

Date: 14th July 2023

Our Ref: 18.249

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Merthyr Tydfil County Borough Council
Town Planning (Development Control)
Unit 5
Triangle Business Park
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Merthyr Tydfil
CF48 4TQ

Dear Sir or Madam,

Town and Country Planning Permission Act 1990 (as amended)
Section 73 application to amend and vary planning conditions of planning consent P/20/0121
Land to the North of Crabtree Walk, Trefechan, Merthyr
Planning Portal Reference: PP-12311507

Asbri Planning Ltd have been instructed by WDL Homes to submit a S73 application to amend condition 2 of the above consent to allow for the substitution of plans at land to the north of Crabtree Walk, Trefechan, Merthyr.

The S73 will also seek to updated any planning conditions that have previously been discharge to compliance conditions referencing approved details.

List of submitted plans:

Plan name	Original reference	New reference
Boundary Enclosures Layout	TREF-15-04-04 Rev B	TREF-15-04-04 Rev C
Refuse Collection Layout	TREF-15-04-06 Rev B	TREF-15-04-06 Rev C
External Materials Layout	TREF-15-04-03 Rev B	TREF-15-04-03 Rev C
Building Storey Heights Layout	TREF-15-04-05 Rev B	TREF-15-04-05 Rev C
Planning Layout	TREF-15-04-02 Rev C	TREF-15-04-02 Rev G
Engineering Layout	001-1 rev F	001-1 rev V
The Caswell Elevations Render	-	Rev A
The Caswell Floor Plan	-	Rev A
Drawing title - The Tenby Render	-	Rev A
Overall Landscape Layout	1909TMT.02 Issue 02	1909TMT.02 Issue 04
Softworks Specification & Schedule	1909TMT.03 Issue 02	1909TMT.03 Issue 04
Additional site Section	-	TREF-15-04-50 Rev A

Condition 2 of planning permission P/20/0121 refers to the full suite of approved plans and documents. The condition states:

The development shall be carried out in accordance with the following approved plans and documents:

- Arboricultural Report (Ref ArbTS_580.7 Land at Trefechan, Dated 18th February 2021 Ecological Impact Assessment V2, Dated 29.04.2021
- Drawing title - The Garages, received 15.06.2020
- **Drawing title - The Caswell Elevations Render, received 15.06.2020**
- **Drawing title - The Caswell Floor Plan, received 15.06.2020**
- Drawing title - The Oxwich Bay Render, received 15.06.2020
- Drawing title - The Oxwich Brick, received 15.06.2020
- Drawing title - The Oxwich Render, received 15.06.2020
- Drawing title - The Windsor Brick, received 15.06.2020
- Drawing title - The Windsor Render, received 15.06.2020
- Drawing title - The Ashford Elevations Render, received 15.06.2020
- Drawing title - The Ashford Floor Plans, received 15.06.2020
- Drawing title - The Llangenith Render, received 15.06.2020
- Drawing title - The Laugharne Brick, received 15.06.2020
- Drawing title - The Laugharne Render, received 15.06.2020
- Drawing title - The Mewslade Brick, received 15.06.2020
- Drawing title - The Aberaeron Render, received 15.06.2020
- **Drawing title - The Tenby Render, received 15.06.2020**
- Drawing title - The Whitland Brick, received 15.06.2020
- Drawing title - The Pembroke Brick, received 15.06.2020
- Drawing No. TREF-15-04-07, Proposed Street Scenes, Received 15.06.2020
- Drawing No. 107-01 Rev A, Site Sections Location Plan, Received 15.06.2020
- Drawing No. 107-02 Rev A, Site Sections, Received 15.06.2020
- Drawing No. TREF-15-04-50, Additional Site Sections, Received 30.03.2020
- Drawing No. 160, Highway Setting Out, Received 04.03.2021
- Drawing No. 150-1, Plot Setting Out Sheet 1 of 2, Received 04.03.2021
- Drawing No. 150-2, Plot Setting Out Sheet 2 of 2, Received 04.03.2021
- Drawing No. 115 Rev A, Road Longitudinal Sections, Received 04.03.2021
- Drawing No. 104, S278 Typical Highway Details, Received 04.03.2021
- Drawing No. 104-1, S278 Typical Highway Details Sheet 2 of 2, Received 04.03.2021
- **Drawing No. 001-3 Rev B, Engineering Layout Sheet 1 of 2, Received 04.03.2021**
- **Drawing No. 001-4 Rev B, Engineering Layout Sheet 2 of 2, Received 04.03.2021**
- **Drawing No. 1909TMT.03 Issue 02, Softworks Specification & Schedule, Received 04.03.2021**
- **Drawing No. 1909TMT.02 Issue 02, Overall Landscape Layout, Received 04.03.2021**
- **Drawing No. TREF-15-04-04 Rev B, Boundary Enclosures Layout, Received 04.03.2021**
- **Drawing No. TREF-15-04-06 Rev B, Refuse Collection Layout, Received 04.03.2021**
- **Drawing No. TREF-15-04-03 Rev B, External Materials Layout, Received 04.03.2021**
- **Drawing No. TREF-15-04-05 Rev B, Building Storey Heights Layout, Received 04.03.2021**
- **Drawing no. TREF-15-04-02 Rev C, Planning Layout, Received 04.03.2021**
- **Drawing No. 001-1 rev F, Engineering Layout, Received 04.03.2021**

It is proposed under this application to amend the above condition to the following (amendments in red):

1. The development hereby approved shall be carried out in accordance with the approved plans no's:

- Arboricultural Report (Ref ArbTS_580.7 Land at Trefechan, Dated 18th February 2021 Ecological Impact Assessment V2, Dated 29.04.2021
- Drawing title - The Garages, received 15.06.2020
- **Drawing title - The Caswell Elevations Render Rev A**
- **Drawing title - The Caswell Floor Plan Rev A**
- Drawing title - The Oxwich Bay Render, received 15.06.2020
- Drawing title - The Oxwich Brick, received 15.06.2020
- Drawing title - The Oxwich Render, received 15.06.2020
- Drawing title - The Windsor Brick, received 15.06.2020
- Drawing title - The Windsor Render, received 15.06.2020

- Drawing title - The Ashford Elevations Render, received 15.06.2020
- Drawing title - The Ashford Floor Plans, received 15.06.2020
- Drawing title - The Llangenith Render, received 15.06.2020
- Drawing title - The Laugharne Brick, received 15.06.2020
- Drawing title - The Laugharne Render, received 15.06.2020
- Drawing title - The Mewslade Brick, received 15.06.2020
- Drawing title - The Aberaeron Render, received 15.06.2020
- **Drawing title - The Tenby Render Rev A**
- Drawing title - The Whitland Brick, received 15.06.2020
- Drawing title - The Pembroke Brick, received 15.06.2020
- Drawing No. TREF-15-04-07, Proposed Street Scenes, Received 15.06.2020
- Drawing No. 107-01 Rev A, Site Sections Location Plan, Received 15.06.2020
- Drawing No. 107-02 Rev A, Site Sections, Received 15.06.2020
- Drawing No. TREF-15-04-50, Additional Site Sections, Received 30.03.2020
- Drawing No. 160, Highway Setting Out, Received 04.03.2021
- Drawing No. 150-1, Plot Setting Out Sheet 1 of 2, Received 04.03.2021
- Drawing No. 150-2, Plot Setting Out Sheet 2 of 2, Received 04.03.2021
- Drawing No. 115 Rev A, Road Longitudinal Sections, Received 04.03.2021
- Drawing No. 104, S278 Typical Highway Details, Received 04.03.2021
- Drawing No. 104-1, S278 Typical Highway Details Sheet 2 of 2, Received 04.03.2021
- ~~Drawing No. 001-3 Rev B, Engineering Layout Sheet 1 of 2, Received 04.03.2021~~
- ~~Drawing No. 001-4 Rev B, Engineering Layout Sheet 2 of 2, Received 04.03.2021~~
- **Drawing No. 1909TMT.03 Issue 04, Softworks Specification & Schedule**
- **Drawing No. 1909TMT.02 Issue 04, Overall Landscape Layout**
- **Drawing No. TREF-15-04-04 Rev C, Boundary Enclosures Layout**
- **Drawing No. TREF-15-04-06 Rev C, Refuse Collection Layout**
- **Drawing No. TREF-15-04-03 Rev C, External Materials Layout**
- **Drawing No. TREF-15-04-05 Rev C, Building Storey Heights Layout**
- **Drawing no. TREF-15-04-02 Rev G, Planning Layout**
- **Drawing No. 001-1 rev V, Engineering Layout**
- **Drawing No. TREF-15-04-50-Rev A, Additional Site Sections**

The rewording of condition 2 is necessary to substitute the approved suite of plans with amended plans. The amendments comprise:

- changing house types of plots no. 30 and 31 from Windsor and Oxwich to 2 no. Caswells
- the reorientation of plot 44 including lowering the FFL by 1.5m;
- changing house type of plot 42 from an Ashford and division into 2 semi-detached Pembroke house types

Principle of the changes

Plot 42

The proposals overall ensure the originally approved application is in principle maintained. Whilst the proposals result in the addition of a dwelling (plot 42a) this is not considered to result in a change to the scheme that means it is materially different to the original approval.

The original plot 42 Ashford is 129sqm in floor space whereas the Pembroke (x2) is 149sqm. There is therefore a minor increase in the scale of the built form in the area but the actual footprint is largely similar if not reduced as the Ashford was a bungalow with a wider spread.

The change to the 2 no. Pembroke house types does not materially alter the area resulting in any change in overlooking or impacts to third parties. The properties have 2 no. car parking spaces each (total 4). Overall, the change is considered to be acceptable in nature.

Plot 30 and 31

The changes to plots 30 and 31 are a simple change in approved house types to Caswells. There has been a high level of public interest in the Caswells in this location and as such this is the reason for the change. There is no material difference as a result of the change with regards third party impacts.

Plot 44

The changes to plot 44 are primarily with the aim of softening impacts to any neighbours to the south of the plot which front onto Hawthorn Hill.

The originally approved dwelling has a more direct back to back relationship with the properties at Hawthorn Hill. The proposed change seeks to angle the property so that any windows in the rear elevation would not be looking directly towards properties on Hawthorn Hill. The change also result in the lowering of the plot by 1.5m which is positive as reduces any massing impacts and perceived overlooking.

There is circa 26m from the quoin of plot 44 to the nearest residential properties no. 10, 12 and 14 Hawthorn Hill. This is more than sufficient distance in considering the relationship presented i.e. corner to back.

The proposed landscape scheme has been updated to provide consideration to the plots at Hawthorn Hill with the introduction of a hedgerow and trees at the bottom of the curtilage of plot 44. This will provide the most effective location for screening and maintains privacy to the properties. A site section has been provided showing plot 44 to Hawthorn Hill.

Overall the changes to plot 44 are considered to be wholly positive and beneficial to properties at Hawthorn Hill in comparison to the original approved plan.



House Types

The proposals also includes an update to house types Caswell and Tenby The proposals are largely aesthetic in keeping with the most up to date house type produced by WDL Homes.

Updated to planning conditions

Condition 3

Original Wording	Proposed update
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	The development shall be carried out in accordance with the details agreed under discharge of condition application ref. P/21/0321. The walls shall be completed in accordance with the approved

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.	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.
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Condition 8

Original Wording	Proposed update
Prior to works commencing on site a written programme of historic building recording and analysis shall be submitted to and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written programme. Reason - To identify and record any features of archaeological interest including drystone walls discovered during the works, in order to mitigate the impact of the works on the archaeological resource and in accordance with policy CW1 of Merthyr Tydfil Replacement Local Development Plan.	The programme of work will be fully carried out in accordance with the requirements and standards of the written programme agreed under discharge of condition application ref. P/21/0321. Reason - To identify and record any features of archaeological interest including drystone walls discovered during the works, in order to mitigate the impact of the works on the archaeological resource and in accordance with policy CW1 of Merthyr Tydfil Replacement Local Development Plan.

Condition 11

Original Wording	Proposed update
No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for: 1. the parking of vehicles of site operatives and visitors; 2. loading and unloading of plant and materials; 3. storage of plant and materials used in constructing the development; 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 5. wheel washing facilities; measures to control the emission of dust and dirt during demolition and construction; and	The approved statement under discharge of condition application ref. P/21/0320 shall be adhered to throughout the construction period. Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. a scheme for recycling/disposing of waste resulting from demolition and construction works. Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.	
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Conclusion

Asbri Planning Ltd have been instructed by WDL Homes to submit a S73 application to amend condition 2 of the above consent to allow for the substitution of plans at land to the north of Crabtree Walk, Trefechan, Merthyr.

The S73 will also seek to updated any planning conditions that have previously been discharge to compliance conditions referencing approved details.

Overall the proposed changes are relatively minor in nature and do not materially alter the original planning permission. Merthyr CBC LPA are therefore respectfully requested to grant the application.

Yours Sincerely,



Liam Griffiths
Senior Planner