hereby approved shall not be used at any time for any commercial or business use.

Reason - To clearly define the scope of this permission and the use of the workshop in the interest of the natural environment and residential amenity and to accord with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

23/12/19