

# DELEGATED REPORT

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|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/21/0012</b>                                                                                                                                                                               |
| <b>Site Address:</b>                    | <b>Land South of 7 Riverside Close<br/>Aberfan<br/>Merthyr Tydfil<br/>CF48 4RN</b>                                                                                                             |
| <b>Development:</b>                     | <b>Change of use of land to form part of the curtilage of 7 Riverside Close, for the storage of touring caravan and retention of shed, container and garage for household and wood storage</b> |
| <b>Case Officer:</b>                    | <b>Caroline Pulley</b>                                                                                                                                                                         |
| <b>Site Visit:</b>                      | <b>28th January 2021</b>                                                                                                                                                                       |
| <b>Application Expiry Date:</b>         | <b>9th March 2021</b>                                                                                                                                                                          |
| <b>Consultation reply date expired:</b> | <b>18th February 2021</b>                                                                                                                                                                      |

## APPLICATION SITE

The application site relates to a parcel of land situated to the south of 7 Riverside Close, Aberfan. The land sits directly to the south of a turning head and is enclosed from the street by a timber fence. It is bound by the bank of the River Taff to the east, undeveloped land to the south, and the rear gardens of a row of terraced properties to the west. On the land is currently a garage, a container, shed and a touring caravan. It should also be noted that a culverted watercourse runs through the site in a north-west to south-east direction.

## PROPOSED DEVELOPMENT

This application seeks planning permission for the retrospective change of use of the land so that it forms part of the garden of 7 Riverside Close. It also seeks permission for the storage of a touring caravan on the land and for the retention of a shed, container and garage for household and wood storage. The submitted plans illustrate the caravan being sited approximately 2.8m from the western boundary and measuring 6.6m in length by 2.6m in width. The shed and container are positioned on the other side of the site and approximately 4m from the eastern boundary. The shed measures 3m wide, 5m in length and 2.5m in height and the container measures 7m in length by 3m in width and 2.5m in height. The garage is situated within the far southern part of the site and measures 2.6m wide, 5m in length and 2m in height.

## PLANNING HISTORY

There is no recent planning history relating to the development of the land.

## CONSULTATION

|                                |                                                                                                                                                                                                                      |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Head of Engineering:           | No objection.                                                                                                                                                                                                        |
| Environmental Health Manager:  | No response.                                                                                                                                                                                                         |
| The Coal Authority:            | No objection. Advises that the site falls within the defined Development High Risk Area, however, considering the nature of the works, a Coal Mining Risk Assessment is not necessary to accompany this application. |
| Natural Resources Wales:       | No objection. Advises that the site falls within a C1 flood risk zone but given the nature of development (and in the absence of an FCA) raises no objection to the scheme.                                          |
| Planning Division's Ecologist: | No objection subject to enhancement, mitigation and compensation measures being controlled by way of a condition.                                                                                                    |

## 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.

No letters of objection were received following this publicity exercise.

## POLICY CONTEXT

### National Policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW) Edition 11 (February 2021) 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 TAN to this application is 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 SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy SW12 – Improving the Transport Network

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

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

## PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed change of use to domestic garden would be acceptable in principle and whether the proposed structures, in respect of their siting, scale and design would be acceptable with regard to their impact upon the character and appearance of the area, residential amenity, ecology and highway safety.

### Principle of Development

The application site lies within the settlement boundary – Primary Growth Area, where new development is supported provided it complies with relevant policies and material planning considerations. The proposal is therefore considered acceptable in principle and would accord with Policy SW4 of the LDP.

### Character and Appearance

The parcel of land is located at the head of a residential street. Given its close relationship with the neighbouring property, 7 Riverside Close, its proposed use as a domestic garden in association with this adjoining dwelling would be considered logical and appropriate within this context. As such, the proposed change of use would be deemed acceptable in this instance and would accord with Policy SW11 of the LDP.

Additionally, due to the limited height of the garage, shed, container and touring caravan and the presence of a timber fence along the northern boundary, the structures on the site do not appear overly prominent from the street. It is acknowledged however that the timber fence currently appears quite garish from the street. However, over time, the colour of the fence will fade and the boundary treatment, due to its low height, would not appear so prominent from the street. It is also noted that a timber fence up to a metre in height can be erected next to the highway without the need for planning permission. Taking this into account and given that over time, the garishness of the timber panels will fade, the fencing is deemed visually acceptable in this location.

### Residential Amenity

The impact of development upon the amenities of nearby occupiers, specifically the neighbouring properties sited further to the west (10, 11, 12 and 13 Aberfan Crescent) has also been considered acceptable. Although it is noted that the land is situated in close proximity to the rear gardens of the properties situated along Aberfan Crescent, it is positioned at a lower level such that the garage, container, caravan and shed would not appear overly visible from these neighbouring properties. Furthermore, the use of the land for domestic purposes in association with 7 Riverside Close would not give rise to any significant levels of noise and disturbance over and above what would be expected in a residential area. The proposed change of use and associated development would therefore be considered acceptable and comply with Policy SW11 in this respect.

### Highway Safety

The Council's Head of Engineering has considered the proposal and has not raised any highway objections to the development. As such, the access to the site would not give rise to any significant pedestrian or highway safety concerns. The development would therefore comply with Policy SW11 in this respect.

### Flood Risk

Comments received from Natural Resources Wales (NRW) confirms that the application site lies partially within flood risk zone C1. However, given the nature of the development, the touring caravan is to be stored on the site and not be lived in, and in the absence of a flood consequence assessment, no objection is raised to the development in terms of flood risk.

### Ecology

The site lies directly to the west of the River Taff and the eastern part of the site forms part of a Site of Important Nature Conservation Area (SINC). On review of the development, the Council's Ecologist has concluded that survey work would not be required as part of this development. However, in accordance with the Environmental Wales Act (2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' (2019), a number of mitigation, compensation and enhancement measures have been suggested.

### Conclusion

The proposal, due to the reasons discussed above, is therefore considered acceptable and in compliance with relevant policies and guidance.

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

Proposed Site Layout Plan received on 12.01.2021  
Block Plan received on 12.01.2021

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

2. Within 3 months of the date of this decision, details for the provision of a bat box and a bird box together with details of their location within the site, shall be submitted to and approved in writing by the local planning authority. The bat and bird boxes shall be installed in accordance with the approved details within 6 months of this decision.

**Reason** - To provide biodiversity and environmental enhancements in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

3. Within 6 months of the date of this decision, a boundary enclosure shall be erected along the southern boundary of the site, details of which shall be submitted to and approved in writing by the local planning authority within 3 months of the date of this decision.

**Reason** - To protect the conservation value of a Site of Important Nature Conservation (SINC) in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.

4. The garage, shed and container hereby approved shall be used for purposes ancillary and incidental to domestic residential use of the property known as 7 Riverside Close and at no time shall it be used for any commercial or business use.

**Reason** - To clearly define the scope of this permission and the use of the structure in the interest of highway safety and residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and shown on the site layout plan received on 12th January 2021.

**Reason** - In the interest of visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

## **INFORMATIVES**

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. The applicant/developer is advised that Japanese Knotweed may be present on the site and if not adequately addressed, could be potentially harmful to the development.
3. The applicant is advised that a culvert crosses the application site. Any works to or affecting the culvert would require consent from Merthyr Tydfil County borough Council's Land Drainage Officer.
4. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

5. The developer should be aware that the application site falls within an area which is at risk of flooding. The developer's attention is drawn to the comments and advice received from Natural Resources Wales during the application process.
6. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : [Highways.CustomerCare@merthyr.gov.uk](mailto:Highways.CustomerCare@merthyr.gov.uk) Tel no : 01685 727470 or 725000

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/12/21

2. The second part outlines the specific procedures for recording and reporting financial data, including the use of standardized forms and the frequency of reporting.

3. The third part describes the roles and responsibilities of the project team members in ensuring the accuracy and integrity of the financial records.

4. The fourth part provides a detailed overview of the financial statements and reports that will be generated, including the budget, income statement, and balance sheet.

5. The fifth part discusses the methods for verifying and auditing the financial data to ensure its reliability and validity.

6. The sixth part outlines the process for resolving any discrepancies or issues that may arise during the financial reporting process.

7. The seventh part provides a summary of the key findings and conclusions from the financial analysis, highlighting the overall financial health of the project.

8. The eighth part discusses the implications of the financial results for the project's future operations and strategic planning.

9. The ninth part provides a final summary and recommendations for improving financial management practices in the future.

10. The tenth part concludes the document with a statement of appreciation for the support and cooperation of all stakeholders involved in the project.