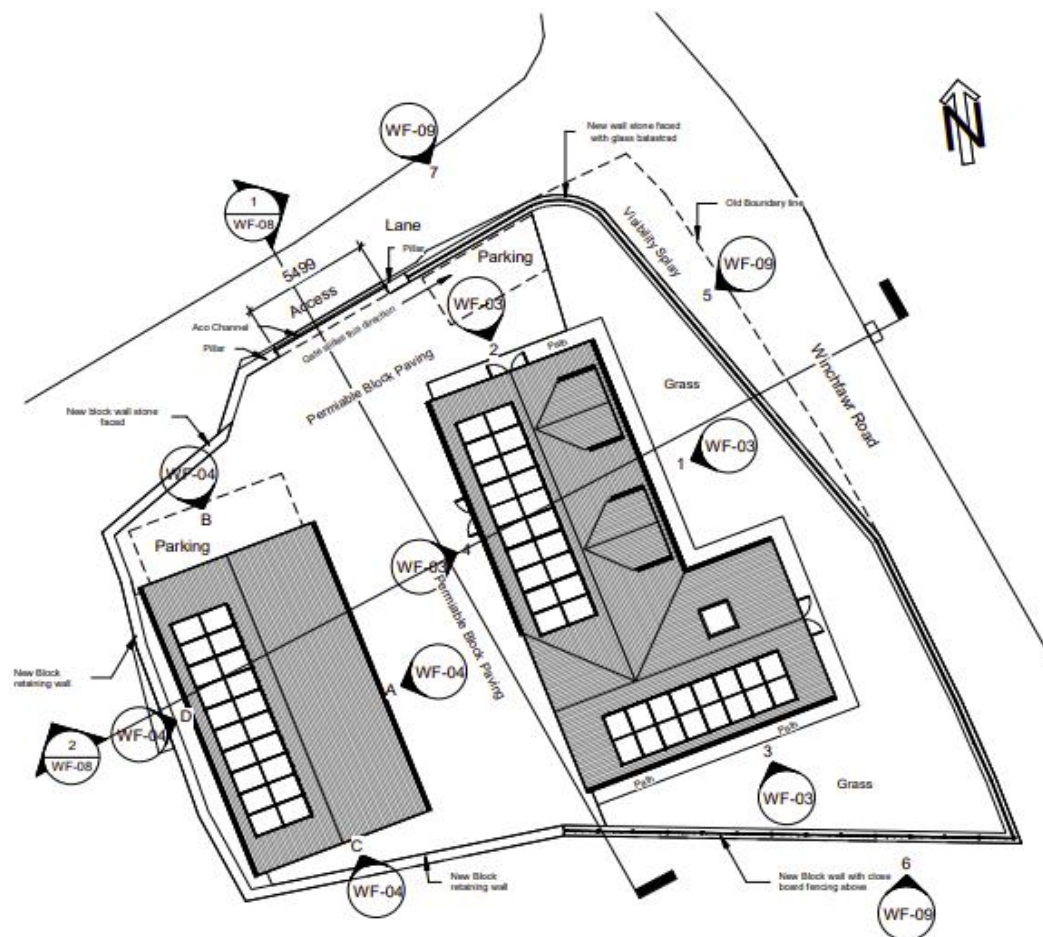


PLANNING STATEMENT
LAND AT WINCH FAWR ROAD, HEOLGERRIG
THREE BEDROOM DETACHED DWELLING AND GARAGE



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1.0 Introduction

- 1.1 Planning application reference P/21/0039 was for a three-bedroom detached dwelling with detached garage. The application was validated on 16 February 2021. The application was withdrawn by the applicant with the decision issue date visible on Public Access stated as the 10th March 2021.
- 1.2 This application represents a resubmission of the application which is of the same character or description of development on the same site within 12 months of the originally submitted application.

2.0 Background

- 2.1 The previous application was statutorily publicised and consulted on. Consultee responses (as available on Public Access) were received from following;

Natural Resources Wales – *No comment response.*

Highway Authority – *Objection on highway safety grounds due to lack of adequate visibility for vehicles emerging from the site.*

Comment: access issue discussed in this statement with planning gain offered for consideration by Highway Authority.

Welsh Water – *Identify water main along private access road to site.*

Coal Authority – *Identify site lies within defined Development High Risk Area and that Coal Mining Risk Assessment (or equivalent) is required. Initial objection subject to submission and consideration of appropriate assessment being submitted as part of the application.*

Comment: Such an assessment has been submitted as part of this resubmitted planning application.

- 2.2 Others consulted included Countryside Officer – Town Planning, Public Protection Manager and the Group Leader Policy & Implementation. No response were available on Public Access at the time of the resubmitted application.
- 2.3 A total of 14 neighbours were consulted as part of the publicity process undertaken by the local planning authority. One response was received which objected to the application. No details of the objection were provided on Public Access.

3.0 Proposal

3.1 As referred to above this application is for a three-bedroom detached dwelling and detached garage on land adjoining Winch Fawr Road, Heolgerrig.

3.2 The application is supported by the following plans and documents;

- Site location plan;
- Existing site layout;
- Proposed site layout;
- Elevation drawings;
- Floor plans;
- Site sections;
- Existing topographical survey;
- Coal Authority Ground Stability Report;
- Traffic Survey; and
- Stop sign plan example and related highway authority response.

3.3 Site Location and Description

3.4 The site has previously been developed and at present is used for domestic storage purposes. The site falls from west to east where it fronts onto Winch Fawr Road. The site is flanked by two detached residential properties which have vehicular accesses onto Winch Fawr Road. The existing built form is not standard and adjoining self build properties have been designed to take account of the sloping land with projecting gables and attached garages. To the west, above the site are a row of terraced properties which are not seen in the context of the two newer built detached properties to the site. Dwellings in the vicinity comprise a mixture of designs, form and materials from traditional stone, face brick, render, pebble dash, slate and concrete roof tiles.

3.5 The materials proposed include stone, render and oak to elevations under a slate roof with brown upvc windows and doors.

3.6 The application site is not located within a Conservation Area or near to the setting of any designated heritage assets. The site is not constrained by any environmental or designations of known acknowledged importance in the area.

3.7 Planning History

3.8 The relevant planning history for the site includes:

Planning reference	Description	Outcome
P/21/0039	Full application for detached dwelling	Application withdrawn

PA/20/0017	Pre application	Issued 20/6/20
P/16/0177	Domestic storage building	Approved
P/07/0047	Outline residential	Refused

3.9 Access

Vehicular access into the site is not from Winch Fawr Road but via the unadopted access road serving several dwellings further along its length. As such there is no new access onto the public highway from the site. It should be noted that the refusal of planning permission referred to in the planning history included a vehicular access directly onto the public highway at Winch Fawr Road which was deemed unacceptable for highway safety reasons. It is also noted that the two dwellings either side of the proposed development have existing vehicular accesses directly onto the public highway.

3.10 The proposed layout plan demonstrates how the development proposal would be served via the private access lane utilising the existing access point off the adopted public highway. The layout plan shows the vehicular access from the private road into the site with a three car detached garage along with external parking and turning areas. Visibility from the site onto the private lane can be achieved within the site boundary and can be controlled via planning condition if necessary. The combination of the plot size and private drive provides an appropriate turning area facilitating sufficient manoeuvring opportunities and allow for sufficient space for vehicles to enter the private access lane in a forward gear.

3.11 Concern raised by the Highway Authority regarding access onto Winch Fawr Road is discussed later in this statement.

3.12 Parking

3.13 As referred to above the proposed layout and floor plan show that the plot is capable of accommodating up to 5 off road vehicles before without using the private access lane for parking.

3.14 Design

Following the pre app advice the proposed dwelling has been designed so that its scale, form and materials are sympathetic to the dwellings in the vicinity. The sections indicate a rear retaining wall allowing the garage and dwelling to sit lower down in the site than previously indicated. The projecting gable has been reduced. Overall, the dormer style dwelling, in considering the pre app advice, has reduced the scale and mass resulting in a dwelling that no longer should be considered an overbearing to its neighbours amenity or unacceptable in design terms.

4.0 Planning Policy

4.1 The planning policy framework for the determination of this application is provided by the content and scope of National Planning Policy, which is contained in the Wales Spatial Plan, Planning Policy Wales (PPW) and its associated technical advice notes (TANs), together with the Development Plan for the local area being the adopted Replacement Local Development Plan 2016-2031 (LDP).

4.2 Planning Policy Wales (11th ed)

4.2.1 Planning Policy Wales is relevant to this application and appropriate weight should be given. PPW states that:

“Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications. It is led by the planning authority, working collaboratively with those proposing developments and other stakeholders including the local community....”

“...Developments should seek to maximise energy efficiency and the efficient use of other resources (including land),...”

“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...”

“Planning authorities... should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions...”

“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...”

4.4 Technical Advice Notes

4.4.1 Planning Policy Wales is supplemented by a series of topic based Technical Advice Notes (TANs) which provide guidance relating to various forms of development and the role of the planning system in dealing with the determination of planning applications.

4.4.2 TAN 12 Design

4.4.3 TAN 12 provides advice on design considerations and, in relation to housing design, it states that local planning policies and guidance should aim to:

- create places with the needs of people in mind, which are distinctive and respect local character;
- promote layouts and design features which encourage community safety and accessibility;
- focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles;
- avoid inflexible planning standards and encourage layouts which manage vehicle speeds through the geometry of the road and building;
- promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards;
- secures the most efficient use of land including appropriate densities; and
- consider and balance potential conflicts between these criteria.

4.4 TAN18 Transport

4.4.1 TAN 18 was published in March 2007 and offers national guidance on transportation related planning policies. It advocates:

- the integration of land use planning and transport in order to promote resource and travel efficient settlement patterns;
- ensuring that development is located where there is good accessibility by public transport, cycling and walking. This minimises the need to travel and promotes social inclusion; and
- managing parking provision.

4.5 Local Development Plan

4.5.1 Merthyr Tydfil County Borough Council adopted the replacement Local Development Plan 2016-2031 in January 2020.

4.5.2 The development plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 is the adopted Merthyr Tydfil Local Development Plan. The Local Development Plan forms the statutory framework for the development and use of land within Merthyr Tydfil County Borough.

4.5.3 An extract from the LDP proposals map is below refers to the nearby planning constraints.



Site location

Nearby planning constraints include

Housing allocations (NW & E), SINC (N), SLA (W), shallow coal resource, archaeologically sensitive area, Urban Character Area. All the above constraints lie outside the site

Notably the site lies within the defined settlement limit and outside any planning constraint designations.

4.5.4 Relevant planning policies are considered to be:

- Policy SW4: Settlement Boundaries
- Policy SW11: Sustainable Design and Placemaking

4.5.5 Policy SW4 seeks to encourage development within urban areas, support the re-use of previously developed land, and to protect and support the functioning of our rural economy and the countryside, with the settlement boundaries defined as follows:

Primary Growth Area:

- Merthyr Tydfil
- Trefechan

Other Growth Areas:

- Troedyrhiw
- Aberfan and Merthyr Vale
- Quakers Yard, Edwardsville, Treharris and Trelewis
- Bedlinog

Outside defined settlement boundaries, proposals will be regarded as 'countryside development' and will not be permitted unless specific circumstances are applicable.

4.5.6 The application site lies within the defined settlement limit in the replacement LDP according with Policy SW4.

4.5.7 Policy SW11: Sustainable Design and Placemaking states:

"Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design.

Where appropriate new development will be required to:

1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
3. not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;
4. contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected;
5. allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards;
6. incorporate a range of inclusive/adaptable design specifications, a mix of house types, tenures and sizes to meet identified local needs;
7. incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques;
8. minimise the demand for energy and utilise renewable energy resources;
9. provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;
10. incorporate measures to improve ground and surface water quality wherever possible;
11. provide adequate facilities and space for waste collections and recycling; and

12. promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.”

- 4.5.8 The proposed development does not conflict with the above criteria and the proposed development is in accordance with Policy SW11.

5.0 Planning Analysis

- 5.1 The application site is in close proximity to Heolgerrig and Merthyr town centre and the Retail Park. As such the range of amenities, services, transport links and employment are easily accessible by different forms of transport.
- 5.2 The pre application response considered that the “main issues that would be considered when assessing a planning application for a proposal of this nature would relate to whether the proposal would be acceptable in principle, as well as in respect of its impact on the character and appearance of the existing built environment and the wider area. The impact of the development upon residential amenity, parking provision, highway safety and ecology would also be primary considerations.”
- 5.3 Apart from the residential storage use, the site has been vacant of any use for a significant period of time. Development of the site provides an opportunity for a beneficial use of the site providing a high-quality dwelling. The development has had regard to the pre application advice provided and also sought to address the Highway Authority concerns regarding visibility splay requirement onto the Winch Fawr Road. The proposal responds to the nearby built development in design notably the use of stone, render, timber cladding and glazing.

Highway Authority consideration

- 5.4 The applicant has provided a recent traffic survey which demonstrates that the volume of traffic using the road does not require the visibility splay requirements normally associated with such public highway.
- 5.5 Access to the public highway is not a new but an existing access which has been established for many years. This access serves several existing dwellings as well as a derelict detached property. The applicant is not aware of any highway safety incidents or accidents associated with the use of this access onto the public highway.

Planning history

- 5.6 The application site benefits from an extant planning permission (P/16/0177) for domestic storage purposes. An outline planning application (P/07/0047) for the erection of a dwelling on the land was refused and dismissed on appeal. In this case the vehicular access from the proposed site was directly onto the public highway the Winch Fawr Road. Whilst constructed dwellings either side of the application site have direct access onto the public highway it was

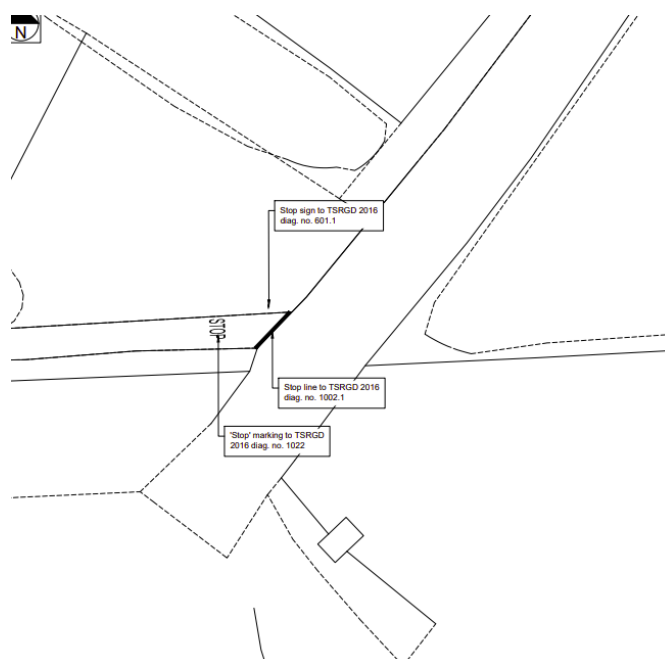
deemed in this case that such an access directly onto the public highway was unsatisfactory and did not comply with planning policy. The site area was also significantly smaller than that which is now proposed with the applicant now in control of the complete frontage to the public highway between the dwellings constructed either side of the proposed application site.

- 5.7 The applicant, in accepting this, has designed the vehicular access to utilise an existing access serving (P/16/0177) the domestic storage building planning permission. There is no restriction on the amount of vehicles accessing the P/06/0177 planning permission which could in reality be more than the use of the land for a three bedroom dwelling as proposed. In addition to this the vehicular access is onto a lane serving a terrace of properties 20a, 21, 22, 23 and 24 Winchfawr Road. There is also a derelict detached property served off the lane. The proposed development would in effect replace this derelict property regarding vehicular use of the lane. As such there would be no net increase in the amount of dwellings served by the lane currently and historically.

Planning Gain

- 5.8 To address any highway safety concern the applicant is willing to surface that part of the private access lane between the public highway and the vehicular access to the site to a specification to be agreed with the Highway Authority.
- 5.7 Also, the applicant has provided an example of a case where a similar Highway Authority visibility splay concern was satisfied by the use of a Stop line and appropriate signage. The applicant is willing to provide similar highway marking and signage. The applicant is willing to enter into any planning and/or Highway Act legal agreement as is necessary. An extract from the submitted documents is provided below.

Part condition compliance application plan accepted by Highway Authority



- 5.8 Part of Highway Authority consultation response to a planning application where the visibility splay required could not be achieved because of third party land required and not in control of the applicant. The access road was also a private road serving other business interests. The applicant accepted that the Stop line, signage was acceptable as was the upgrade of the private access at his own expense so as to allow the Highway concern regarding visibility to be addressed.

“Resolve visibility by directly addressing the lack thereof by Grampian condition for a STOP sign noting that on the public highway the use of STOP signs is considered to be exceptional. They are still a tool that highway authorities can make use of but in general new planning should not have sub-standard arrangements. However, these accesses are existing and in use. The road is private and functionally safe and whilst the question of intensified use is important it should be noted that the proposed access will still result in significantly less movements than the access for the Waste Recycling Centre”

Please see full Highway Authority response submitted as part of supporting information in planning application.

- 5.9 The applicant in considering the pre application advice, relevant development plan policies and planning guidance considers that the proposal is acceptable in principle, as well as in respect of its impact on the character and appearance of the existing built environment and the wider area. The impact of the development upon residential amenity, parking provision, highway safety can also be satisfied via the planning conditions and the planning gain offered by the applicant regarding surfacing and highway Stop line and signage requirements via the legal agreement or otherwise.
- 5.10 In so doing it is considered that development plan Policy SW4 and SW11 can be satisfied. The proposed development is considered to comply with national and local development policies.

5.11 Conclusion

- 5.11 This Statement has identified that the proposed development complies with national and local planning policy. The Council’s decision on the planning application must be taken in accordance with the development plan unless material considerations consider otherwise.
- 5.12 The material consideration relating to the Highway Authority concerns over visibility onto the public highway (Winch Fawr Road) are addressed by the clarification that this development is not proposing a new access onto the public highway (as the original planning application implied) but utilising an existing private access serving several residential properties along with the offer of planning gain by upgrading the private access lane to a metalled

surface as well as highway safety markings (Stop line) and signage. An example is provided where the Highway Authority were satisfied the visibility splay requirement could be relaxed by the alternative Stop line version at the entrance to the public highway.

- 5.13 The assessment undertaken indicates there are no other material considerations which suggest any harm would outweigh the benefits of the proposed development as a sustainable residential development.