

DELEGATED REPORT

Application No:	P/20/0113
Site Address:	Land At Yr Hen Llaethdy Kingsley Terrace Aberfan Merthyr Tydfil
Development:	Detached dwelling
Case Officer:	Caroline Pulley
Site Visit:	12th June 2020
Application Expiry Date:	23rd September 2020
Consultation reply date expired:	3rd July 2020

APPLICATION SITE

The application relates to a rectangular shaped area of land measuring approximately 0.05 of a hectare. It is around 49m in length (from east to west) and 9m in width (from north to south). The site adjoins the highway to the east, a traditional terraced dwelling to the south (24 Pleasant View) and a large, detached dwelling to the north (Ty Alfa). To the rear, the site adjoins the boundary of a recently constructed dwelling. Although part of the application site is flat, the land rises fairly steeply to the rear in an east to west direction. Also, within the site are a small number of trees and bushes positioned along the southern boundary.

PROPOSED DEVELOPMENT

This application seeks outline planning permission to construct a single dwelling on a parcel of land situated between Yr Hen Llaethdy and Ty Alfa. All matters relating to access, appearance, landscaping, layout and scale have been reserved for future consideration. As such, it is only the principle of the development which is to be considered as part of this application. An indicative site layout has been submitted in support of this application, which illustrates how the development could be accommodated within the site. This plan suggests the dwelling could be located in the eastern part of the site, close to the highway. The existing access into the site could be utilised to provide two off-road parking spaces to the front of the dwelling.

In accordance with the requirements of the Development Management Procedure (Wales) Order scale parameters have been provided indicating the dwelling would measure between 7.9m and 8m wide, between 8m and 10m in depth and 5.5m and 7.8m in height.

The application is accompanied by Preliminary Ecological Appraisal undertaken by Ecoleg.

PLANNING HISTORY

There is no recent planning history relating to this site.

CONSULTATION

Engineering and Traffic Group Leader:	No objection.
Environmental Health Manager:	No objection.
Welsh Water:	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and two site notices were displayed within the vicinity of the site.

No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 12 - Design advises that the Assembly 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.

Local Policy

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

Policy SW1 – Provision of New Homes
Policy SW4 – Settlement boundaries
Policy SW9 – Planning Obligations
Policy SW11 – Sustainable design and Placemaking
Policy SW12 – Improving the Transport Network
Policy SW13 – Protecting and Improving Local Community Facilities
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Development

PLANNING CONSIDERATIONS

As detailed earlier, outline planning permission is sought for the erection of a single, detached dwelling on a small infill plot in Aberfan. The application site is unallocated and is situated within the settlement boundary as defined by the LDP, where new development is generally supported. Additionally, the surrounding locality is predominantly residential in nature. As such, the principle of developing the site for residential purposes is acceptable under Policy SW4 of the LDP.

Whilst noting the 'outline' nature of the planning application with all matters reserved and having due regard to the indicative site layout plan, the main considerations in the determination of this application are assessed to be: the impact of the proposal on the character and appearance of the surrounding locality, the impact on the development on the amenity and privacy of neighbouring properties, and the highway safety implications of such a proposal. These matters are set out below.

Layout and amenity space

The indicative layout plan illustrates a detached dwelling being located along a similar building line to the detached property to the north. This demonstrates that the site is of an adequate size to accommodate a dwelling whilst retaining adequate amenity and parking space around the building. Accordingly, there is no principle objection to the layout of the proposed development subject to an assessment of detailed plans at reserved matters stage.

Character and appearance

With regard to the character and appearance of the area, the application site comprises a gap in a street scene of predominantly residential properties. The existing detached properties to the north of the application site provide quite a strong frontage that creates a well-defined street, with modest set-backs from the highway to accommodate off-road parking. The terraced properties to the south of the site also provide a clear building line and a good sense of enclosure along the street. Although the layout, appearance and scale of the development have been reserved for future consideration, a single dwelling that visually integrates with the character of the houses on this street could be developed on the site. The scale parameters also indicate that the height of the proposed dwelling would be comparable to the existing dwellings to the north and its scale would generally be in-keeping with other properties in the street. Therefore, subject to more detailed considerations of the scale, finishes and appearance of the development at the reserved matters stage, the development of a single residential unit on the site would have an acceptable impact upon the character and appearance of the existing dwelling and the surrounding area.

Residential amenity

It is noted that details relating to the layout of the proposed development, and the appearance and scale of the buildings have been reserved for future consideration. As a

result it is difficult to ascertain the specific affects that a residential development may have on the surrounding residents. Given that this is an outline application, it is the principle of residential development that is being considered.

In this respect, it is noted that the properties which have the greatest potential to be affected by the development are Ty Alfa to the north and 24 Pleasant View to the south. Although there are no illustrative elevations provided with this application, the illustrative layout plan suggests that a dwelling could be sited towards the front of the site and alongside the southern side elevation of Ty Alfa. The dwelling could also be positioned 3m away from the side elevation of 24 Pleasant View. The orientation of the dwelling appears to be evident, with the front elevation facing onto highway (to the east), the side elevations facing adjacent properties and the rear elevation facing a steeply sloping embankment. The dwelling, if constructed in the position shown on the indicative plan, would not result in an unacceptable overbearing impact or loss of light to Ty Alfa. However, the dwelling may have some impact on the rear elevation and rear garden area of number 24 Pleasant View. The submitted layout plan suggests that the dwelling, at the maximum scale parameter of 10m in depth, may protrude 5m beyond the rear elevation of number 24. Given that the proposed dwelling would be in close proximity to the dividing boundary with this property, the development does have the potential to be overbearing on number 24. Therefore, careful consideration will need to be given to the design, scale and height of the property being put forward at reserved matters stage to ensure that the dwelling does not have an adverse overbearing impact on number 24 Pleasant View. Consideration will also need to be given to the site levels to ensure that the scheme does not result in an unacceptable level of overlooking or overbearing impact to neighbouring properties.

Access

It is shown on the submitted plan that the intention would be to utilise the existing access into the site to serve the proposed dwelling. This would be a logical approach particularly as this is the only point where a level access on to the highway could be achieved.

It is considered that a suitable means of access into the site could be achieved with the provision for at least two off-street parking spaces. However, it is evident from the indicative site plan, due to the siting of the dwelling, that there would be limited space to accommodate a suitable turning facility to enable vehicles to enter and exit the site in a forward gear. This concern was originally raised by the Engineering and Traffic Group Leader. Whilst it is noted that the dwelling could be repositioned further back into the site to provide additional room, the building line of the dwelling would then poorly integrate with the line of the existing houses. Furthermore, increasing the size of the driveway would give rise to a large hardstanding area that would dominate the frontage of the site. As such, the provision of turning facilities within this site would not be appropriate from a character and appearance point of view as the development would fail to respect the building line established by other dwellings in the street. Whilst there are some concerns that this development would result in reversing manoeuvres directly opposite a road junction, there is an existing dropped kerb at this site and the arrangement and layout of the development would not be so dissimilar to the parking arrangement of the adjacent property, Ty Alfa. The driveway of Ty Alfa is situated directly opposite the right hand side of the junction and there are no turning facilities available, which means that the occupiers of this property would reverse to or from the highway at present. Moreover, the driveways serving the other residential properties to the north of the site do not have any turning provisions. Taking this into account, the Council's Engineering and Traffic Group Leader

has not raised any objection to the proposed scheme. As such, the scheme is acceptable from a highway safety perspective.

Ecology

A Preliminary Ecological Appraisal has been carried out to determine any potential impacts on protected species or habitats. This highlights that the site supports a limited range of habitat types with the majority of the site being occupied by a mixture of perennial/ephemeral and ruderal vegetation with successional scrub and young trees scattered across the site and along its southern boundary. No trees within, or adjacent to, the site boundary were considered to have potential to support roosting bats nor was there evidence to suggest the current use of the site by Badger, Dormice, Otter, Barn Owl, Water Vole or Great Crested Newt. However, the report does note that a number of birds were observed during the survey. With reference to mitigation/enhancement measures, the report suggests that the southern boundary vegetation would be retained. This is welcomed by the Council's Ecologist. It also suggests that some cost effective enhancement opportunities could be implemented to the scheme, which could include the incorporation of a bat box and a bird box on the new building or retained trees. This is also welcomed. However, the Council's Ecologist does not agree with the statements made by the report in relation to the presence of Reptiles. On review of the report, the Council's Ecologist has advised that Google Imagery shows the western section of the site to have been undisturbed, with only the eastern section cleared in connection (seemingly) with residential development immediately to the north. He states that this area is linked to the north with further habitat that appears suitable for reptiles. As such, the Council's Ecologist advises that the presence of reptiles should be assumed and should not be discounted. However, as this application seeks only the principle of development and details of landscaping are reserved for future consideration, the Council's Ecologist has recommended a condition is imposed to ensure that a Reptile Mitigation Strategy is submitted to and approved by the LPA prior to any development taking place on this land. Accordingly, no objections are raised at this stage but it is important to note that the proposed means of landscaping would need be fully considered at the reserved matters stage of the application process.

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

CONDITIONS:

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

4. In conjunction with the statutory "reserved matters" details required by Condition 1, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and completed in full accordance with such approved details **BEFORE** the development hereby approved is brought into use:

- i) existing and proposed site levels including full cross sectional drawings;
- ii) proposed slab or floor levels of all buildings to be erected together with relative yard, ridgeline and highway levels and those of adjacent buildings;
- iii) the position height and material of all walls, fences and other means of enclosure;
- iv) full construction and facing material details of any retaining walls over 1 metre in height;

Reason - To ensure a satisfactory standard of development and protect local amenity interest.

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

Reason - To protect 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.

6. Demolition or construction works shall not take place outside the hours of 08 00 to 18 00 Mondays to Fridays and 09 000 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.

7. No development or site clearance shall commence until a Reptile Mitigation Strategy has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved strategy.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

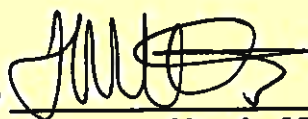
8. No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the dwelling being brought into use and retained in perpetuity.

Reason - To ensure adequate disposal of foul and surface water drainage in accordance 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.

RECOMMENDATION ENDORSED



Head of Town Planning

17/8/20

DATE: