

DELEGATED REPORT

Application No:	P/20/0104
Site Address:	Plot Adjacent To 1 Aberfan Fawr Aberfan Merthyr Tydfil
Development:	Construct two storey dwelling
Case Officer:	Marlene Ferreira
Site Visit:	1st June 2020
Application Expiry Date:	15th July 2020
Consultation reply date expired:	18th June 2020

APPLICATION SITE

The application site relates to a triangular parcel of land located off Aberfan Fawr in Aberfan. The site is largely overgrown with grass, slopes down from the northwest to the southeast and formerly housed a small building used as a local community hub for the elderly. The building was demolished over 30 years ago and no other development appears to have taken place on the land.

The land adjoins the boundary with Aberfan Fawr Farmhouse to the north, a Grade II listed building, 1 Aberfan Fawr (a residential property) to the east and the highway to the south and west. The area is predominantly residential in character and the immediate area largely consists of two-storey semi-detached properties which are consistent in their scale and appearance. Some properties are elevated above the front highway, others have been altered by means of side and/or rear extensions, but all appear to be served by adequate front and rear garden areas, and some benefit from front or side driveways.

The site lies within the settlement boundary, as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks full planning permission to construct a two-storey detached, one bedroom property, with associated patio/garden and parking area.

The irregular shaped dwelling would have a maximum width of 7.05 metres, a maximum depth of 6.95 metres and a 7.5 metre ridge height. The dwelling would have a side facing semi-circular flat roof projection which would provide the entrance hall and a WC at ground floor and en-suite at first floor. The main part of the dwelling would have a mono-pitched roof design and provide a kitchen/living area at ground floor and a bedroom with storage area at first floor.

The dwelling would be sited so that its front elevation would be south facing towards the highway and its rear elevation would be north facing, adjacent to the boundary with Aberfan Fawr Farmhouse. A driveway (with car turntable), which is shown to accommodate 1 parking space, would be provided to the side (northwest) of the property.

PLANNING HISTORY

The council's records do not indicate any other planning history for this site.

CONSULTATION

Engineering and Traffic Group Leader

Objection raised to the amended proposal. Revised layout shows use of a turntable facility to use to turn vehicles around within the curtilage, thus could now enter and exit in forward gear. These amendments do not however satisfy the minimum visibility requirements for the adjacent 30mph speed limit of the adopted highway. Therefore refusal is recommended as the minimum visibility requirement cannot be achieved and the proposal is therefore detrimental to highway safety.

Objection raised to the original proposal. Two vehicular parallel parking spaces are provided which would require reversing movements onto the highway. Visibility of 2.4m x 43m is required based on a 30mph speed limit. The visibility requirements are not achievable. The development would therefore be detrimental to highway safety.

Town Planning Division's Policy Officer

No objection.

Town Planning Division's
Ecology Officer

No objection

Environmental Health

No objection.

Welsh Water

No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, a site notice was displayed within the vicinity of the site and nearby properties were consulted. No letters of objection have been received following this publicity exercise.

National Planning Policies

- Planning Policy Wales (PPW) (Edition 10, December 2018)

Paragraph 3.3 refers to good design and states that '...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...'

Paragraph 3.9 refers to character and states that '...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...'

Paragraph 3.14 refers to context appraisal and states that these '...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...'

Paragraph 3.51 states that '...previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development...'

Paragraph 4.2.17 goes on to state that '...maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites...'

Paragraph 5.2.8 discusses biodiversity and states that '...the planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. Local planning authorities must address biodiversity issues, insofar as they relate to land use planning, in both development plans and development management decisions...'

- TAN (Technical Advice Note)

TAN 12: Design (2016) – This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development and social inclusion at every scale throughout Wales.

TAN 5: Nature Conservation and Planning (2009) – This TAN provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

Local Planning Policies

- The Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW1: Provision of New Homes;
Policy SW3: Sustainably Distributing New Homes;
Policy SW4: Settlement Boundaries;
Policy SW9: Planning Obligations;
Policy SW11: Sustainable Design and Placemaking;
Policy SW13: Protecting and Improving Local Community Facilities;
Policy CW1: The Historic Environment;
Policy EnW1: Nature Conservation and Ecosystem Resilience;
Policy EnW4: Environmental Protection;
Policy EnW5: Landscape Protection;

- Supplementary Planning Guidance:

Supplementary Planning Guidance Note 1: Affordable Housing (March 2011)
Supplementary Planning Guidance Note 2: Planning Obligations (March 2012)
Supplementary Planning Guidance Note 4: Sustainable Design (July 2013)
Supplementary Planning Guidance Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The application site lies within the settlement boundary – Other Growth Areas. In such areas the principle of residential development is considered acceptable and is generally supported by LDP Policies SW1, SW3 and SW4, provided that the proposal is compatible with other relevant policies and material planning considerations. Thus, the main issues to consider when assessing this proposal relate to whether the proposed dwelling, in terms of its siting, scale and design, would be acceptable with regards to its impact upon the character and appearance of the area, residential amenity, ecology, parking provision and highway safety.

Character and Appearance

The application site, as noted above, is sited within a residential street of similarly designed two-storey semi-detached properties. Whilst it is noted that the dwelling also shares a boundary with the Grade II listed building, Aberfan Fawr Farmhouse, this property is largely screened from the application site by trees and other mature vegetation and therefore the proposal has minimal impact on its setting. It is the semi-detached dwellings which share the closest relationship with this parcel of land. The submitted plans however illustrate that the dwelling fails to respect the appearance and rhythm of development within the immediate area and would therefore have an adverse impact on the character of the existing street scene.

The proposed dwelling due to its siting, scale and design has little regard to the context of the immediate built environment. It is clear that the proposal has minimal consideration to the layout, design and scale of the properties along Aberfan Fawr and has been sited on

the boundary with the neighbouring property (1 Aberfan Fawr) in an attempt to overcome a major constraint of the site, this being the limited size and irregular shape of the plot. This is also obvious by the siting of the dwelling immediately adjacent to the footpath. This is not characteristic of the area with the properties having fairly generous front gardens set back from the highway and pavements. Furthermore, there is no rationale for the design of the property. It incorporates varying roof designs and an awkward side projection which in this location result in a highly prominent and incongruous form of development, which fails to integrate with the rhythm of the street scene. This pleasant green space, with a backdrop of large mature trees, would be significantly harmed by the introduction of an unsympathetic and poorly sited dwelling. This would be clearly apparent when the blank prominent side elevation is viewed from the south. Therefore the proposal would result in a cramped development with a poorly designed dwelling which would significantly harm the character and appearance of this part of Aberfan Fawr. Thus it fails comply with LDP Policy SW11.

Residential Amenity

The neighbouring property to the east 1 Aberfan Fawr and the neighbouring property to the north, Aberfan Farm Farmhouse are the properties most likely to be affected by this proposal.

In respect of Aberfan Fawr Farmhouse, the boundary between the application site and this neighbouring property, as discussed previously, is largely lined by mature trees and other vegetation. Thus, the new dwelling would remain largely screened when viewed from the neighbouring property (provided the vegetation is retained along the boundary as shown on the plan). In the event that the trees and other vegetation were removed, the dwelling would be sited at least 3.2 metres (at its closest point) from the dividing boundary and a further 10 metres from the property itself. As such the proposed dwelling would not appear overbearing or result in the loss of light or privacy to the amenities of these adjacent occupiers.

In respect of 1 Aberfan Fawr, it is noted that the proposed dwelling, given the limited scale of the plot, would be sited immediately on the boundary with this neighbouring property. However, it is proposed to have a monopitched roof design to this side elevation which slopes away from this neighbouring property, with an eaves height of 5 metres. In addition, no side facing windows, at ground or first floor, are proposed to this side elevation. Whilst it is appreciated that the proposed absence of windows to this elevation would protect the neighbouring occupiers from any direct overlooking into the side and rear of their property, it should be noted that this neighbouring property has been constructed at a lower ground level, and as such, even with the monopitched roof design and modest eaves height, the proposed dwelling would amount to a prominent and dominant two-storey development on the dividing boundary. As such, the proposed dwelling would have an overbearing impact upon this neighbouring property. In addition, given the orientation of the dwelling and its relationship with the application site, the proposal would also result in the loss of light and overshadowing to the neighbouring property's side and rear garden areas, particularly in the late evening. Thus, the proposed dwelling, given its siting, scale and design would have an adverse impact on the amenities of these neighbouring occupiers and would therefore not accord with LDP Policy SW11.

Ecology

Given the vegetation on-site (including trees, shrubs and grassland) and the nearby habitats suitable for protected species, such as Afon Taf Site of Interest for Nature Conservation (SINC) and Tarran Y Gigfran SINC, Ancient Woodland the proposed development has the potential to impact upon priority and protected species. The Council's Ecologist therefore requested that a Preliminary Ecological Assessment (PEA) be submitted in support of the application. An ecology report, Arbtech - Preliminary Ecological Appraisal Survey, was received on 25th June 2020. The report was reviewed by the Council's Ecologist who requested further information in order to ascertain whether the proposed development would in fact have a harmful impact upon priority and/or protected species. An amended ecology report, Arbtech – Preliminary Ecological Appraisal Survey, was received on 7th July 2020. The Council's Ecologist has considered the amended ecology report and has not raised any objections, provided that the development is carried out in accordance with the recommendations of the report. The proposed development would therefore comply with LDP Policy EnW1.

Parking and Highway Safety

The proposed dwelling would be accessed from Aberfan Fawr and was originally proposed to be served by 2 on-site parking spaces. The Engineering and Traffic Group Leader had not raised any objection in respect of the number of on-site parking spaces, which would be considered adequate provision for a one bedroom dwelling. However, the siting of the parking area to the northwest part of the site would result in vehicles reversing onto the highway where visibility is severely restricted. As such the proposal was considered to cause dangers to all road users to the detriment of highway and pedestrian safety. The Engineering and Traffic Group Leader therefore raised an objection to the original scheme. As a result of this objection, amended plans were submitted to show one vehicular parking space, proposed on a turntable, to the northwest part of the site. Whilst the one on-site vehicular space would still be considered acceptable to serve a one bedroom dwelling, the proposed vehicular turntable would not address the concerns of the Engineering and Traffic Group Leader, since the parking area has not been altered in respect of its location and the visibility to the northwest would still be restricted, even when leaving the site in forward gear. Furthermore, whilst the comments of the Engineering and Traffic Group Leader are noted, Planning conditions, which meet the relevant tests as set out in Welsh Government Circular WGC 016/2014, could not be imposed which ensure that the turntable is used. As such, the proposed amended parking layout and associated turntable would not overcome the concerns in respect of limited visibility and dangerous reversing movements which would have a detrimental impact on pedestrian and highway safety. The Engineering and Traffic Group Leader has therefore also raised an objection to the amended parking layout.

As a result, it is considered that the proposed dwelling and its associated traffic movements could not be accommodated without having an adverse impact upon highway and pedestrian safety and would therefore fail to accord with LDP Policy SW11.

Planning obligations

Policy SW9 considers the requirements for planning obligations. Since the proposal relates to a single dwelling, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing would not be sought in this instance and the proposed development would therefore comply with LDP Policy SW9.

CONCLUSION

The principle of developing the site to accommodate a single dwelling would be acceptable, however, due to the limited size of the plot, the proposed development would result in a cramped form of development. Furthermore, the dwelling, by virtue of its siting, scale and design, would result in an incongruous development which would fail to respect the character and appearance of the area and have a detrimental impact on the amenities of the adjoining properties. The proposed parking layout would also be detrimental to highway and pedestrian safety. As such, the proposed development would not comply with LDP Policy SW11.

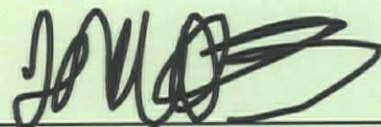
In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

RECOMMENDATION: BE REFUSED

REASONS:

1. The proposed development would result in a cramped form of development with a dwelling which by virtue of its scale, siting and design would result in an incongruous and insensitive form of development that fails to respect the character and appearance of the area. The proposal would therefore be contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
2. The proposed dwelling, by virtue of its siting, scale and design, would have an overbearing impact and result in the loss of light and overshadowing to the side and rear garden areas of 1, Aberfan Fawr. As such, it would have a detrimental impact upon the residential amenities of these neighbouring occupiers, contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
3. The proposed development conflicts with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016 - 2031 in that the layout would result in vehicular movements where visibility is restricted. As such, the development proposed, would increase highway dangers and create more hazardous conditions than exist at the present time to the detriment of highway and pedestrian safety.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/7/20