

DELEGATED REPORT

Application No:	P/23/0256
Site Address:	2A Crud Yr Awel Heolgerrig Merthyr Tydfil CF48 1SA
Development:	Construct 3 bed detached dwelling
Case Officer:	Marlene Ferreira
Site Visit:	8th November 2023
Application Expiry Date:	21st December 2023
Consultation reply date expired:	29th November 2023

APPLICATION SITE

The application site relates to an irregular shaped parcel of land located off Heolgerrig Road, a main road through Heolgerrig which slopes steeply from the west to the east. The vacant plot, which is relatively flat, is positioned in between two other residential plots, both of which comprise one detached dwelling, one that is currently under construction and one that was recently constructed. The site is accessed off Heolgerrig Road and has been vacant for a substantial amount of time.

The area surrounding the plot is residential in character and largely comprises of detached dwellings of varying scales and designs, ranging from two-storey modern properties to more traditional bungalows.

PROPOSED DEVELOPMENT

This application seeks planning permission for the erection of a detached dwelling.

The two-storey dwelling, measuring 5.7 metres wide, 8.8 metres deep with an 8.7 metre ridge height, would comprise a lounge, kitchen/diner and WC at ground floor and 3 bedrooms (1 with en-suite) and a bathroom at first floor. It would be finished with mock slate roof tiles, rendered elevations and UPVc windows. The dwelling, which would orientated with a south facing frontage, would be served by a small triangular garden area to the rear and a small garden/courtyard area to the front. A driveway to accommodate 2 tandem parking spaces would be located to the fside (west) of the property.

PLANNING HISTORY

The Council's records do not show any relevant or recent planning history for this plot. However, in respect of the wider site (which includes this plot), the following history has been noted:

P/09/0217 – Erection of 10 dwellings with associated access road and garages –
Approved: 10th February 2010

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 objection, subject to conditions.
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 3.55 states that *'...previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development...'*

Paragraph 4.2.17 goes on to state that *'...maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites...'*

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 SW3 - Sustainably Distributing 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 Policies SW1, SW3 and SW4, provided the proposal is compatible with other relevant policies and material planning considerations.

Character and Appearance

The proposed dwelling would be located off Heolgerrig Road and would be served by a side driveway and a front garden area with a south facing primary elevation and a north facing rear garden. Its layout would therefore be very similar to the dwellings located to the east, 1 and 2 Crud Yr Awel.

With regards to the dwelling itself, this would be a modest two storey dwelling with a suitable fenestration arrangement and simple design, which would include a single storey front porch projection, which would act as focal point of the dwelling and add character and interest to its primary frontage. Whilst its proposed ridge height would be approximately 1 metre higher than the neighbouring dwelling 2 Crud Yr Awel, this would appear to follow the gradient of the road, which rises from the east to the west. Similarly, it is noted that the dwelling would be located further forward than no. 2 Crud Yr Awel, however, it would not exceed the established building line to this side of the street. As such, the proposed dwelling would appear acceptable when viewed within the street scene. Furthermore, although it is recognised that the dwelling is a small scale development within a limited size plot, this would not appear out of context with the wider Crud Yr Awel development, which also comprises other small detached dwellings within

small plots. Thus, its scale, appearance and finishes draws reference to certain design features of other detached dwellings within the wider Crud Yr Awel site. The proposal would therefore be reflective of other existing properties in the immediate surrounding area.

The proposed detached dwelling would therefore result in an acceptable form of development within this context, which would not be deemed detrimental to the character or appearance of the area. As such, it would comply with LDP Policy SW11.

Residential Amenity

The proposed dwelling would be sited to the west (side) of 2 Crud Yr Awel and to the east (side) of 3 Crud Yr Awel, and these are the neighbouring properties most likely to be affected as a result of the proposed development. However, it should be noted that no letters of representation have been received in respect of this proposal.

With regards to 2 Crud Yr Awel, it is noted that the application dwelling would have a similar layout to this neighbouring property, as previously mentioned. Thus, the side elevation of the dwelling on plot 2 would face the side elevation of the application property. Whilst the application dwelling would project further forward than this neighbouring property, the majority of the dwelling, given its central location within the plot and its scale, would sit alongside the built dwelling on plot 2. Whilst the application dwelling would be sited 0.95 metres from the dividing boundary and sit approximately 1 metre higher than this neighbouring dwelling, the application property is a small scale development and has no side facing windows fronting this neighbouring dwelling (other than a first floor en-suite window, which could be conditioned to be fitted with obscure glass). Thus, it is not considered that the proposed dwelling would cause a significant overbearing impact or an unneighbourly form of development.

With regards to 3 Crud Yr Awel, it is noted that the application dwelling would be sited 0.85 metres (at its closest point) from the rear dividing boundary with this neighbouring property and approximately 2.2 metres from the dwelling itself. As such, the proposed dwelling, although it would undoubtedly have a close relationship with this neighbouring dwelling, it would not be considered to appear overbearing when viewed from this neighbouring property, particularly since 3 Crud Yr Awel is angled away from the application dwelling. Whilst the rear elevation of the application dwelling would have a first floor bedroom window which would face this neighbouring property, this would be mainly overlooking the side elevation of the dwelling, given the orientation of 3 Crud Yr Awel. This arrangement would not be considered detrimental to the privacy or amenities of these neighbouring occupiers, since the dwelling at 3 Crud Yr Awel only has one high level/attic window on its side elevation. Thus, this would not be considered to amount to an unneighbourly form of development which would be deemed significantly harm the amenities of these neighbouring occupiers. Indeed, layouts/relationships such as this, are very common, especially amongst new built developments.

The relationship of the proposed dwelling with the neighbouring properties, as explained above, is therefore considered acceptable and would comply with LDP Policy SW11.

Ecology

The Council's Ecologist has considered the proposed scheme and concluded that since the site had been recently cleared, survey work would not be required in association with

this proposal. However, it was requested that a Green Infrastructure Statement be submitted in support of this application in compliance with Chapter 6 of PPW 12. The relevant information was submitted on 14th February 2024. It confirmed the implementation of certain enhancement measures which include the planting of a hedgerow and a mix of wildflower and grass garden lawn. 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 Heolgerrig Road and would be served by a front/side parking area with tandem car parking for two vehicles. This would involve reversing movements onto Heolgerrig 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

For the reasons set out above the proposed development is considered to be acceptable and complies with the relevant LDP policies.

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 APPROVED subject to the following **CONDITIONS:**

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:

- Proposed Plans, Elevations and Sections, 2A 01A, received: 21st March 2024;
- Proposed Plans, Elevations and Sections, 2A 02D, received: 29th April March 2024;
- Proposed Block Plan and Elevations, 2A 03B, received: 9th May 2024;
- Green Infrastructure Statement, received: 14th February 2024.

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

3. **Prior to the commencement of development**, a plan indicating the design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be completed as approved, before the occupation of the dwelling.

Reason - To ensure that the new development will be visually attractive and in the interest of residential amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Prior to the occupation of the dwelling, the first floor en-suite window to the eastern side elevation (adjacent to 2 Crud Yr Awel) (as illustrated on Proposed Plans, Elevations and Sections, 2A O1A, received: 21st March 2024)) shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan .

6. Notwithstanding the provisions of schedule 2, Part 1, Class B 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), no additions or alterations shall be carried out to the roof of the dwelling other than those expressly authorised by this permission.

Reason - In the interest of visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. Notwithstanding the provisions of schedule 2, Part 1, Class A 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), no enlargements, improvements or other any other alterations, shall be carried out to the dwelling other than those expressly authorised by this permission.

Reason - In the interest of visual and neighbouring amenity, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

9. 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 - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. The car parking area to the side of the property, as indicated on Proposed Plans, Elevations and Section, 2A 02D, received: 29th April 2024, shall be completed in accordance with the approved details prior to the occupation of the dwelling and shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policies SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion 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 and in the interest of biodiversity to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. If a drop kerb/footway is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department.

Website: <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email: Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 10.05.2024