

DELEGATED REPORT

Application No: P/19/0310

Site Address: 2 Somerset Lane
Cefn Coed
Merthyr Tydfil
CF48 2PA

Development: Demolish existing bungalow and construct three bedroom, two storey house with detached garage

Case Officer: Caroline Pulley

Site Visit: 4th December 2019

Application Expiry Date: 27th January 2020

Consultation reply date expired: 25th December 2019

APPLICATION SITE

The application site comprises a detached bungalow and garage located off Somerset Lane in Cefn Coed. The dwelling fronts south towards the side elevation of a two-storey detached property named Meadow View. It is positioned broadly within the centre of the site and approximately 8m west of the highway known as Somerset Lane. It is bound by residential properties to the north, south and west.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single dwelling and a detached garage on the site of the existing bungalow. The proposed dwelling would be constructed with its front elevation facing south (towards the boundary with Meadow View). It would measure 16m in width and would contain full height glazing which would wrap around part of the side facades. The property would have a depth of 8m and a maximum height of 5.7m. The external walls are to be finished with flat cladding and the roof would be covered with Edpm rubber. The main access to the dwelling would be from a doorway located within the ground floor eastern elevation. A separate access would also be created at first floor level via a set of external access steps proposed along the western side elevation of the dwelling. The main living area would be accommodated on the first floor with a large entrance hallway, utility room, shower room and three bedrooms being provided on the ground floor of the dwelling.

The proposed garage would be located within the south-eastern corner of the site and to the front of the proposed dwelling. It would front east onto the highway of Somerset Lane and would measure 5m wide by 7.6m in length. It would have a monopitch roof which would slope from north to south from a height of 3m. The garage is proposed to contain a vehicular access door to the front and a set of bi-fold doors to the rear.

PLANNING HISTORY

There is no recent planning history relating to the application site.

CONSULTATION

Engineering and Traffic Group Leader:	No objection.
Welsh Water:	No objection but highlights that the application site is crossed by a public sewer.
Environmental Health Manager:	No objection.
Ecologist:	Advises that a Preliminary Ecological appraisal of the site is required.

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.

3 letters of objection have been received and are summarised as follows:

- Concern that the proposed scheme would be detrimental to the privacy currently enjoyed by the adjoining properties.
- The proposed dwelling due to its siting and scale would adversely overshadow neighbouring properties to the west and cause a loss sunlight to these dwellings.
- The proposed dwelling is out of character with the surrounding area.

Ward Councillors have been contacted and have not objected to the application being determined under delegated powers by the Chief Officer of Planning and Neighbourhood Services.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) 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 5: Nature, Conservation and Planning provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

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.

Paragraph 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*'.

Paragraph 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 Policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

Policy BW1 – Development Strategy – Primary growth area
Policy BW4 – Settlement boundaries/location constraints
Policy BW5 – Natural Heritage
Policy BW7 – Sustainable design and placemaking
Policy BW8 – Development and the water environment
Policy BW12 – Development proposals and transport
Policy AS22 – Affordable housing contributions
Policy TB11 – Access, parking and accessibility of local facilities

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG1 - Affordable Housing, March 2012
SPG2 – Planning Obligations, March 2012
SPG4 - Sustainable Design, July 2013.
SPG5 - Nature and Development, May 2015

PLANNING CONSIDERATIONS

Full planning permission is sought for the demolition of the existing bungalow and garage and the construction of a replacement single dwelling and detached garage. The application site is situated within the defined settlement limits and within an established residential area where the principle of residential development is considered acceptable and is generally supported by Policies BW1 and BW4 of the LDP, provided that the proposal is compatible with other relevant policies and material planning considerations. Thus, the main issues to be considered when determining this application are:

- The impact of the development on the character and appearance of the area
- The impact of the development on the amenity of neighbouring residents
- The highway/pedestrian safety implications of the development.

Impact of the proposal on the character and appearance

The existing bungalow on this site is of a modest scale and height. It is nestled within a small rectangular plot that sits directly between the side elevation of a two-storey detached

dwelling and the rear boundary of a hipped roof bungalow which sits to the north. The bungalow covers a significant proportion of the plot but due to its low eaves height, it does appear as an unassuming component of the street.

The proposed development seeks to demolish the existing bungalow and garage and replace them with a two-storey dwelling and a new detached garage. While there are no particular concerns being raised in relation to the visual appearance of the proposed garage, the dwelling's design and form is inappropriate to the character and appearance of the area. Whilst accepting that the surrounding area is diverse in character and this proposal seeks to provide a form of modern design, the plot is tightly nested between neighbouring properties and it is considered that the development of a flat roof dwelling, which is quite bulky in scale, and would be distinctive in terms of its glazed frontage and cladded finish, would appear as an incongruous and jarring feature in the street scene. For this reason, it is considered that the development would cause material harm to the character and appearance of the area, contrary to Policy BW7 of the LDP.

The impact of the proposal on the residential amenity of neighbouring residents

Turning to the impact of the proposal on the residential amenities of the neighbouring properties and the objections that have been raised to the scheme, it is noted that the site is currently occupied by a modest scaled bungalow which extends to a low height of 4.95m. Its low height and positioning within the site means that at present, the property has a limited impact upon the adjoining properties. The boundary between the site and Meadow View to the south is formed by a brick retaining wall, above which is a 2m high close board fence. This screens the property from the garden area of Meadow View ensuring that an appropriate level of privacy is maintained between the two properties. A similar arrangement is presented to the rear of the site where only the roof of the bungalow is visible from the garden area of the detached bungalow called Alltelyn. The properties to the west (Chelford & Awelfryn) are visible from the garden of the application site. However, the existing property is offset from the boundary with these dwellings by a distance of 3m.

The proposed garage would be sited alongside the side wall of a neighbouring garage. In this location, it would not have an adverse impact upon the residential amenities of neighbouring dwellings. Notwithstanding this, the proposed dwelling would be two-storeys in height. It would have a slightly wider footprint to the existing building and this results in the dwelling being sited closer to the western boundary. It is also important to note that the proposed dwelling would be pushed back into the site and consequently, would be sited tight to the northern boundary of the plot. The front elevation would contain full height 'curtain wall glazing' to the elevation which would directly face Meadow View. While this glazing would be partially obscured by the existing boundary fence, the first floor windows would allow clear views over the neighbouring property which is unacceptable. It is fully accepted that the proposed dwelling would be set further back into the site. However, the front elevation of the dwelling would still be located within 5m of the shared boundary with Meadow View. Given the close proximity and extent of glazing that is proposed, it is considered that the scheme would result in a significant and harmful level of overlooking to this property. This would adversely impact upon the levels of privacy currently enjoyed by the occupiers of this property, contrary to Policy BW7 of the LDP.

The impact of the development upon the neighbouring properties situated to the west of the site has also been considered. It is noted that overlooking and overshadowing concerns have been raised by the occupiers of these two properties. While it is accepted

that the development would have some impact on both of these properties, it is considered that Chelford would be most affected by the proposal. The rear boundary of Awelfryn only straddles across part of the application site boundary. It is also stepped at a slightly higher level to the application site. As such, while it is accepted that the development would form a visible feature from this property, the dwelling would not be of a siting which would be overbearing nor would it cause a significant overshadowing impact to this property. Chelford to the south is sited on a slightly lower level to the application site. As a result of this development, it would experience some overshadowing but this would be limited to the morning. However, it would experience a harmful level of overlooking as a result of the siting of the curtain wall glazing that returns around part of the western side elevation of the property. The proposal would also result in a degree of overbearing impact to Chelford due to the siting of the dwelling (and the proposed access steps) so close to its rear elevation. This is contrary to Policy BW7 of the LDP.

With respect to the property to the north, Alltelyn, there would be no adverse overlooking issue as the two ground floor window openings proposed within the elevation which would face this property would be concealed behind a retaining wall. Notwithstanding this, the proposed dwelling would be sited hard on the boundary with this dwelling. Due to its mass, scale and close proximity to the shared boundary, its rear elevation would be visually overbearing when viewed from the garden area of this property. Whilst it is appreciated that the occupier(s) of the Alltelyn have not raised any objection to the scheme, when viewed from the garden area of this property, the presence of a solid wall, which is quite wide and so close to the boundary would be overpowering. As the application property also lies to the south of Alltelyn, a level of overshadowing is highly likely and this would exacerbate the harm already identified above.

Having regard to the above, the proposed development would fail to accord with Policy BW7 of the LDP in that it would have an unacceptable overbearing and overlooking impact on neighbouring properties.

The highway/pedestrian safety implications of the development.

The proposed dwelling would be accessed directly off Somerset Lane which is adopted. The Engineering and Traffic Group Leader does not consider that the proposal would be detrimental to highway or pedestrian safety and has therefore not raised an objection. The off-street parking proposed is also considered sufficient for a dwelling of this size. The proposed development would therefore not give rise to adverse highway/pedestrian safety concerns or impinge the free flow of traffic within the wider site. As such, it would comply with Policies BW12 and TB11 of the LDP.

Ecology

As the scheme proposes the demolition of the existing bungalow, the Council's Ecologist has requested a Preliminary Ecological Appraisal of the site to be submitted. He has noted that there are known records for protected species e.g. bats (including multiple nearby roosts), birds (including Schedule 1 species), Badger, Hedgehog, Otter, amphibians, invertebrates) within 500m. There are also local and national designated sites within 500m of the application site. The Council's Ecologist considers the existing bungalow, garage and gardens are suitable habitats for bats, birds and possibly Hedgehog and as the proposal includes demolition work, it is considered that a Preliminary Ecological Appraisal of the site is necessary to assess the potential ecological impacts of the

proposed development, or to identify whether further survey work is required before a full assessment can be made.

Planning Policy Wales (PPW) clearly sets out that *"planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity"* (para 6.4.5 refers). As an ecology survey has not been submitted with this application, the LPA are not able to ascertain whether or not the scheme would have any impact on Protected Species. As such, the application does not accord with Policy BW5 of the LDP.

Planning Obligations

Policies BW17 and AS22 of the Merthyr Tydfil Local Development Plan (LDP) 2006-2021 consider the requirement for planning obligations and affordable housing contributions on all residential schemes. On proposed residential developments of less than 10 units or where it can be demonstrated that on-site provision for affordable housing is not possible, the Council will require a financial contribution towards the provision of affordable housing elsewhere in the corresponding growth area of the LDP.

The requirement for an affordable housing contribution towards the proposed development has been assessed by the Planning Division's Policy & Implementation Group Leader. In this instance no planning obligations for the provision of affordable housing or any other contributions have been sought as this would likely render the development financially unviable. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit.

Conclusion

The principle of redeveloping this site to provide a replacement dwelling is acceptable in principle. However, having considered the relationship between the proposed dwelling and the dwellings to the north, south and west, it is considered the scale, siting and design of the property would result in a significant overbearing and overlooking impact to neighbouring properties. As such, the development would have a harmful impact upon the existing levels of residential amenity currently enjoyed by the occupiers of these dwellings. Additionally, the proposed development would not be appropriate to its local context in terms of its overall design, including massing, elevational treatment, external materials and detailing. In addition no information has also provided to assess the potential ecological impacts of this scheme.

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.

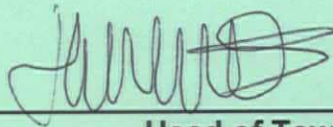
Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following REASONS

REASONS:

1. The proposed dwelling by virtue of its siting, design, scale and fenestration arrangement would have a harmful visual impact on the surrounding area. For these reasons, the proposal would result in an insensitive development that would have an adverse impact on the character and appearance of the area, contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan.
2. The proposed development by virtue of its design, fenestration arrangement, siting, mass and height would be overbearing upon the adjacent residential properties. The proposal would also result in a harmful level of overlooking to Meadow View and Chelford located along the southern and western boundaries of the site. This is contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan.
3. No information has been provided to demonstrate that the development would not cause any significant loss of habitats or populations of species, locally or nationally. As such the proposal is contrary to Policy BW5 of the Merthyr Tydfil Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

24/1/20.