

DELEGATED REPORT

Application No:	P/23/0175
Site Address:	Land Adjacent To 1 Edwards Terrace Bedlinog Treharris CF46 6RN
Development:	Detached dwelling and garage
Case Officer:	Marlene Ferreira
Site Visit:	27th July 2023
Application Expiry Date:	7th September 2023
Consultation reply date expired:	7th August 2023

APPLICATION SITE

The application site relates to a rectangular parcel of land located off Edwards Terrace, a traditional terraced residential street in Bedlinog. The site, which appears to have never been developed, is predominantly overgrown. It slopes down from northeast to southwest and is enclosed from Edwards Terrace by a 2 metre high metal fence.

The site adjoins a two-storey terraced dwelling to the west (1 Edwards Terrace), the rear boundary of the two-storey terraced properties located along Powell Street to the east, the elevated garden of a three-storey dwelling 28A High Street to the north, and the highway, Edwards Terrace to the south.

On the opposite side of the road, there are two detached dwellings (17 and 18 Edwards Terrace). Whilst these neighbouring properties are also modest two storey dwellings of a traditional character, they are set back from the pavement and 18 Edwards Terrace has been constructed at a lower ground level than the road and due to its orientation, has a side gable frontage.

PROPOSED DEVELOPMENT

This application seeks full planning permission to construct a two-storey dwelling with a garage.

The detached dwelling would be south facing onto Edwards Terrace and be set slightly back into the site to accommodate a front gable projection. It would comprise of a WC, kitchen/dining and a living area at ground floor, three bedrooms and a bathroom at first floor, and a storage area in the roof space.

The dwelling would measure 5.8 metres wide, 9.5 metres deep, with a 7.95 metre ridge height. It would be finished with fibre cement roof tiles, rendered elevations and UPVC windows.

The property would be served by a small rear patio area and an elevated grassed garden area beyond due to the topography of the site. Part of the garden would be enclosed by a 2.97 metre high retaining wall with the elevated grassed area supported by a low 1 metre high retaining wall.

A detached garage would be located to the rear of the dwelling with access via a driveway to the side. The garage would measure 2.95 metres wide, 4.7 metres deep with a 3.45 metre ridge height. Two tandem parking spaces would be provided on the driveway.

PLANNING HISTORY

The Council's records indicate the following planning history for this site:

P/16/0110 – Outline planning permission for a detached dwelling – Approved: 13th June 2016

CONSULTATION

Head of Engineering and Highways	No objection, subject to conditions.
Policy Officer	No objection.
Ecology Officer	No objection, subject to conditions.
Environmental Health Manager	No response.
Bedlinog & Trelewis Community Council	No objection.
Welsh Water	No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, adjoining properties were consulted and two site notices were displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and states that *‘...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraph 6.4.3 discusses biodiversity and states that *‘...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...’*

- TAN (Technical Advice Note)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that *‘...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...’*

TAN 12 – Design (2016)

This TAN advises that the Welsh 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. Section 2.6 of TAN12 states that '*...Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities...*' Section 4.3 of TAN12 points out '*...Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process...*'

Local Planning Policies

- The Merthyr Tydfil Replacement LDP 2016-2031

Policy SW1 - Provision of New Homes

Policy SW4 - Settlement Boundaries

Policy SW11 - Sustainable Design and Placemaking

Policy EnW1 - Nature Conservation and Ecosystem Resilience

Policy EnW4 - Environmental Protection

- Supplementary Planning Guidance (SPG):

SPG4 - Sustainable Design, July 2013

PLANNING CONSIDERATIONS

The issues to consider when assessing this application relate to whether the proposed development is acceptable in principle in this location, and whether, the dwelling, in terms of its siting, scale and design, would be acceptable with regards to its impact upon the character and appearance of the area, residential amenity, ecology, parking provision and highway safety.

Principle of Development

The application site lies within the settlement boundary. Thus, the principle of residential development is considered acceptable and is generally supported by LDP Policy SW4, provided the proposal is compatible with other relevant policies and material planning considerations. Indeed, the site has previously had outline planning permission for a detached dwelling under planning application P/16/0110.

Character and Appearance

The proposed dwelling would be located off Edwards Terrace, at the end of a row of typical traditional terraced properties. These neighbouring properties form a consistent building line, are sited hard up to the front pavement, and are made up of modest frontages with balanced fenestration arrangements. These are the properties which have the closest relationship with the application site. Whilst it is noted that there are other surrounding properties on the opposite side of the road, one of which is set back from the highway and has a side gabled elevation fronting the road, the character of the surrounding wider area is predominantly made up of modest terraced dwellings.

The proposed dwelling would be served by a side driveway, with a southwest facing primary elevation and a northeast facing rear garden. Whilst its layout would be similar to the adjacent dwellings located along this side of the street, the property would be set back to include a front gable projection. As such, the proposed dwelling is considered unacceptable and incompatible with its immediate context, since it would integrate poorly with the surrounding properties. Although the setback of the dwelling would not be excessive it would fail to conform to the established building lines. Additionally, the front gable projection, albeit only 1.2 metres deep, would amount to an incongruous and prominent feature that fails to respect the character and appearance of the streetscene which consists of a traditional and modest properties along Edwards Terrace.

In order to address these concerns, amended plans were requested to show the re-siting of the dwelling closer to the front highway and the omission of the front gable feature (which was suggested could be located to the rear). However, these amendments have not been forthcoming.

The proposed development, as submitted, would therefore result in a visually intrusive and incongruous form of development, detrimental to the character and appearance of the existing street scene. As such, it would not accord with LDP Policy SW11.

Residential Amenity

The proposed dwelling would adjoin the boundary with 1 Edwards Terrace (located to the northwest), the boundaries with dwellings at 24, 25, 26 and 27 Powell Street (located to the southeast), and the boundary with 28a High Street (located to northeast). These are the neighbouring properties most likely to be affected by the proposed development. However, it should be noted that no letters of representation have been received in respect of this proposal.

With regards to 1 Edwards Terrace, the proposed dwelling would run alongside the dividing boundary with this property and its height would not exceed that of this neighbouring dwelling. Indeed, the majority of the built development would be sited adjacent to its gable end with a two storey and single storey extensions to the rear, all of which have blank elevations facing the application site. Therefore, given this relationship, the proposed dwelling would not be considered to cause any significant overbearing, privacy or loss of light impact upon this neighbouring property.

The dwelling would be located between 2.3 to 3.7 metres from the dividing boundary with 24, 25, 26 and 27 Powell Street. It would also be located a further 6 metres from the rear elevation of the closest property along Powell Street. Given these distances, the proposed dwelling would not be considered to have an overbearing impact upon these neighbouring dwellings. Similarly, any loss of light to the neighbouring properties' rear gardens would be minimal given the layout of the proposed dwelling. Furthermore, there are no first floor side facing windows to its southeast elevation which would ensure that the garden areas and properties themselves are not directly overlooked. Whilst there are windows in the rear elevations or rear extensions of the existing dwellings (along Powell Street), these would be located at some distance from the dividing boundary (as noted above) with the new dwelling and therefore would not be considered to significantly detract from the private amenities of its future occupiers. Whilst the proposal would undoubtedly have a close relationship with its neighbouring surrounding properties, this pattern of development is already prevalent amongst this terraced street and other terraced streets in the area. It is noted that a new garage would also be constructed alongside the boundary with these

neighbouring properties, however, this would be a single storey structure with a roof design which slopes away from these neighbouring dwellings. As such, it would not be considered to have a significant adverse impact upon the privacy or amenities of these neighbouring dwellings.

The rear of the proposed dwelling would face the garden of 28a High Street and the rear elevated garden area would also adjoin the garden of this neighbouring dwelling. The proposed first floor of the proposed dwelling would be located approximately 10.5 metres from this dividing boundary. Two first floor bedroom windows, although located at some distance from the boundary (as noted above), would be facing the private amenity area/garden of 28a High Street. However, it should be noted that the amenity area of 28a High Street is currently not a private space screened from the surrounding area. This neighbouring garden is elevated above the properties in Edwards Terrace. Thus, it is currently overlooked by any passers-by travelling along High Street (located to the north of the site) and by passers-by travelling along Edwards Terrace. Indeed, it could be argued that the development of this site for a new two-storey dwelling could serve to largely screen the garden of this neighbouring dwelling and enhance their level of privacy when viewed from Edwards Terrace.

As noted above, although a close relationship would be established between these properties, this pattern of development is already evident amongst this terraced street and other terraced streets in the area, i.e. the rear and side windows of No. 28a High Street overlook the garden areas of dwellings along Powell Street and Edwards Terrace. In terms of the upper rear patio area, this would adjoin the dividing boundary with 28a High Street. With regards to the rear elevated garden area, this would be elevated by 1 metre, however, a new retaining wall measuring 2.97 metres in height would be erected to the rear. This wall, when viewed from the elevated grassed area would provide a 2 metre dividing boundary between the application site and this neighbouring dwelling, which would enhance privacy to the future occupiers of the property, as well as the garden of this neighbouring dwelling.

As such, it is considered that the proposed dwelling, as proposed, has been sited and designed to limit overbearing, loss of light and overlooking concerns, and the proposed development would therefore be considered acceptable and accord with LDP Policy SW11.

Ecology

The Council's Ecologist considered the proposed scheme and determined that since the dwelling would not adjoin the existing terraced, a bat survey would not be required. Instead, it was requested that a Preliminary Ecological Assessment be submitted in support of the application. The ecology report was received on 8th March. The report confirmed the implementation of certain enhancement measures which includes the erection of bird and bat boxes. The Council's Ecologist has considered the report and concluded this to be acceptable. As such, a suitably worded condition could be added to any planning permission granted to ensure such enhancement measures are carried out. The proposed development would therefore be acceptable and comply with LDP Policy EnW1.

Parking and Highway safety

The proposed dwelling would be accessed directly off Edwards Terrace and would be served by a front/side parking area with a tandem parking arrangement for two vehicles. This would involve reversing movements onto Edwards Terrace Road. The Head of Engineering and Highways has considered the proposal in respect of on-site parking provision and highway safety and has not raised any objections. The proposed development would therefore not give rise to any adverse highway or pedestrian safety concerns and would comply with LDP Policy SW11.

CONCLUSION

The proposed development would represent a scheme that would not be considered to cause any significant harm to the amenities of nearby occupiers, nor would it adversely impact upon highway and pedestrian safety. However, the design and siting of the dwelling would result in a development, which would not be considered sympathetic, or in context with the character and appearance of the area. As such, the proposal would be considered unacceptable and would not accord with LDP policy SW11.

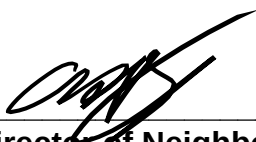
Finally, the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this 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 REFUSED subject to the following REASON:

1. The proposed dwelling, by virtue of its inappropriate siting and design, would represent a visually intrusive and incongruous form of development detrimental to the character and appearance of the street scene. The proposed development therefore fails to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 21.06.2024