

DELEGATED REPORT

Application No: P/21/0359

Site Address: 1 Park View Houses
Heolgerrig
Heolgerrig
Merthyr Tydfil
CF48 1SY

Development: Erection of dwelling (outline with all matters reserved)

Case Officer: Rebecca Owens

Site Visit: 25th October 2021

Application Expiry Date: 13th January 2022

Consultation reply date expired: 8th November 2021

APPLICATION SITE

The application relates to a parcel of land which currently forms part of the residential curtilages of numbers 1 and 2 Park View Houses. It is located within a mainly residential area and is within the settlement boundary. The site is accessed off Heolgerrig Road to the north. The profile of the site slopes upwards from the east to the west.

PROPOSED DEVELOPMENT

Outline planning permission with all matters reserved is sought for the erection of a dwelling.

However, in accordance with the legislative requirements for an outline planning application, an indicative site layout has been submitted suggesting the possible position of the proposed dwelling and access. The drawing indicates that the proposed dwelling could be sited within the widest part of the site, fronting onto Heolgerrig Road. Access could be gained via the existing access off Heolgerrig Road which currently serves numbers 1 and 2 Park View Houses and a turning area and car parking spaces could be located alongside this access.

The scale parameters provided state that the proposed dwelling would be between 5.5m and 6.1m in height, between 6.5m and 8m in depth and between 9m and 10m in width.

PLANNING HISTORY

The relevant planning history is summarised below:

~~P/17/0304 Erection of new dwelling (Renewal of outline planning permission P/14/0300 will all matters reserved)~~

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW1: Provision of New Homes
- SW3: Sustainably Distributing New Homes
- SW4: Settlement boundaries
- SW9: Planning Obligations
- SW11: Sustainable design and Placemaking
- SW12: Improving the Transport Network
- SW13: Protecting and Improving Local Community Facilities
- CW1: Historic Environment
- CW2: Cyfarthfa Heritage Area
- EnW1: Nature Conservation and Ecosystem Resilience
- EnW4: Environmental Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1, Affordable Housing.
- Note 2, Planning Obligations.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

CONSIDERATIONS

It is noted that planning permission for the proposed scheme has previously been granted (Planning Ref: P/17/0304). However, that permission recently lapsed and thus it was no longer possible for it to be renewed, resulting in a new outline planning application.

The application site is located within a primary growth area of the settlement boundary and thus the principle of developing the site is acceptable providing the proposal complies with other relevant policies and material planning considerations.

Details with regard to the landscaping, layout of the proposed development and the appearance and scale of the buildings have been reserved for future consideration. However, the indicative site layout submitted with this application illustrates a single dwelling and an upper and lower scale range for this dwelling has been provided. It is noted that one detached dwelling on this site would give rise to a relatively low density development. However, this is characteristic of this area and thus is considered to be acceptable. Furthermore, it is not considered that a higher density development would be achievable within this site. The design of the dwelling is at this stage unknown however, the indicative proposals indicate that part of the existing boundary hedge could be removed in order to provide a frontage onto Heolgerrig Road. A frontage onto Heolgerrig Road would be most appropriate but the boundary hedge is an important feature and as such it would be desirable to see the majority of this retained. However, this would be dealt with at reserved matters stage. It is also considered that the proposed dimensions of the dwelling are in keeping with other dwellings in the area. Accordingly, a dwelling within the proposed scale parameters, which is sympathetically designed could be erected within the site without adversely impacting on the character and visual amenity of the area and thus in compliance with Policy SW11 of the LDP. It is noted that the application site is

not considered that this would be significantly increased by the introduction of the proposed dwelling. It is also noted that the proposed dwelling would be a single storey bungalow and thus any windows in the rear or side elevations of the dwelling would be at ground floor level. As a result a 1.8m high boundary fence around the site would alleviate any potential overlooking from its windows. Similarly, the angle and/or distance of the proposed dwelling in conjunction with windows at ground floor level only, would restrict any direct overlooking into the windows of adjoining dwellings and thus an unacceptable loss of privacy to their occupants. Furthermore, given that the maximum height of the proposed dwelling would be 6.1m, and considering the indicative siting of the dwelling, it is considered that it could be erected without creating an overbearing impact.

It is also noted that in order to provide a site of an adequate size to accommodate a new dwelling with associated infrastructure, car parking and amenity space the external amenity space belonging to 1 Park View House has been substantially reduced. However, having regard to the size of the dwelling and the comparative size of the external garden areas serving other similar sized dwellings within the immediate vicinity, it is considered that the resultant amenity areas would be sufficient.

The application site lies within an identified area of high risk from coal mining activities and accordingly a Coal Mining Risk Assessment report was submitted. The Mining Risk Assessment concludes that there is a potential risk to the development from past coal mining activity and therefore recommends that intrusive site investigations are carried out in order to establish the exact situation in respect of coal mining legacy issues. The findings of such investigations should then inform any mitigation measures which may be required. The Coal Authority have considered the information submitted and have no objection to the application providing conditions are attached to any planning permission which require the necessary investigations works to be undertaken, and in the event that these confirm the need for remedial works, that such works are implemented.

In terms of the accessibility of the proposed dwelling, it is noted that the indicative drawings suggest that access to the dwelling would be gained via steps from the shared access and parking area. It is acknowledged that this may be difficult of those with mobility impairments. However, given the sloping nature of the site, and indeed the topography of the area in general, stepped access into the dwelling would not be out of place and is a common feature in valley settlements. Furthermore, it is considered that there may be potential to provide a level access from the adjoining highway to the dwelling by creating a new pedestrian access in the existing boundary hedge. Furthermore, there may be the potential to create a ramped access from the elevated parking area although this would be dependent on site layout. On balance, whilst access to the dwelling may not be optimal, it is not considered that there is enough justification to refuse the application on such grounds.

Finally, it is noted that an Ecological Assessment has been submitted with the application and this has been considered by the Division's Ecologist. On the basis that the recommendations within this report are followed and the mitigation, compensation and enhancements outlined are provided, he is satisfied that the dwelling could be erected without harm to ecology. A condition to this effect would be required with any permission issued.

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.

5. In conjunction with the statutory "reserved matters" details required by Condition 1, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and completed in full accordance with such approved details **BEFORE** the development hereby approved is brought into use.

- i) existing and proposed site levels including full cross sectional drawings;
- ii) proposed slab or floor levels of all buildings to be erected together with relative yard, ridgeline and highway levels and those of adjacent buildings;

Reason - To ensure a satisfactory standard of development and protect local amenity interests.

6. Prior to the occupation of the dwelling hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the dwelling is occupied.

Reason - In the interest of the visual amenity of the area and the privacy of occupiers of adjoining properties.

7. The layout shall allow for a minimum of 2 No. off street car parking spaces for the proposed dwelling and each of the existing dwellings known as numbers 1 and 2 Park View Houses. Such parking areas as may be approved shall be made available for use prior to the occupation of the dwelling and shall remain available for parking purposes at all times thereafter.

Reason - To ensure the parking needs of the development are adequately met at all times.

8. **BEFORE** works relating to the dwelling and any associated parking areas commence on site, full constructional and facing materials details of any necessary retaining walls which exceed 1 metre in height shall be submitted to and approved by the Local Planning Authority in writing and such works as may be approved shall be implemented in full prior to the occupation of the dwelling(s).

Reason - To ensure the development meets with current drainage/engineering requirements.

9. **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

modification) no **enlargements of the dwellinghouse consisting of an addition or alteration to its roof** shall be erected without the prior submission of a planning application for the consideration of the Local Planning Authority.

Reason - Having regard to the restricted nature of the site and the need to assess the potential effect of any future extensions on the residential amenity of occupiers of neighbouring properties in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

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.

15. The development shall be carried out in accordance with the Ecological Assessment, Issue 1, Revision VB, dated November 2021, prepared by BE Ecological Ltd, received on 1 December 2021. In line with this document, details relating to the bat box, bird box, wildflower area and reptile hibernaculum shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works and shall be implemented in full prior to the occupation of the dwelling.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

16. Demolition or 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 - In the interests of local amenity and to avoid statutory nuisance.

INFORMATIVES

1. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-
- i) work on an existing wall shared with another property;
 - ii) new building on the boundary with a neighbouring property; or
 - iii) excavating near a neighbouring building.

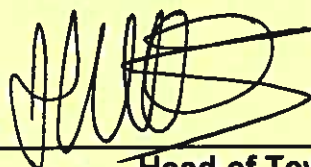
as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

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

property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers 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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

20/12/21