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DELEGATED REPORT

Application No: P/21/0141

Site Address: Land Opposite Valley View
Mountain Hare
Penheolferthyr
Twynyrodyn
Merthyr Tydfil

Development: Removal of condition 5 of planning permission P/18/0101 relating to surface water drainage for a detached dwelling

Case Officer: David Cross

Site Visit: 4th May 2021

Application Expiry Date: 12th June 2021

Consultation reply date expired: 11th May 2021

APPLICATION SITE

This application relates to a dwelling that has recently been constructed under planning permission P/18/0101, which forms part of a small group of dwellings to the south of the site. The site is bound to the north by the main highway (Penheolferthyr) and to the west by a private shared drive, with a turning area at the southern end. Also to the east of the site is a private shared driveway serving neighbouring properties.

PROPOSED DEVELOPMENT

Permission is sought for the removal of condition 5 of the planning permission P/18/0101 relating to the approved dwelling, to enable the development to connect to the existing combined sewerage system. This condition states:

'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 or or detriment to the environment and to accord with policy BW8 of the Merthyr Tydfil Local Development Plan'

It has been indicated by the applicant that infiltration drainage on site is not viable and so it is intended that the surface water would be discharged in to the existing Welsh Water combined sewer system. The applicant has noted that there have been early discussions with Welsh Water and that they have in principal agreed to the proposed connection.

In support of the application, a plan has been submitted illustrating the proposed connection to the main sewerage system situated below the adopted highway. The proposal includes the installation of an attenuation system with a control flow chamber.

PLANNING HISTORY

- P/18/0101 - Erection of detached dwelling and outbuilding
Permission GRANTED on 16.05.2018
- P/17/0211 - Erection of dwelling and outbuilding.
REFUSED permission on 15.09.2017 for the following reason:
The application was subsequently appealed (Ref APP/U6925/A/17/3186977) and DISSMISSED on 31.01.2018
- P/04/0385 - Erection of 3 No. detached dwellings and garages.
Permission GRANTED on 24.11.2004
- P/03/0226 - Residential development for 5 houses (Outline).
Permission GRANTED on 03.09.2003
- P/99/0368 - Redevelopment of site for housing comprising of 5 No. dwellings (Outline).
Permission GRANTED on 15.12.1999

CONSULTATION

- Welsh Water - No objection subject to a condition relating to the discharge rate of surface water into the combined sewer.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

National planning 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.

Local planning policy

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

- Policy SW11 - Sustainable Design and Placemaking
- Policy EnW4 - Environmental Protection

PLANNING CONSIDERATIONS

The development of the site has already been established, as such the main consideration of this application is whether the amendments to the drainage system to discharge surface water into a combined sewerage system is acceptable.

It is also noted that since the P/18/0101 application was approved, there has been a change in policy with the adoption of the Replacement Local Development Plan. At the time, condition 5 of P/18/0101 was imposed to ensure the development was in compliance with policy BW8 of the former LDP, which considered the impact of development on the water environment. This is now superseded by policy SW11 of the current LDP, which considers amongst other criteria how the development '*incorporates measures to improve ground and surface water quality wherever possible*'. Additionally, policy EnW4 seeks to ensure development does not cause unacceptable pollution of land, surface water, ground water and the air, as well as any other identified risk to public health and safety.

In response to the proposed drainage proposal, Welsh Water have not raised any significant environmental or health and safety concerns with the connection to the combined sewerage system. However, it has been advised that condition 5 should instead revised to the following:

Surface water flows from the development shall only communicate with the public combined sewer through an attenuation device that discharges at a rate not exceeding 2 l/s.

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.

It is considered that the suggested revised condition would enable appropriate connections to be made to the existing drainage system, whilst ensuring the hydraulic systems are not adversely effected by the development.

CONCLUSIONS

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.

For the above reasons the proposed development is considered to be acceptable and complies with the relevant LDP policies. Therefore, the following recommendation

RECOMMENDATION: **BE APPROVED** subject to the following **CONDITIONS:**

1. Surface water flows from the development shall only communicate with the public combined sewer through an attenuation device that discharges at a rate not exceeding 2 l/s.

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, and to accord with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

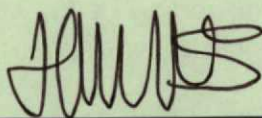
2. Prior to the occupation of the dwelling, the three parking spaces accommodated on the driveway, as illustrated in drawing No. 03 (Site Layout), shall be completed and made available for parking at all times.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

3. 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 fences, gates or walls shall be erected within the curtilage of the dwelling house forward of the principal elevation.

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

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/6/21