

DELEGATED REPORT

Application No: P/20/0174

Site Address: Land At Former Garage Site Glasier Road
Twynyrodyn
Merthyr Tydfil

Development: Proposed erection of 2 Passivhaus dwellings,
laundry/drying room and associated works

Case Officer: Caroline Pulley

Site Visit: 6th August 2020

Application Expiry Date: 22nd September 2020

Consultation reply date expired: 8th September 2020

APPLICATION SITE

The application site, which is rectangular in shape, was until recently occupied by three blocks of garages. Two of the blocks (consisting of 6 and 5 garages) were located to the front of the site and backed onto Glasier Road. The remaining block was located along the northern rear boundary and consisted of 9 single garages. Following the approval of planning permission in 2017, the garages were demolished and two modular homes (converted shipping containers) were erected on the site (alongside 1 Glasier Road). The remaining part of the site is now occupied by a large hardstanding and is enclosed by weld mesh fencing to the side and rear.

PROPOSED DEVELOPMENT

This application seeks planning permission for the siting of two Passivhaus homes on the site, together with the construction of a laundry room and a small bin store. As highlighted above, there are two existing modular homes on the site. The two Passivhaus homes would be located immediately adjacent to each other (widthways) within the far north-western corner of the site. They would be positioned 1.1m from the rear (north-western) boundary and would be surrounded by raised timber decking (which would be enclosed to the front by a 1.1m high balustrade). Each unit would have a maximum height of 3.3m (excluding the raised decking), a width of 9.2m and a depth of 4.3m. They would each have a double bedroom, a bathroom and an open plan kitchen/dining/living room. The units would be finished mainly in render but the most visible front elevation would contain two full height decorative wood effect panels. Two full height windows and a door would be inserted within the front elevations of the two units and a window and a door would be located in the rear elevations. A car parking area is to be provided to the front of the homes with space and turning facilities for four cars. Access to this car parking would be as existing. A low 1.2m high retaining wall would secure the front of the site and the proposed parking bays.

The proposed laundry room would be sited to the front of the proposed units and alongside the south-western boundary of the site. It would measure 4.8m wide and 2.6m in depth and 2.8m in height and would contain a window and a door within its north-east facing front elevation. The 1.8m high timber bin store is to be located along the rear boundary and in-between the existing and proposed homes.

PLANNING HISTORY

P/18/0225	Non material amendments to planning permission P/17/0292 to revise the siting of the containers (and associated paths etc) and the layout of the car parking (and associated landscaping) Approved – 06.08.2018
P/17/0292	Demolition of existing garages and provision of two modular homes with ancillary parking, turning area and landscaping Approved 27.11.2017

CONSULTATION

Engineering and Traffic Group Leader:	No objection.
Environmental Health Officer:	No objection.
The Coal Authority:	No objection but advises that intrusive site investigations are required before works commence.
Planning Division's Policy Officer:	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 neighbouring properties and site notices were displayed within the vicinity of the site

No letters of objection 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.

Paragraph 2.6 of TAN12 states that 'Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities'.

Paragraph 4.3 of TAN12 points out 'Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process.'

In relation to the energy efficiency of buildings, paragraph 5.4.4 points out '*It is the Welsh Government's aspiration that in the future all new buildings achieve a zero carbon and nearly zero energy standard for regulated emissions (ie. heating, cooling, lighting and ventilation).*'

Local Policy

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

Policy SW1 – Provision of New Homes

Policy SW2 – Provision of Affordable Housing

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 EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG1 - Affordable Housing, March 2012

SPG2 – Planning Obligations, March 2012

SPG4 - Sustainable Design, July 2013.

SPG5 – Nature and Development, May 2015

PLANNING CONSIDERATIONS

The application site lies within the settlement boundary as defined by the LDP Proposals Map. Therefore, the principle of residential development is considered acceptable and is generally supported by Policy SW4 of the LDP, provided that the proposal is compatible with other relevant policies and material planning considerations. Moreover, this development would provide an opportunity to provide some additional affordable and

energy efficient housing on the site, which is in line with the thrust of national planning policy.

It is acknowledged that the design and form of the proposed units may not sit comfortably in the majority of residential areas. However, this site was previously occupied by a number of garages which poorly contributed to the visual appearance of the street. Moreover, there are already two modular homes on the site and the proposed units would be set back and would be screened by the existing landscaping which is present to the north and the west. Unlike the existing modular homes, they would also be clad in render and this will further help to ensure the units appear sympathetic to their surroundings. While there was originally some concern over the siting and prominence of the proposed laundry room, this concern has been overcome through the course of this application. Amended plans show the laundry room being set back further into the site and some planting being provided to the front of this building. As a result, the laundry room would not appear overly prominent nor would it have a significant harmful impact on the street. As such, the proposal would comply with Policy SW11 of the LDP.

In terms of the impact of the development on surrounding residents, it is considered that the occupiers of the existing modular homes would be the most affected. However, given that the existing homes are owned by Merthyr Valley Homes and the fact that the Passivhaus homes would be of a limited scale and height, there would be no significant loss of light or overbearing impact arising from this development. There is some potential for overlooking from the raised decking areas into the side/front garden of the neighbouring unit. However, given that the level of the raised decking would be comparable to the floor level of the existing homes, it is not considered that the overlooking impact would be so significant to warrant the refusal of planning permission. Given the above and the fact that no objections have been received as a result of the publicity exercise undertaken, the proposal does not conflict with policy SW11 of the LDP.

The Engineering and Traffic Group Leader does not consider that the proposal would be detrimental to highway or pedestrian safety and has therefore not raised an objection. The off-street parking arrangements are more than sufficient for residential units of this size. Given the re-use of the existing access and the fact that there would be a reduction in vehicular movements when compared to the previous garage use of this site, the proposal would not impinge the free flow of traffic within the wider site. As such, it would comply with Policy SW11 of the LDP.

Turning to other matters, the Coal Authority has advised that the site falls within the defined Development High Risk Area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. Their advice points out that the unrecorded shallow workings pose a potential stability risk to development at this site. As such, they have recommended that intrusive site investigations are required before any works can commence to ensure that the site is, or can be made safe and suitable for development.

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 05 Revision B received on 26.08.2020

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

3. Prior to the construction of the units hereby approved samples and/or details of the materials proposed to be used in the construction of the external surfaces of the Passivhaus homes 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 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.

5. **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

6. 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.

7. **No development shall take place** until details of the planting shown on the proposed site plan (Drawing 05 Rev B) have been submitted to and approved in writing by the Local Planning Authority. 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.

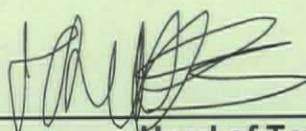
Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. Some public sewers and lateral drains may not be recorded on Welsh Waters maps because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant is advised to contact Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
2. 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.
3. The developer is advised to contact Merthyr Tydfil County Borough Council's Highway Division regarding any retaining works or other works affecting the highway BEFORE construction works commence. This approval is independent of any planning approval.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

27/10/20