

DELEGATED REPORT

Application No:	P/23/0182
Site Address:	Land To The North Of Crabtree Walk And To The West Of Sweetwater Park Trefechan Merthyr Tydfil
Development:	Vary condition 2 of planning permission P/20/0121 to change the house types of plots no. 30 and 31, alter the orientation of plot 44 (including lowering of finished floor levels), and change house type of plot 42 including its subdivision into 2 semi-detached houses.
Case Officer:	David Cross
Site Visit:	16th August 2023
Application Expiry Date:	27th September 2023
Consultation reply date expired:	22nd August 2023

APPLICATION SITE

This application relates to a large area of land measuring approximately 3.2 hectares situated in the northern part of Merthyr Tydfil, adjacent to the established residential area of Trefechan. Planning permission was previously granted (P/20/0121) for a residential development across the site comprising a total of 45 dwellings, which is currently under construction.

There are also two detached dwellings at the centre of the site (Mira Monte & Caerllwyn), which are served by a temporary access lane that links to the main highway to the south-east. There are small groups of mature trees adjacent to the dwellings and along parts of the southern, eastern and northern boundaries of the site.

To the south-east is a row of semi-detached properties that form part of Crabtree Walk and Hawthorn Hill. Some of these properties have a frontage towards the site. To the north-east are detached properties that back on to the site and form part of Sweetwater Park. On all other sides, the site is bound by the open countryside with the Brecon Beacons National Park being approximately 0.1km to the north-west.

PROPOSED DEVELOPMENT

This application seeks permission for the variation of condition 2 of planning permission P/20/0121 (list of approved plans and documents) to change the house types on plots no. 30 and 31. It also seeks to alter the orientation of plot 44 (including lowering of finished

floor levels) and to change the house type on plot 42 involving its subdivision into 2 semi-detached houses.

The approved residential scheme comprised a total of 45 dwellings, which included a mixture of 3 and 4 bedroom detached and semi-detached properties. There were 12 different house types approved, the majority of which incorporated gable features to the front elevation, some with bay windows, canopies, and small dormer windows. Some of the dwellings also include an integral garage. The majority of the approved dwellings are 2 storey, with a small number being 2.5 storey. A bungalow has also been approved. The majority of the properties have a single garage positioned to the side of the dwellings and setback from the front elevation. At least 2 parking spaces will be accommodated on the driveways. The external finishes of the dwellings would comprise a mixture of brickwork and rendered elevations with concrete roof tiles.

The approved house types on plot 30 (Windsor) and 31 (Oxwich) would be replaced with the Caswell house type, which is already an approved design on the neighbouring plots 32, 33 and 34. The approved Ashford house type on plot 42 would be replaced with the Pembroke house type, which is already an approved design on plots 1-4.

In regards to the dwelling (Windsor) on plot 44, it currently has a south-east to north-west orientation with the principal elevation orientated towards the main road. It is proposed to realign its position with an east to west orientation and closer to the approved garage. The levels of the dwelling would also be lowered by approximately 1.5 metres. Additionally, it is proposed to introduce a hedgerow and trees along the south-east boundary adjoining the properties along Hawthorn Hill to provide additional natural screening between the garden areas.

PLANNING HISTORY

P/20/0121 - Demolition of bungalow, construction of residential development, landscaping, parking and associated works.

Permission GRANTED on 13.05.2021

P/19/0277 - Proposed highway engineering and access works

Permission GRANTED on 20.12.2019

P/76/0445 - Detailed application for the erection of 81 dwellings.

Permission GRANTED on 02.11.1977

CONSULTATION

Head of Engineering and Highways - No objection

Policy Officer - No response

Ecology Officer - No response

Environmental Health Manager - No response

Rights of Way	-	No response
Natural Resources Wales	-	No objection
Cadw	-	No objection
Welsh Water	-	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties and a site notice was displayed within the vicinity of the site.

As a result of this publicity exercise two letters of objection were received which raised the following concerns:

- It is understood that the developer has been altering the orientation of the house but the elevation needs to be lowered to a minimum of 3m to keep in line with adjacent properties in the interest of privacy.
- It is not understood how planning permission was granted for a dwelling on plot 44 directly behind Hawthorn Hill.

The ward councillors have been informed of the concerns raised by local residents and it has not been requested that the application be presented to the planning committee. Accordingly, the application shall proceed to be determined in accordance with the delegated agreement by the Director of Neighbourhood Services.

POLICY CONTEXT

National planning policy

Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW), Edition 11, February 2021:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Para 4.2.25 – 4.2.34 set out the need to have regard for the provision of affordable housing in communities and to ensure that they are accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers.

Para 6.1.6 sets out the Welsh Governments objectives for the historic environment to protect world heritage sites, conserve archaeological remains, safeguard historic buildings, preserve and enhance conservation areas, as well as preserve and protect historic parks and landscapes in Wales.

Para 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Technical Advice Notes (TAN):

- TAN 5, Nature Conservation and Planning, September 2009
- TAN 18, Transport, March 2007
- TAN 12, Design, March 2016
- TAN 24, The Historic Environment, May 2017

Local planning policy

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

- SW1 - Provision of New Homes
- SW2 - Provision of Affordable Housing
- SW3 - Sustainably Distributing New Homes
- SW4 - Settlement Boundaries
- SW9 - Planning Obligations
- SW11 - Sustainable Design and Placemaking
- SW12 - Improving the Transport Network
- CW1 - Historic Environment
- EnW1 - Nature Conservation and Ecosystem Resilience
- EnW4 - Environmental Protection
- EnW5 - Landscape Protection
- EcW12 – Mineral Buffer Zones

Supplementary Planning Guidance (SPG):

- SPG 1- Affordable Housing, March 2012
- SPG 2- Planning Obligations, March 2012
- SPG 4- Sustainable Design, July 2013
- SPG 5- Nature and Development, May 2015

PLANNING CONSIDERATIONS

Planning permission was previously granted for the residential development and as such the principle of the development and its overall design has already been established. This application seeks permission to amend the siting/orientation of the dwelling within plot 44

with associated landscaping, and amend the house types on plots 30, 31 and 42. The rest of the approved development would remain unchanged. As such, the main considerations of this application relate to whether the proposed changes would have a significant impact on the character and appearance of the area, whether it would result in highway safety concerns and whether it would give rise to adverse impacts on the amenities neighbouring properties.

Whilst the overall layout of the development would not change, there would be some minor adjustments within the specific plots to accommodate the amended house types i.e. the reconfiguration of the driveways and front garden areas. The proposed house types are deemed to be of an acceptable design and would be consistent with the development given that the same house types have been used elsewhere within the site. The siting of these dwellings within the plots would continue to follow the same building line and orientation. The changes to the driveways and front garden spaces would be minor and would not result in highway safety concerns. In this regard, the Head of Engineering and Highways has not raised any objection.

In regard to the dwelling on plot 44, its proposed siting would be similar to that previously approved, albeit closer to the detached garage. The notable change to the plot is the orientation of the dwelling and a reduction in its ground level. The proposed changes are sought to further reduce the potential impact of the development with the neighbouring properties along Hawthorn Hill, of which there have been on-going discussion between the developer and the adjacent occupiers.

The re-orientation of the building would enable to the rear windows on plot 44 to have an easterly aspect. This would mean the windows are not directly orientated towards the properties immediately adjoining (south) of the plot. Any views from the first floor windows towards the existing rear gardens would either be an acute angle or at longer distances away from the plot. The submitted plans indicate the separation distance between the proposed dwelling and the existing properties along Hawthorn Hill would be at least 24.8m.

The developer is mindful of the loss of privacy concerns raised by the neighbouring occupiers and has agreed to plant a hedgerow and trees along the adjoining (south-east) boundary, which over time would establish a natural screen. This would assist in reducing any potential inter-visibility concerns between the rear gardens, which are at differing levels. Overall, the changes to the siting and levels of the proposed dwelling would not give rise to a greater impact on the amenities of the neighbouring occupiers and would be an improvement to the previously approved scheme.

It is noted that the developer did have regard to the potential further reduction in the levels of the dwelling to meet the concerns raised by the neighbouring residents. However, this option was dismissed, as this would have a knock on effect on the relationship the dwelling has with the highway and it would adversely impact on the SUD drainage scheme.

Accordingly, the proposed changes to the residential development are acceptable and would have a negligible impact on the site and surrounding area. Therefore, the proposal complies with the relevant LDP policies.

CONCLUSIONS

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.

For the above reasons, the proposed development is deemed to be acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall be carried out in accordance with the following approved plans and documents:

Arboricultural Report (Ref ArbTS_580.7_Land at Trefechan, Dated 18th February 2021 - (as approved under P/20/0121)

Ecological Impact Assessment V2, Dated 29.04.2021 - (as approved under P/20/0121)

Drawing title - The Garages, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Caswell Elevations Render, Rev A, Received 28.07.2023

Drawing title - The Caswell Floor Plan, Rev A, Received 28.07.2023

Drawing title - The Oxwich Bay Render, received 15.06.2020 - (as approved under P/20/0121))

Drawing title - The Oxwich Brick, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Oxwich Render, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Windsor Brick, received 15.06.2020 - (as approved under P/20/0121))

Drawing title - The Windsor Render, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Ashford Elevations Render, received 15.06.2020 - (approved under P/20/0121)

Drawing title - The Ashford Floor Plans, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Llangenith Render, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Laugharne Brick, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Laugharne Render, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Mewslade Brick, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Aberaeron Render, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Tenby Render, Rev A, Received 28.07.2023

Drawing title - The Whitland Brick, received 15.06.2020 - (as approved under P/20/0121)

Drawing title - The Pembroke Brick, received 15.06.2020 - (as approved under P/20/0121)

Drawing No. TREF-15-04-07, Proposed Street Scenes, Received 15.06.2020 - (as approved under P/20/0121)

Drawing No. 107-01 Rev A, Site Sections Location Plan, Received 15.06.2020 - (as approved under P/20/0121)
Drawing No. 107-02 Rev A, Site Sections, Received 15.06.2020 - (as approved under P/20/0121)
Drawing No. TREF-15-04-50, Additional Site Sections, Received 30.03.2020 - (as approved under P/20/0121)

Drawing No. 160, Highway Setting Out, Received 04.03.2021 - (as approved under P/20/0121)
Drawing No. 150-1, Plot Setting Out Sheet 1 of 2, Received 04.03.2021 - (as approved under P/20/0121)
Drawing No. 150-2, Plot Setting Out Sheet 2 of 2, Received 04.03.2021 - (as approved under P/20/0121)
Drawing No. 115 Rev A, Road Longitudinal Sections, Received 04.03.2021 - (as approved under P/20/0121)
Drawing No. 104, S278 Typical Highway Details, Received 04.03.2021 - (as approved under P/20/0121)
Drawing No. 104-1, S278 Typical Highway Details Sheet 2 of 2, Received 04.03.2021 - (as approved under P/20/0121)

Drawing No. 1909TMT.03 Issue 04, Softworks Specification & Schedule, Received 28.07.2023
Drawing No. 1909TMT.02 Issue 04, Overall Landscape Layout, Received 28.07.2023
Drawing No. TREF-15-04-04 Rev C, Boundary Enclosures Layout, Received 28.07.2023
Drawing No. TREF-15-04-06 Rev C, Refuse Collection Layout, Received 28.07.2023
Drawing No. TREF-15-04-03 Rev C, External Materials Layout, Received 28.07.2023
Drawing No. TREF-15-04-05 Rev C, Building Storey Heights Layout, Received 28.07.2023
Drawing no. TREF-15-04-02 Rev G, Planning Layout, Received 28.07.2023
Drawing No. 001-1 rev v, Engineering Layout, Received 28.07.2023
Drawing No, TREF-15-04-50-Rev A, Additional Site Sections, Received 28.07.2023

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

2. 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 in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

3. A landscape and habitat management plan, including management responsibilities and maintenance schedules for all landscaped and habitat areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority **prior to the occupation of any of the dwellings on the site**. The landscape and habitat management plan shall be carried out as approved.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to protect the natural environment in accordance with Policies SW11, EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to the occupation of any dwelling**, details shall be submitted for the construction of drystone walls indicating their position and height. All works shall be carried out in accordance with the approved details and completed as part of the landscaping works during the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Reason - To ensure that the new development will be visually attractive and in the interest of improving the quality of the historic landscape in accordance with Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **Prior to the occupation of any dwelling**, a lighting plan including measures to reduce light spillage onto foraging habitats for bats shall be submitted to and approved in writing by the local planning authority. The lighting plan shall be informed by the result of a spring bat transect survey and the recommendations of the Ecological Impact Assessment to ensure appropriate dark corridors are provided across the site. All works shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. 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.

7. 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), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of the principal elevation of that dwelling house.

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. This decision notice should be read in conjunction with planning permission P/20/0121.

RECOMMENDATION ENDORSED

p.p.



Director of Neighbourhood Services

DATE: 02/10/2023