

DELEGATED REPORT

Application No: P/20/0074

Site Address: Plot 4, Land Off Upper Colliers Row
Heolgerrig
Merthyr Tydfil

Development: Detached dwelling, detached garage and private driveway

Case Officer: Marlene Ferreira

Site Visit: 17th June 2020

Application Expiry Date: 22nd May 2020

Consultation reply date expired: 13th November 2020

APPLICATION SITE

The application site is an undeveloped and irregular shaped parcel of land, measuring approximately 0.09 of a hectare. The site rises gently from east to the west and forms part of a wider parcel of land, measuring approximately 0.42 hectares, which was recently granted outline planning permission for a residential development of 8 dwellings.

The site, which is overgrown with trees and other vegetation, appears to have been previously planted as part of the reclamation scheme associated with Georgetown and Cyfartha tips, and was formerly known as 'Brondeg Tip'. The site lies in close proximity to the dividing boundary with Ty Newydd, located to the west, and Mandian House, located to the north. There is additional undeveloped land to the east (which also forms part of the wider development site for the 8 dwellings) and other undeveloped to the south. The immediate surrounding area is characterised by dwellings of a varied style, form and detailing, which includes bungalows, detached, semi-detached, and terraced two storey properties.

The site lies within the settlement boundary - Primary Growth Area as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031. It also forms part of housing allocation site, SW3.4 Brondeg, Heolgerrig.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a detached two-storey property and detached garage within plot 4.

The dwelling would measure 12.2 metres wide, 9.25 metres deep (excluding the single storey rear projection and the front two-storey gable projection) and 9.1 metres in height.

The main part of the dwelling would be two storeys and would include a 4 metre wide and 1.6 metre deep, two storey projecting gable to the principal elevation. The front gable projection would be glazed at first floor with the ground floor providing an entrance porch. A flat roof projection (with central roof lantern) is proposed to the rear. This would measure 4.4 metres wide, 4.1 metres deep and 3.1 metres in height (excluding the roof lantern). The dwelling would be finished with a Bradstone dressed stonework to the front projecting gable, white K-rend rendered elevations, grey/black Marley fibre cement slates and grey UPVc windows.

At ground floor the dwelling would be served by a lounge, study, kitchen/dining room/sitting room, garden room, utility room and WC. At first floor the dwelling would be served by 4 bedrooms, 2 en-suites and a bathroom. The dwelling would be sited so that its front elevation would be north facing and its rear elevation south facing and as such would benefit from a south facing private garden.

A single storey detached double garage, to be finished with K rend and Bradstone dressed stonework elevations with Marley fibre cement slates, would measure 6 metres wide, 5.5 metres deep and 4.7 metres in height. It would be located to the north of the property and accessed off a gated 'L' shaped private driveway, laid in grey chippings. The private driveway would be accessed from a 4.2 metre wide and 49 metre long private road, laid in permeable paving, which would run from the east, off Upper Colliers Row, to the west where it meets the private driveway of plot 4. The private driveway and garage would provide 4 vehicular on-site parking spaces.

The application has been supported by the following documents:

- Maxiom Colliers Row, Heolgerrig - Contract to Build Development;
- Geo-Environmental Report: Land at Colliers Row, Brondeg, Merthyr Tydfil;
- Preliminary Ecological Appraisal;
- Landscape and Ecology Management Plan, rev 6;
- Landscape Masterplan, rev 4;
- Arboricultural Impact Assessment, Tree Survey, including Tree Constraints Plan, Tree Protection Plan and Tree Retention/Removal Plan;
- Planting Plan and Structure Planting Plan, including Notes on Landscape Proposals.

PLANNING HISTORY

P/19/0228 - Outline Planning for 8 two storey detached dwellings - Approved: 7th November 2020.

CONSULTATION

Engineering and Traffic Group Leader

No objection, subject to conditions.

Policy Group Leader

No objection.

Ecology Officer

No objection, subject to conditions.

Landscape Architect

No objection.

Environmental Health	No objection, subject to conditions.
The Coal Authority	No objection.
Highways (Welsh Assembly Government)	No objection.
Welsh Water	No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to the adjoining properties. One letter of representation was received in respect of the proposed development which raised the following concerns:

- The development given its scale and proximity would result in the loss of light into my dwelling and garden;
- The plans of my property have been shown incorrectly since the rear extension has not been included;
- The proposed dwelling would be towering over my property and would therefore be overbearing;
- There is no provision for any bat roost features in the fabric of the house as recommended in the ecological recommendations and opportunities, and in my opinion, is essential due to the significant loss of habitat the site clearance will cause.

The application plans were amended and further information was submitted following the receipt of the above letter of objection. Following the re-consultation with nearby occupiers, a letter of support was submitted by the same neighbour (who had previously objected to the proposed dwelling). The letter stated the following:

'I feel that this development is compatible in its current form, as long as the following is kept:

- *The tree boundary as shown on the plans is kept the same and maintained according to the ecology report;*
- *The site operating hours take into consideration that I have vulnerable people living here and also with the combined building work the other side of my property, could severely impact on our quality of life during the construction phase.'*

Ward councillors were advised of the letter of objection and the letter of support received, but have not requested that the application be considered at Planning Committee. As such, the application will progress to be determined, under delegated powers, by the Chief Officer Planning and Neighbourhood Services.

POLICY CONTEXT

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. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals...*'

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...*'

- 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 deliver 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 LDP 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 EnW1 - Nature Conservation and Ecosystem Resilience
Policy EnW4 - Environmental Protection
Policy EnW5 - Landscape Protection

- Supplementary Planning Guidance (SPG):

SPG1 - Affordable Housing, March 2012
SPG2 - Planning Obligations, March 2012
SPG4 - Sustainable Design, July 2013

PLANNING CONSIDERATIONS

The application site lies within the settlement boundary as defined by the LDP Proposals Map. Outline planning permission (P/19/0228) has been previously granted for a larger area which includes the application site. Therefore, 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 application relate to whether the proposed dwelling, garage and associated private road, in terms of their siting, scale and design, would be acceptable with regards to their impact upon the character and appearance of the area, residential amenity, ecology, parking provision and highway safety.

Character and Appearance

The proposed dwelling would have a partly glazed central two-storey front gable projection that frames the main entrance into the property. This would act as the focal point of the dwelling and add character and interest to its primary frontage. Its scale and appearance is also considered acceptable and draws reference to certain design features of other larger detached, as well as traditional semi-detached, properties on the outskirts of the wider application site. Thus, it is considered that the property's well-proportioned design is also reflective of existing properties in the surrounding area. Its proposed rendered elevational finishes, grey/black slate roof tiles and grey UPVc windows are also consistent with material finishes on other existing properties in the surrounding area. Whilst the proposed Bradstone dressed stonework is not frequently found on other surrounding properties, it should be noted that this dwelling would be sited in a small enclosed close with 7 other dwellings and over 50 metres away from the main road (Upper Colliers Row). As such, it would be in a discrete location which would be well screened when viewed in context with the wider area. Similarly, the proposed detached garage, would also remain largely screened when viewing the development within the wider area. Indeed, when viewing plot 4 from the surrounding area, the extensive landscaping/woodland of large mature trees and vegetation to the west and north of the site (which would be retained as part of this development) would ensure that the dwelling and garage remain screened from Ty Newydd (located to the west) and Mandian House (located to the north). These landscaped areas would fall outside the residential curtilage of the dwelling (secured by condition) and be protected by suitable fencing. A 2 metre high fence would also be provided to the southern boundary, beyond which would be planted a 1.5m wide hedgerow. To the south, the development would also be screened by the existing

landscaping/woodland comprising of mature trees and other vegetation forming part of other undeveloped land.

The private road would be laid in a permeable material (details of which would be requested by condition) and have a 1.2 metre wide grassed verge (with trees planted either side of the road) near the entrance with Upper Colliers Row. This would serve to soften the appearance of the road and provide a visually attractive entrance to the site. It should also be noted that the Council's Landscape Architect has assessed the proposed development in respect of the partial loss of the on-site landscaping/woodland, the proposed replacement landscaping and its impact on the wider area and has not raised an objection.

This proposed dwelling, its associated garage and private access road would result in an acceptable form of development within this context and would not detract from the character or appearance of the area. The proposal would therefore comply with LDP Policies SW11 and EnW1.

Residential Amenity

The proposed dwelling, as noted above, would be sited to the east of Ty Newydd and to the south of Mandian House. These are the neighbouring dwellings most likely to be impacted by this proposal.

The dwelling would be located 6.1 metres (at its closest point) from the dividing boundary with Ty Newydd. Whilst the garage would be located closer and only 3.4 metres from the dividing boundary with this property, this single storey garage would not have an adverse impact upon the amenities of this neighbouring dwelling (Ty Newydd). Whilst a substantial part of the vegetation on this site would be removed, the existing trees and vegetation adjacent to the western boundary of the proposed dwelling, would be retained. The retention of landscaping along this western boundary would help to screen the new dwelling from this neighbouring property (Ty Newydd). Thus, the siting of the dwelling and the retention of landscaping/woodland would help to reduce any overbearing impact on these adjacent occupiers. The proposed dwelling is also set below the level of this neighbouring property. In addition there are no first floor side facing windows proposed (except en-suite windows which could be conditioned to be fitted with obscure glazing) which would also safeguard overlooking to Ty Newydd.

With regards to the dwelling located to the north, Mandian House, it is noted that the proposed dwelling would be located over 13 metres (at its closest point) from this property. As such it would not be deemed to have an overbearing or overlooking impact which would significantly harm the privacy or amenities of these occupiers. Although the garage would be located closer, just over 3 metres from the dividing boundary, this part of the proposal, given its scale and use, would not have any adverse impact on the amenities of this neighbouring dwelling.

The relationship between the existing neighbouring dwellings and the proposed development is therefore considered acceptable and would therefore comply with LDP Policy SW11.

Ecology

The application, as noted previously, has been supported by reports which have assessed the impact of the development on protected species and their habitats. The proposed development could potentially have an impact on bats, reptiles and amphibians, nesting birds and hedgehogs. Numerous protection/mitigation and enhancement measures are therefore proposed as highlighted in the Landscape and Ecology Management Plan and Landscape Masterplan. Such measures include carrying out clearance works with the supervision of an ecologist, the creation of a receptor area for the relocation of any animals encountered during clearance works, the provision of bat roost cavities, bat roost boxes as well as bird boxes as part of the proposed development, the provision of hedgehog passages in fences as well as the retention of hedgerows and small wooded areas to provide shelter and refuge for reptiles, birds, etc. The reports have been considered by the Council's Ecologist who has not raised objections to the proposed development provided it is carried out in accordance with the submitted details. As such, the proposal would comply with LDP Policy EnW1.

Parking and Highway safety

The proposed dwelling would be accessed via the 4.2 metre wide and 49 metre long private road off Upper Colliers Row. It would be served by a private 'L' shaped driveway area and a double garage. The Head of Engineering has considered the proposal in respect of on-site parking provision and highway safety and has not raised any objections. The proposed development would therefore not give rise to any adverse highway/pedestrian safety concerns and would comply with LDP Policy SW11.

Planning Obligations

Given that the proposal relates to a single dwelling, on-site provision of affordable housing, open space or a financial contribution towards affordable housing would not be sought in this instance.

CONCLUSION

For the reasons set out above the proposed development is considered to be acceptable and complies with the relevant LDP policies.

Finally, 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.

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: 20/12/01, received: 12th May 2020;
- Drawing no: 20/12/02, received: 27th March 2020;
- Drawing no: 20/12/03, Rev B, received: 17th September 2020;
- Drawing no: 20/12/04, Rev B, received: 17th September 2020;
- Arboricultural Impact Assessment for Plot 4, Colliers Row, Merthyr Tydfil, received: 25th August 2020;
- Tree Survey at Colliers Row, Merthyr Tydfil, received: 25th August 2020;
- Colliers Row Merthyr Tydfil - Tree Constraints Plan, received: 25th August 2020;
- Colliers Row Merthyr Tydfil - Tree Protection Plan, received: 25th August 2020;
- Colliers Row Merthyr Tydfil - Tree Retention/Removal Plan, received: 25th August 2020;
- Drawing Title: Planting Plan, Drawing no: CR4/02-B, received: 22nd December 2020;
- Drawing Title: Structure Planting Plan, Drawing no: CR4/01-A, received: 26th October 2020;
- Land at Colliers Row, Heolgerrig - Notes on Landscape Proposals, received: 22nd October 2020;
- Preliminary Ecological Appraisal, received: 14th April 2020;
- Landscape and Ecology Management Plan, revision 6, received: 7th December 2020;
- Landscape Masterplan, revision 4, received: 7th December 2020.

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

3. **No development shall take place** until details of the construction of the private road and driveway as shown on drawing numbers 20/12/03 rev B, received 17th September 2020 and CR04/01-A, received 26th October 2020, including level/sections, drainage (with porosity information), visibility splays, material finishes, lighting details, and the location and protection works for the stormwater culvert at the entrance to the site, have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details prior to the occupation of the dwelling and shall remain available for its designated use in perpetuity.

Reason - To ensure that the dwelling is served by an adequate access in the interest of highway safety, biodiversity and to protect the watercourse, in accordance with Policies SW11, EnW1 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to the occupation of the dwelling** hereby approved, a plan indicating the height, design, materials and type of boundary treatment to be erected, as illustrated in the positions shown on Drawing no: CR4/02-B, received: 22nd December 2020, shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed as approved before the occupation of the dwelling and retained in perpetuity.

Reason - To ensure that the new development will be visually attractive and to protect the hedgerow areas to the western and southern boundaries of the property, in the interests of

amenity and biodiversity, in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping (as shown on drawings: CR04/02-B, received: 22nd December 2020 and CR/01-A, received: 26th October 2020) 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 biodiversity, to accord with Policy SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. The landscaped areas indicated A, B and C on Planting Plan CR04/02-B, received: 22nd December 2020, shall at no time be incorporated into the residential curtilage of the dwelling, hereby permitted, or be used as an extension to the garden. These landscaping areas shall be separated from the garden areas of the dwelling by the approved fencing which shall be retained in perpetuity.

Reason - In the interest of visual amenity, residential amenity and biodiversity, in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. Before the development hereby permitted is brought into use, the first floor en-suite windows to the eastern and western side elevations shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The windows shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **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.

9. Notwithstanding the provisions of schedule 2, Part 1, Class B 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 additions or alterations shall be carried out to the roof of the dwelling other than those expressly authorised by this permission.

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

10. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

11. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

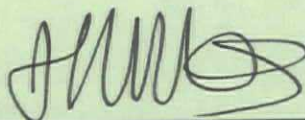
INFORMATIVES

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

2. The applicant/developer is advised to liaise with the County Borough Council's Head of Engineering regarding any consents which are required in association with the provision of any vehicle cross over.
3. The applicant is advised that an armco culvert is located to the rear of the footway and runs parallel to the application site (in a southerly direction into the Nant Rhydycar). Any works to or affecting the culvert would require consent from Merthyr Tydfil County borough Council's Land Drainage Officer.
4. The applicant/developer is advised that Japanese Knotweed may be present on the site and if not adequately addressed, could be potentially harmful to the proposed development.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

22/12/20