

DELEGATED REPORT

Application No: P/19/0325

Site Address: Land At Junction Of Walter Street And
Mount Pleasant Street
Dowlais
Merthyr Tydfil

Development: Remove condition 5 (drainage) of planning
permission P/19/0071

Case Officer: Caroline Pulley

Site Visit: 20th December 2019

Application Expiry Date: 10th February 2020

Consultation reply date expired: 24th January 2020

APPLICATION SITE

The application site relates to a vacant, brownfield parcel of land located on the junction of Walter Street and Mount Pleasant Street, Dowlais. The site is relatively flat and measures approximately 97 square metres in area. It is adjoined by 2 Mount Pleasant Street along its north-eastern boundary, the rear boundary of 47 Broad Street to the north and the highway to the south-west and south-east. The site has an open frontage to the road but is enclosed along its northern and eastern boundary by close board fencing. It is situated within an area which is predominately characterised by traditional terraced housing. There is however some red brick houses to the south-east of the site which are of a modern construction.

PROPOSED DEVELOPMENT

This application is for the removal of condition 5 of planning permission P/19/0071. The permission relates to the construction of a single dwelling.

Condition 5 of the approval states:

"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."

The current application is accompanied by foul drainage details and a copy of a build over sewer agreement. Also, an email has been submitted during the course of the application stating the reasons why a soakaway could not be utilised on this site.

PLANNING HISTORY

P/19/0071

New dwelling

Approved 03.06.2019

CONSULTATION

Engineering and Traffic Group Leader:

No objection.

Welsh Water:

Advises that an insufficient level of information has been submitted to assess the application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was 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.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW11 – Sustainable Design and Placemaking

PLANNING CONSIDERATIONS

The main consideration in the assessment of this application is whether the proposed removal of condition 5 of planning permission P/19/0071 is acceptable. Condition 5 was imposed on the permission to ensure that no surface water would connect to the public sewerage system. This condition is considered necessary to prevent overloading of the public sewerage system.

The agent claims as part of this application that an agreement has been made with Welsh Water to allow surface water to be disposed of via the public sewerage system. However, the agent has not provided any evidence of this agreement and Welsh Water are unable to confirm that such permission has been given.

The documentation provided with the current application confirms that the developer has entered into a Build Over Sewer agreement with Welsh Water. However, no documentation or evidence has been provided to confirm that surface water can be discharged via the public sewerage network. Furthermore, limited information has been provided to explain why alternative methods of surface water disposal have been discounted.

Based on the lack of information and justification being put forward to substantiate the removal of condition 5, the application is recommended for refusal.

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.

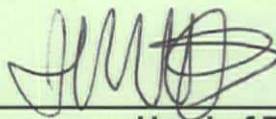
Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED

REASON:

1. An insufficient level of information has been provided to justify the removal of condition 5 of planning permission P/19/0071. As such, the application is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

7/2/20