

DELEGATED REPORT

Application No: P/19/0289

Site Address: Land Opposite 22-26 Cypress Close
Gurnos
Merthyr Tydfil

Development: Construction of 6 parking bays

Case Officer: Caroline Pulley

Site Visit: 15th November 2019

Application Expiry Date: 24th March 2021

Consultation reply date expired: 22nd February 2021

APPLICATION SITE

The application site comprises a parcel of land positioned to the east of numbers 24 and 26 Cypress Close. The site is prominently located adjacent to a relatively busy road. It forms a pleasant area of open green space that is characterised by undulating changes in level. The site lies in close proximity to Pen-y-Dre High School but the surrounding area is predominately residential in character.

PROPOSED DEVELOPMENT

The application seeks full planning permission to develop part of an open parcel of land into a car park. The site is subject to minor changes in level and it is proposed to undertake a small cut and fill exercise in order to regrade the land to provide a useable car parking area for residents. A total of 6 permeable spaces are proposed, access to which would be achieved directly from the highway of Cypress Close. The existing handrails which border the western roadside boundary of the site would be set aside for re-use along the rear of the proposed bays. To the north, the additional area is to be enclosed by a new guardrail to match the existing. The immediate areas surrounding the parking bays would be laid with topsoil and turf.

PLANNING HISTORY

There is no recent planning history relating to this site.

CONSULTATION

Head of Engineering: No objection.

Planning Division's Landscape Architect: Requests a soft landscaping scheme.

Environmental Health Officer:

No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and three site notice were displayed within the vicinity of the site.

No letters of representation 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 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.

TAN 18 – Transport describes how to integrate land use and transport planning. It explains how transport impacts should be assessed and mitigated.

Paragraph 9.16 states that *'the type of access provided should reflect the type of road and the volume and character of traffic likely to use the access and the road'*.

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 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

PLANNING CONSIDERATIONS

Main issues

Principle of the proposed development

The application site lies within the defined settlement limits where the principle of new development is acceptable under Policy SW4 of the LDP. Moreover, the proposed development would help to relieve existing parking pressures in adjoining streets by providing residents with an additional off-road parking area. As such, the scheme is considered to be acceptable in principle.

Character and appearance of the area

The application site forms part of a residential area which is characterised mainly by relatively short rows of dwellings laid out in a sporadic manner with intervening areas of open green space. The pattern of this part of the area is such that the front elevations of the adjacent dwellings (with the exception of numbers 22 and 24 Cypress Close) face onto narrow footpaths. As such, they do not have direct access onto the highway. The existing grassed area provides a pleasant, green and open setting to the dwellings and makes a positive contribution to the street scene. While it is acknowledged that the provision of a hard surfaced area would interrupt this pleasant area of open green space, a large proportion of the green area would be retained. The comments received from the Council's Architect have also been acknowledged. However, given the scale of the development and the limited extent of the engineering works required to create the bays, it is not considered that a soft landscaping scheme would be necessary for this development. Moreover, the submitted plans show the areas surrounding the proposed bays would be made good by the laying of topsoil and turf. Taking this into account, the development is deemed to be visually acceptable.

Access and Highway safety

As detailed earlier, access would be provided off the highway of Cypress Close. The Council's Head of Engineering has considered the proposal and has not raised any objections. Accordingly, it is considered the proposed access arrangements, car parking facilities and visibility splays are acceptable and the scheme would not impinge on highway or pedestrian safety.

Residential amenity

Although it is fully appreciated that the provision of a car park in this location would result in the loss of some green space, the operational works proposed to facilitate the car park (i.e. the re-grading works and the surfacing of the tarmac) would not adversely impact upon the existing levels of amenity enjoyed by the occupiers of the adjoining properties to the west and north of the site.

Consideration has also been given to the impact to the neighbouring properties resulting from the use of the land as a small car park. In this respect, it is acknowledged that a level

of noise and disturbance may be experienced by the residents' of numbers 22, 24, 26 and 48 Cypress Close. However, given that the parking bays would be sited on the other side of the road to these properties and alongside the existing highway where cars already park on-street, it is not considered that the level of noise and disturbance which would result from the use of the land as a car park would be so harmful to the amenities of the adjoining neighbouring properties to warrant the refusal of planning permission.

Conclusion

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

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 title Car Parking At Cypress Close Sections Rev P01 received on 25.01.2021

Drawing title Car Parking At Cypress Close Site Location Plan received on 25.02.2021

Drawing title Car Parking At Cypress Close General Arrangement received on 25.01.2021

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

3. **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 .

4. Construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

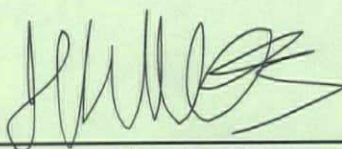
INFORMATIVES

1. The applicants/developers attention is drawn to the comments of the Authority's Environmental Health Section regarding the potential problem to neighbouring properties arising from the creation of noise and dust during the construction process. To avoid unexpected and unnecessary enforcement action by the Public Health and Protection department, the applicants/developers are advised to contact the Environmental Health Section prior to the commencement of development to agree an appropriate method of noise and dust suppression.

The developer must ensure that all waste arising from the site is disposed of at a site licensed for its reception. Under no circumstances shall waste be burnt on site.

2. The applicant/developer is advised to liaise with Merthyr Tydfil County Borough Council's Highway Division regarding any consents which are required in association with the provision of any vehicle cross over of verge or footway. This approval is independent of the approval of planning permission. The developer is also advised to contact the highway division regarding any retaining works or other works affecting the highway BEFORE construction works commence. This approval is also independent of the approval of planning permission by the local planning authority.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/3/21