

DELEGATED REPORT

Application No: P/20/0130

Site Address: Land Adjacent To 6 Criccieth Grove
Castle Park
Swansea Road
Merthyr Tydfil

Development: Detached dwelling

Case Officer: Caroline Pulley

Site Visit: 26th June 2020

Application Expiry Date: 30th September 2020

Consultation reply date expired: 15th September 2020

SITE NOTES:

APPLICATION SITE

The application site relates to the side garden area of 6 Criccieth Grove located in Castle Park, Merthyr Tydfil. It forms a relatively flat area of garden, albeit there are some minor changes in level within the north-eastern corner of the site. Also, while the site is relatively comparable to the level of the adjoining highway and the garden of the two-storey dwelling to the north, it is at a noticeably higher level to Conway Grove to the east. Along this boundary, there are two bungalows, one of which is partly screened along its rear boundary by an existing conifer hedge. The bungalow closest to the north-eastern corner of the site is most visible due to the change in ground level in this area. The street scene of Criccieth Grove comprises a range of two-storey and single storey properties. The dwellings on the eastern side of the street (same side as the application site) are mainly two-storey in height. They all vary in terms of their design and are mainly constructed from red brick.

PROPOSED DEVELOPMENT

This application seeks full planning for the construction of a single detached dwelling. The proposed dwelling would be sited so that its front elevation would be west facing, and its rear elevation east facing. Three vehicular parking spaces would be provided to the front of the property, access to which would be off Criccieth Grove via an existing gate opening.

The proposed dwelling would measure a maximum of 8.9m wide, 8.31m deep and 7.6m in height. It would have a 5.4m wide projecting gable to the front and a simple arrangement of windows and a door to the rear. The northern end elevation of the property would be gabled while the southern elevation would be formed by a roof slope which would contain

an array of solar panels. It is proposed that the external walls of the dwelling would be finished in brick and the roof be covered in concrete tiles. The windows and doors would be uPVC.

At ground floor the dwelling would be served by a living room, kitchen/dining room, utility and a shower room. At first floor the dwelling would be served by four bedrooms (one with an en-suite) and a bathroom.

PLANNING HISTORY

P/19/0149 - Erection of a two-storey dwelling (outline)
Approved 16.07.2019

CONSULTATION

Engineering and Traffic Group Leader:	Raises no objection, subject to conditions.
Environmental Health Manager:	Raises no objection, subject to conditions.
The Coal Authority:	No objection.
Welsh Water:	Raises no objection, but highlights that the site is crossed by a public sewer.

PUBLICITY

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

One letter of representation has been received from the occupier of a neighbouring property highlighting that the rear boundary of the site is not adequately retained at present and raises health and safety issues.

Local Ward Members were advised of the representation received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Chief Officer Planning and Neighbourhood Services.

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 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. 1 – Affordable Housing

Supplementary Planning Guidance (SPG) Note No. 2 – Planning Obligations

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

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

PLANNING CONSIDERATIONS

Principle of development

The application site lies within the settlement boundary as defined by the LDP Proposals Map. Outline planning permission (Ref: P/19/0149) has also been previously approved for a single dwelling on the site. Therefore, the principle of residential development is considered acceptable and is generally supported by LDP policy 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 new dwelling, in terms of its scale, design and siting, would be acceptable with regards to its impact upon the character and appearance of the area. The impact of the proposal upon residential amenity, parking provision and highway safety are also important considerations.

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 proposed dwelling would be constructed in a position which would be respectful of the existing building line formed by other dwellings in the street. Whilst there are some concerns over the dwelling's roof design, given that there are a variety of properties within the area, it is not considered that the dwelling would harm the character and appearance of the area. Furthermore, the height of the proposed dwelling would be comparable to the existing property and its scale would be in keeping with other properties within the street.

Therefore, subject to more detailed considerations of the finishes, 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

In terms of the impact of the development on the amenity of surrounding properties, the proposal seeks to subdivide a residential garden to create a detached dwelling on the land to the north of 6 Criccieth Grove (the existing property). The proposed dwelling would be sited roughly in the centre of the site and alongside the northern side elevation of 6 Criccieth Grove. Its front elevation would face directly onto Criccieth Grove (to the west), its side elevations would face the adjacent properties (42 Kidwelly Grove to the north and 6 Criccieth Grove to the south) and the rear elevation would face 19 and 20 Conway Grove (to the east).

Having considered the distance between the proposed dwelling and its site boundaries and neighbouring properties, as well as considering the difference in levels with each of the latter properties, it is considered that the proposed two-storey dwelling would be sensitively located so as not to result in an harmful overbearing, overshadowing or overlooking form of development. As highlighted above, the dwelling would be positioned directly alongside the side wall of the existing property, 6 Criccieth Grove. As a result, the relationship of the new dwelling with the adjacent/adjoining occupiers, is unlikely to result in an oppressive and unneighbourly form of development.

Given the siting of the proposed dwelling, some loss of light and overshadowing impact would result from the proposed development to the property to the north. However, given that the proposed dwelling would be set in from the northern boundary by a metre and the the neighbouring property is located approximately 19m north of the dividing boundary, this impact would not be so significant so as to warrant the refusal of the application. Moreover, no letters of objection or representation have been received from the occupiers of this dwelling.

In respect of overlooking, whilst it is acknowledged that the proposed dwelling would be sited at a higher level to Conway Grove to the rear, the potential overlooking impact from the rear bedroom windows would be comparable to the impact experienced by properties in the surrounding area and that of the existing dwelling. Having regard to this and the distance that would be maintained between the dwellings, the potential overlooking impact would not be sufficiently detrimental to prevent this site from being developed. There are no windows being proposed within the northern side elevation of the dwelling and as such, there would be no adverse overlooking to the dwelling to the north. Whilst there is a first floor en-suite bathroom window being proposed within the south facing side elevation of the dwelling, this window would directly face the side wall of number 6 Criccieth Grove in which there are no first floor windows. As such, the potential overlooking impact arising from this window would be very limited. In terms of the impact of the proposal on the amenities of neighbouring properties to the front of the site, it is noted that the proposed dwelling would be stepped back from the highway in a similar manner to the existing property. As such, overlooking opportunities to the properties opposite would be very limited.

Highway Safety

The proposed dwelling would be accessed from Criccieth Grove. The Engineering and Traffic Group Leader does not consider that the dwelling and associated parking would be detrimental to highway and pedestrian safety and has therefore not raised an objection. As such, it is not considered that the proposed development would give rise to adverse highway/pedestrian safety concerns or impinge the free flow of traffic within the wider site. It therefore complies with the relevant criteria set out by Policy SW11.

Other matters

The Coal Authority has advised that the site falls within the defined Development High Risk Area. Accordingly, the application has been accompanied by a Coal Mining Risk Assessment and a site investigation report. The intrusive site investigation report highlights that the site could be within influencing distance of shallow coal mine workings. Accordingly site investigations were undertaken in the form of three rotary boreholes sunk to a depth of 30m. Old workings were encountered in one of the three boreholes, however the report states that overlying competent rock cover is sufficient to reduce the risk of workings. Accordingly, the Coal Authority has not raised any objections to the scheme. They have however advised that further detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

The points raised by a neighbouring resident in relation to the adequacy of an existing retaining wall at the rear of the site has been acknowledged. However, given that the dwelling would be offset from the rear boundary by approximately 7m and minimal changes are proposed to the ground level, it is not considered that this matter would justify the refusal of planning permission nor would a condition be necessary.

Conclusion

The proposal would represent an appropriate form of infill development within an existing built up area. It is considered that the dwelling would be satisfactorily accommodated on the site without having an adverse impact on the character and appearance of the area or impinging upon the amenities of neighbouring residential properties. It is also noted that the scheme does not raise any highway safety concerns.

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/REASONS:

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 P & C Cricc 05A received on 18.08.2020

Drawing P & C Cricc 06 received on 18.08.2020

Drawing P & C Cricc 03 received on 05.08.2020

Drawing P & C Cricc 04 received on 05.08.2020

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 samples of the materials to be used in the construction of the external surfaces of the dwelling 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. **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 beneficial use of the development 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.

5. 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.

6. **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 .

7. 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

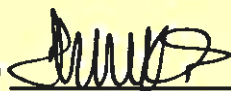
1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

2. The applicants/developers attention is drawn to the comments of the Authority's Environmental Health Section regarding the potential problem to neighbouring properties arising from the creation of noise and dust during the construction process. To avoid unexpected and unnecessary enforcement action by the Environmental Health Section, the applicants/developers are advised to contact the Environmental Health Section prior to the commencement of development to agree an appropriate method of noise and dust suppression.

The developer must ensure that all waste arising from the site is disposed of at a site licensed for its reception. Under no circumstances shall waste be burnt on site.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

15/10/20.