

DELEGATED REPORT

Application No: P/19/0287

Site Address: Cyfarthfa Lodge
Gwaelodygarth Lane
Gwaelodygarth Road
Merthyr Tydfil

Development: Use of existing building as a dwelling and erection of a detached garage

Case Officer: Caroline Pulley

Site Visit: 15th November 2019

Application Expiry Date: 20th March 2020

Consultation reply date expired: 4th December 2019

APPLICATION SITE

The application site comprises Cyfarthfa Lodge and its curtilage. It is located within a predominately residential area and in close proximity to Gwaelodygarth House (a Grade II Listed Building). The building is currently unoccupied and is believed to have been last used as a site office in association with the construction of the houses at Cyfarthfa Court (located immediately to the north and west of the site).

The closest neighbouring properties are located to the north and east of the site. To the north and on a higher level is 19 Cyfarthfa Court, a modern detached residential dwelling with an open front garden area. Along the eastern boundary and to the rear of the lodge building is a long driveway and hardstanding serving a large, detached dwelling called 'Penycwm'. The western and southern boundaries are bound by the highways that flank the site.

PROPOSED DEVELOPMENT

This application seeks planning permission to utilise the lodge as a dwelling and for the construction of a detached garage within the curtilage of the building. The dwelling would accommodate a kitchen, a living/dining room, two bedrooms and a bathroom. It would be accessed primarily from an existing doorway located within the west facing elevation of the building.

The proposed garage would be located within the north-western corner of the site. It would measure 6.7m in width by 6.2m in depth. Its hipped roof would slope from a maximum height of 4.2m. It is proposed that the external walls of the garage would have a rendered finish and a slate roof to match the existing lodge building.

PLANNING HISTORY

There is no recent planning history relating to the site.

CONSULTATION

Conservation Officer:	No objection.
Engineering and Traffic Group Leader:	No objection.
Planning Division's Conservation Officer:	No objection.
Welsh Water:	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 site notices were displayed within the vicinity of the site.

No letters of representation were received following this publicity exercise.

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 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 24 – The Historic Environment states that 'Changes in the historic environment are inevitable. This can be the result of decay caused by natural processes, damage caused by wear and tear of use, and the need to respond to social, cultural and technological changes'.

Local Policy

Merthyr Tydfil County Borough 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 EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
Supplementary Planning Guidance (SPG) Note No.5 – Nature and Conservation

PLANNING CONSIDERATIONS

The application site is located near Gwaelodygarth House, a Grade II building listed in 1975. Therefore, regard needs to be given to the impact this residential scheme may have upon the setting of this Grade II building. In this respect, it is noted that the Council's Conservation Officer has reviewed the application and has not raised any objection to the proposed scheme. Having regard to the relationship that is now shared between Gwaelodygarth House and the lodge, she advises that *'the subsequent addition of a residential estate in the space surrounding Gwaelodygarth House has removed any visual link between the main house and the lodge and severs the link of curtilage completely'*. Also, neither the use nor the ownership are linked in any way. For these reasons, she considers the proposal would not adversely impact the setting of Gwaelodygarth House.

Given the largely residential nature of the surrounding area, the proposed use of the building as a residential property would also be in keeping with the character of the area. No alterations are proposed to the external appearance of the lodge building and the proposed garage would be set back in a less conspicuous location to the north of the site. Whilst there was originally some concern that the garage would be taller than the existing lodge building and its roof gable design would be out of character, the scheme has been amended through the course of the application to overcome these concerns. The garage has now been suitably designed with a hipped roof which is reflective of the existing lodge building. The height of the building has also been reduced from 5m to 4.2m in height and the materials proposed for the exterior of the building are to match the lodge and the finish of neighbouring properties which adjoin the site. Accordingly, the proposed scheme would not adversely impact on the character or visual amenities of the existing building or indeed the area in general.

Regard has also been had for the potential impact of the proposal on the residential amenities of the surrounding occupants. In this respect, a residential use would not be out of character with the surrounding locality nor would it give rise to an unacceptable level of noise or disturbance. The change of use of the lodge building would result in existing windows now serving habitable rooms. However, the degree of overlooking would not be to an unacceptable level. The windows located in the northern elevation of the building are positioned approximately 14m from the dividing boundary which is shared with 19 Cyfarthfa Court. The two windows located within the rear elevation of the lodge are partially obscured by a stone wall (and railings) and front directly onto the driveway of Penycwm. Consequently, these openings would not give rise to a harmful level of overlooking. The windows in the two remaining elevations would face onto the highways which flank the site and therefore would not cause any significant issue in terms of overlooking.

While acknowledging that the curtilage associated with the building would be used for garden purposes, the application site is at a lower level to the properties to the north and its eastern boundary is enclosed from Penycwm to the east by timber fencing. As such,

the use of the curtilage as a domestic garden would not be significantly harmful nor would it be out of character with the residential nature of the area. It is appreciated that the proposed garage would be sited directly to the front of 19 Cyfarthfa Court (located to the north) and consequently, would form a visible addition from this property. However, the garage would be set down on a slightly lower level and its low height and hipped roof design would lessen any potential impact on neighbouring properties. It would also be located an acceptable distance away from the dividing boundary with Penycwm to the east and there is an intervening fence between the two properties. On this basis and given that no objections were received following the publicity exercise, the proposal is found to be acceptable in this regard.

In terms of highway safety, there would be no changes to the existing access. Although a new garage would be erected, this would not affect the existing access arrangements. Also, it is noted there is sufficient space within the site to allow vehicles to turn and exit the site within a forward gear. Accordingly, the Engineering and Traffic Group Leader has not objected to the application.

Finally, it should be noted that during the course of this application, it was highlighted that there is a culvert running through the application site. In order to ensure that the proposed garage would not adversely impact on the loading or structural integrity of this culvert, the applicant was required to undertake a survey so that the line of the culvert could be accurately established. This survey reveals that the culvert runs diagonally alongside the eastern elevation of the proposed garage. Having reviewed the survey and section drawing of the culvert, the Engineering and Traffic Group Leader has confirmed that the information provided is acceptable. Accordingly, the garage is not deemed to have an adverse impact on the culvert structure.

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/REASONS:

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 number PL01 Rev B received on 24.01.2020

- Layout of Stormwater drains received on 26.03.2020

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

3. 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 of or detriment to the environment.

4. 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), the dwelling shall not be enlarged by the addition of any dormers or roof extensions/alterations.

Reason - To preserve the open plan character of the housing layout in the interests of visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

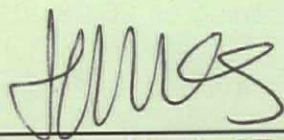
If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

2. The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water's 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.

Please also note that the planning permission hereby granted does not extend rights to carry out works to the public sewerage or water supply systems without first having obtained the necessary permissions from Welsh Water.

RECOMMENDATION ENDORSED

A handwritten signature in dark ink, appearing to be "J. M. S.", written over a horizontal line.

Head of Town Planning

DATE:

4/5/20