

DELEGATED REPORT

Application No: P/22/0179

Site Address: Plot 7
Upper Colliers Row
Heolgerrig
Merthyr Tydfil

Development: Erection of dwelling

Case Officer: Caroline Pulley

Site Visit: 19th July 2022

Application Expiry Date: 5th January 2023

Consultation reply date expired: 14th November 2022

APPLICATION SITE

The application site relates to a rectangular parcel of land, plot 7, measuring approximately 0.04 of a hectare, located just off Upper Colliers Row, in Heolgerrig. The site rises gently from east to the west and forms part of a wider parcel of land, measuring approximately 0.42 hectares, which was granted outline planning permission for a residential development of 8 dwellings in 2019 (app. P/19/0228). The site adjoins plot 6 (granted full planning permission under app. P/21/0173) to the north, plot 8 to the south, Upper Colliers Row to the east and plot 5 to the west (rear). Plot 6 is currently in the final stage of construction. Plots 5 and 8 remain undeveloped. Plot 4 (Ref: P/20/0074) (located to the west of Plot 5) has recently been occupied.

The site lies within the settlement boundary - Primary Growth Area as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031. It also forms part of housing allocation site, SW3.4 Brondeg, Heolgerrig.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a detached two-storey dwelling and garage on Plot 7. Full planning permission for a dwelling on this plot was previously granted planning permission under application reference P/21/0271.

The dwelling proposed under the current application would measure 10.7m wide, a maximum of 12.4m deep and 9.4m in height and would include a two-storey gable to the centre of its principal elevation, measuring 4.2m wide, 1.4m deep and 7.6m in height. The material finishes would comprise Bradstone square dressed stonework on the front projecting gable, white render on the elevations and blue/black Cedral Thrutone smooth slate for the roofs. The windows and doors would be made from anthracite grey aluminium.

At ground floor the dwelling would be served by an open plan kitchen/diner/lounge, a study, utility room and hallway. On the first floor, the dwelling would have a master bedroom with an ensuite and dressing room, two other bedrooms (with a jack and jill bathroom) and a main bathroom. The roof space would accommodate an additional two bedrooms and a bathroom. This would give the property a total of 5 bedrooms. The dwelling would be sited so that its front elevation would be east facing with the rear garden provided over three levels in the western part of the site.

The dwelling would be served by a detached garage and driveway. The garage would be located along the northern side of the house and would be set back behind the rear elevation of the dwelling. It would measure 3m in width, 4.4m in depth and 4m in height to the ridge of its pitched roof.

The proposed boundary treatments comprise 0.8m high and 2m high close board fencing.

The application has been supported by the following documents:

- Geo-Environmental Report (Blanford Consulting).
- Landscape and Ecology Management Plan (Pryce Consultant Ecologists)

PLANNING HISTORY

The history relevant to the consideration of this application is as follows:

P/21/0271	-	Construct detached dwelling Approved – 13.10.2021
P/19/0228	-	Outline planning for 8 two storey detached dwellings with associated private road and off road parking Approved 07.11.2020

CONSULTATION

Head Engineering and Highways:	No objection.
Planning Division's Policy Officer:	No objection.
Ecologist:	No objection.
Environmental Health Manager:	No objection.
Welsh Water:	No objection.
Welsh Government Highway's Division:	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, site notices were displayed within the vicinity of the site and a letter was subsequently hand delivered to Plot 4 following its occupation.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

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 11 (February 2021)

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 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 deliver environmental sustainability, economic development and social inclusion at every scale throughout Wales.

TAN 5: Nature Conservation and Planning (2009) – This TAN provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

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 SW9 - Planning Obligations

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 - Nature Conservation and Ecosystem Resilience

Policy EnW4 - Environmental Protection

- Supplementary Planning Guidance (SPG):

SPG2 – Planning Obligations, March 2012

SPG4 - Sustainable Design, July 2013

PLANNING CONSIDERATIONS

The application site lies within the settlement boundary as defined by the LDP Proposals Map. It forms part of an allocated housing site (SW3.4 Brondeg) and outline planning permission (P/19/0228) has been previously granted for a wider development area, which includes the application site. Additionally, full planning was granted in 2021 (P/21/0271) for a similar size dwelling on this plot. Therefore, the principle of residential development has clearly been established and is generally supported by Policies SW1, SW3 and SW4, of the LDP, provided that the proposal is compatible with other relevant policies and material planning considerations. Therefore, the main issues to consider when assessing this application relate to whether the proposed 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.

Character and Appearance

The proposed dwelling would have a front two-storey gable projection. This would act as the focal point of the dwelling and add character and interest to its primary frontage. Its

scale and appearance are considered acceptable and draws reference to certain design features of other larger detached dwellings, recently granted planning permission at the Upper Colliers Row site, as well as traditional semi-detached properties within the vicinity of the site. Therefore, it is considered that the property's well-proportioned design would be reflective of existing properties in the surrounding area. The proposed rendered elevations and blue/black slate roof tiles are also consistent with material finishes on other properties in the surrounding area. Whilst the proposed Bradstone Square dressed stonework has not been widely used on the surrounding properties, it should be noted that the recently approved dwellings on plot 4 and plot 6 would be constructed using the same material finishes. As such, there would be consistency between the properties approved on the wider site, not only in respect of the scale and design of the dwellings, but also in regard to their material finishes.

The property would be set back from the main highway (Upper Colliers Row) and would be served by a front driveway/turning area with a front garden. A private rear garden would also be provided to the west of the property. Details of the proposed boundary treatments have been provided on the application form and the proposed sections. However, the exact location of the proposed 2m high and 800mm high close board fencing has not been shown. As such, a condition is recommended to agree the siting of the proposed boundary fences prior to occupation. Subject to this detail, the proposed dwelling would 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 north of plot 8, to the south of plot 6 (a plot currently under construction following the approval of full planning permission for a new dwelling under application P/21/0173) and to the east of plot 5. These are the neighbouring plots most likely to be impacted by this proposal.

The proposed dwelling would be sited so that its front elevation would be east facing (adjacent to Upper Colliers Row) and its side elevations would be facing plots 6 and plot 8. It is also acknowledged that the main front elevation of the proposed dwelling would be sited approximately 2m forward of the dwelling at Plot 6. However, the two-storey dwelling would be set in approximately 3 metres from the dividing boundary with plot 6 and approximately a metre from the future boundary of plot 8. Thus, the proposed dwelling would not appear overbearing when viewed from these neighbouring plots, particularly since the dwelling granted at plot 6 would have a similar ridge height to that hereby proposed. While it is acknowledged that the side elevations of the proposed dwelling would include first and second floor window openings, two of which would serve bedrooms in the roofspace, these could be conditioned to be fitted with obscure glazing, to prevent any direct overlooking into the neighbouring plots 6 and 8. As such, the proposed dwelling would not have a significant impact on the amenities of the adjoining plots in terms of the potential loss of privacy.

Likewise, the proposed dwelling would have an acceptable impact on plot 5. In this regard, the proposed dwelling would be located at a lower ground level to this neighbouring plot and sited approximately 14 metres from the rear dividing boundary. Furthermore, it is expected that any new dwelling on this neighbouring plot would be setback and orientated to front the private driveway with side elevations facing towards the rear garden of plots 6

& 7. As such, the proposed dwelling would not have an overbearing, loss of light or loss of privacy impact upon the future occupiers of Plot 5.

Turning to the proposed garage, while it is acknowledged that this building would be sited hard on the boundary with the dwelling at Plot 6, its low height and small scale, would ensure that the potential overshadowing impact on this dwelling would not be significantly harmful.

The relationship between the proposed dwelling at plot 7 and the surrounding plots 6, 8 and 5, would be considered acceptable and would therefore comply with Policy SW11 of the LDP.

Parking and Highway safety

The proposed dwelling would be accessed directly off Upper Colliers Row and would be served by an 'L' shaped driveway area, which would provide three parking spaces. 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/pedestrian safety concerns and would comply with LDP Policy SW11.

Ecology

The application, as noted previously, has been supported by a report, which has assessed the impact of the development on protected species and their habitats. The proposed development could potentially have an impact on bats, reptiles and amphibians, nesting birds, hedgehogs and badgers. Numerous protection/mitigation and enhancement measures are therefore proposed as highlighted in the Landscape and Ecology Management Plan (LEMP). Such measures include the planting of hedgerows and the provision of bat roost/bird boxes as part of the proposed development. As such, no significant impacts to protected species and habitats have been identified. The report has been considered by the Council's Ecologist who has not raised any objections to the proposed development provided it is carried out in accordance with the submitted details. As such, the proposed development would comply with Policy EnW1 of the LDP.

Planning Obligations

With reference to Policy SW9, given that the proposal relates to a single dwelling, on-site provision of affordable housing, open space or a financial contribution towards affordable housing would not be sought in this instance.

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:**

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:

Drawing number TPS.22.17.UPCOL.PR. SL+B Rev C received on 11.07.2022
Drawing number TPS.22.17.UPCOL.PR. ELV Rev C received on 10.11.2022
Drawing number TPS.22.17.UPCOL.PARK Rev B received on 10.11.2022
Drawing number TPS.22.17.UPCOL.LEV Rev B received on 10.11.2022
Drawing number TPS.22.17.UPCOL.ECOL Rev B received on 10.11.2022
Drawing number TPS.22.17.UPCOL.PV_SECT Rev A received on 19.10.2022
Drawing number TPS.22.17.UPCOL.GAR Rev A received on 19.10.2022
Geo-Environmental Report received on 04.10.2022
Landscape and Ecology Management Plan received on 29.07.2022

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 positions, height, 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 treatment shall be completed as approved, before the occupation of the dwelling.

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

4. Before the development hereby permitted is brought into use, the first and second floor windows to the northern and southern side elevations of the dwelling shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The windows 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 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. **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason - To ensure that the new development will be visually attractive and in the interest of biodiversity to accord with Policies SW11 and EnW4 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 EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

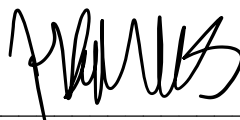
2. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

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

3. The applicant is advised that an armco culvert is located to the rear of the footway and runs parallel to the application site (in a southerly direction into the Nant Rhydycar). Any works to or affecting the culvert would require consent from Merthyr Tydfil County borough Council's Land Drainage Officer.
4. The applicant/developer is advised that Japanese Knotweed may be present on the site and if not adequately addressed, could be potentially harmful to the proposed development.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

11/11/22