

DELEGATED REPORT

Application No:	P/23/0134
Site Address:	Land To The Rear Of Beech Grove Gurnos Merthyr Tydfil
Development:	Demolish 18 garages and construct 2 dwellings
Case Officer:	Emma Watkins
Application Expiry Date:	17th July 2023
Consultation reply date expired:	29th June 2023

APPLICATION SITE

The application site is a flat rectangular parcel of land situated to the rear of dwellings located in Beech Grove, Sycamore Road and Goitre Lane on the Gurnos Estate. The site currently has a central hard surface turning/manoeuvring area with 18 garages (9 no. along the eastern side and 9 no. along the western side) which abut the rear garden walls of dwellings located in Beech Grove and Goitre Lane. The garages are accessed off a private narrow lane between 8 and 10 Beech Grove. An adopted footway runs from Goitre Lane, along this private road and into Beech Grove. The narrow lane remains accessible, whilst the garage site has been fenced off and does not appear to be used.

The surrounding area is predominantly residential, characterised by a mix of brickwork and rendered terraced dwellings, some of which are served by front driveway areas, whilst others are served by on-street parking only.

PROPOSED DEVELOPMENT

The application proposes 2 no. 3-bedroom detached dwellings that would be sited centrally within the site. The dwellings are two storey and would be finished in brickwork. They are north facing with south facing rear gardens. A hardstanding area for parking to the front of the houses is shown, with bicycle storage and a bin store to the side of the each of the dwellings. Pedestrian and vehicular access to the dwellings would be along the existing lane situated between 8 and 10 Beech Grove, which would remain unaltered. There would also be pedestrian access from Goitre Lane, as existing.

The application has been supported by a Design and Access Statement.

PLANNING HISTORY

There are no records of planning history for the site.

CONSULTATION

Head of Engineering and Highways – Objection.

Planning Ecologist – Objection, insufficient information.

Public Protection – No objection, subject to conditions.

DCWW – No objection, note re asset protection, recommended conditions and advisory notes.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and 2 no. site notices were displayed within the vicinity of the site.

Five letters of objection were received following this publicity exercise which raised the following concerns:

- Boundary wall is in close proximity to rear wall.
- Loss of privacy.
- Loss of light / blocking out sunlight.
- Noise pollution.
- Overlooking from new house in garden and home.
- More cars on an already busy street where children play.

Further non-material planning matters were also raised in relation to the impacts of the development from the construction of the dwellings, a rat problem following demolition of the garages and a decrease in the value of the house.

Local Ward Members were advised of the objections received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Director of Neighbourhood Services.

POLICY CONTEXT

National Policy

The 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) 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 TAN to this application is 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 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 Note 1: Affordable Housing (March 2011)
Supplementary Planning Guidance Note 2: Planning Obligations (March 2012)
Supplementary Planning Guidance Note 4: Sustainable Design (July 2013)
Supplementary Planning Guidance Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the principle of development, impact on character and appearance of the area, impact on residential amenity, parking provision, highway safety and ecology.

Principle of development

The application site is located within the Primary Growth Area (Policies SW1 and SW3), as defined by the LDP, and within the settlement boundary where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policy SW4). The proposal is for residential development within the settlement boundary, and it is acceptable in principle.

Impact on character and appearance

LDP Policy SW11 states that where appropriate new development will be required to 'be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density' (criterion 1) and 'integrate effectively with adjacent spaces, the public realm and historic environment to enhance general street scene and create good quality townscape' (criterion 2).

The application site is accessed off an existing narrow lane / footpath and the proposed dwellings would sit directly to the rear of existing terraced residential properties that face Beech Grove (to the west), Sycamore Road (to the south) and Goitre Lane (to the east and northeast). The proposed dwellings are detached and two-storey with front forecourt parking and rear gardens.

The prevailing character of the existing dwellings around the application site is two-storey, brick built, predominantly terraced properties and it is considered that their scale and appearance would be largely similar to the character of the area in this respect. However, the proposed dwellings, due to their siting at the rear of a cluster of existing dwellings, would appear as a cramped form of development, particularly when considering the proposed parking layout, associated manoeuvring space (or lack thereof) and the relationship with the existing neighbouring dwellings on all sides.

Whilst the development is to the rear of the existing dwellings with glimpse views only, there is a pedestrian link through the north of the site providing open views of the proposed dwellings in context and it is not considered that the proposal will enhance the general street scene or create a good quality landscape. The design and siting of the dwellings relates poorly to the existing surrounding properties, and they would look out of place within this context.

Overall, the proposed dwellings are considered to be contrary to LDP policy SW11 in that they would have a harmful visual impact on the area. The dwellings would not be appropriate to the layout and form of the local context and would detract from the general street scene and townscape.

Impact on residential amenity

LDP Policy SW11 states that were appropriate new development will be required to 'not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design' (criterion 3).

It is considered that the proposed dwellings would have a detrimental impact on existing levels of residential amenity and on the amenity of any future occupiers due to the proximity to the boundaries causing the dwellings to appear overbearing, and because of overlooking and a loss of privacy from windows in both existing and proposed dwellings.

The proposed dwellings are sited approximately 6.8 metres from the rear dividing boundary wall with the dwellings fronting Sycamore Road (52, 54, 56 and 58) and have a back-to-back distance of approximately 15.5 metres. There are windows at first floor in both the existing dwellings and proposed dwellings. The siting of the proposed dwellings and the short distances to the boundary and rear wall of existing dwellings will result in opportunities for overlooking and a loss of privacy, both for existing residents and future occupiers. Furthermore, the proximity of the dwellings to the boundary will be overbearing.

In relation to the properties fronting Beech Grove (4, 6 and 8), the side of Plot 1 would be approximately 2.2 metres from the dividing boundary wall with an overall side-to-back distance of approximately 15m. Whilst the only window in the side elevation of Plot 1 is to serve a bathroom and this could be conditioned to be obscured glazing, the design which amounts to a blank elevation and at two storeys in such proximity to the existing dwellings creates a development that is overbearing and unneighbourly.

In relation to the properties fronting Goitre Lane (3 & 5) which face east, the side of Plot 2 would be approximately 2.2 metres from the dividing boundary with an overall side to back distance of approximately 16 meters. In addition, 11 Goitre Lane which faces north and is offset from Plot 2 has a shared a boundary along the depth of its rear garden approximately 2.2 metres from the dividing boundary and has a corner-to-corner distance

of approximately 4 metres with Plot 2. The relationship to these properties is like those on Beech Grove insofar as the side bathroom window could be obscured glazed to prevent overlooking, but the proximity of Plot 2 to the existing dwellings coupled with its design creates a development that is overbearing and unneighbourly.

A request was submitted to the applicant for a drawing to show street scene elevations to better understand the height of existing dwellings in relation to the proposed, but this has not been forthcoming. However, even without this additional information it is clear to see that the proposed siting and design of the dwellings will result in an unacceptable impact on local amenity and the application cannot be supported.

Access, parking provision and highway safety

LDP Policy SW11 states that where appropriate new development will be required to 'allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards' (criterion 5)

The Head of Engineering and Highways has raised concerns and objected to the application. Whilst the drawings indicate the dwellings to be two bedrooms, a first-floor room labelled 'study' has the potential to be used as a bedroom, so the application has been considered on that basis.

Access to the proposed dwellings would be via the existing access to the garages. The existing access measures approximately 2.7m wide, only sufficient for single file vehicle movements. The proposed access and parking area also lacks sufficient turning area to allow vehicles to enter and exit in a forward gear (which makes it materially different from how the garages can currently operate if they were put back in use because there is manoeuvring space available). No alterations have been proposed to the access and its use would result in vehicles reversing onto the public highway, which is unacceptable and detrimental to highway safety and the free flow of traffic.

In accordance with Wales Parking Standards 2008, residential dwellings have an off-street parking requirement of 1 space per bedroom (up to a maximum requirement of 3 spaces). As such the requirements could be for a total of 6 spaces i.e., 3 spaces per dwelling. The submitted block plan indicates that each dwelling can accommodate a single parking space to the front. However, access to the spaces is obstructed and they appear unusable as a result.

Whilst the parking standards are maximum and in accessible areas like this a relaxation can be applied, in this instance given that the proposal results in the loss of garages serving existing properties (notwithstanding they appear to not be used currently), most properties rely on on-street parking, which makes the area around the site congested. The single space to the front of the proposed dwellings appears unusable such that the off-street parking indicated does not contribute to the proposals off-street parking provision. This creates further pressure for on-street parking, which is unacceptable and detrimental to highway safety the free flow of traffic.

Ecology

Policy EnW1 requires development proposals to 'promote the resilience of ecosystems. Proposals will be required to maintain and enhance biodiversity interest unless it can be demonstrated that: 1. The need for the development clearly outweighs the biodiversity value of the site; and 2. The impacts of the development can be satisfactorily mitigated and acceptably managed through future management regimes.

The Planning Ecologist has reviewed the application and has required a Preliminary Roost Assessment (PRA) for bats and nesting birds of the site. The PRA is required to provide sufficient information for the local planning authority to assess any potential adverse impacts of the proposed development on priority and protected species and / or habits, or to identify what further information is required before a full assessment is possible. The result of a PRA would be used to inform whether further surveys are required, or to establish the need for and extent of any mitigation and compensation measures required as part of the proposed development.

Despite a request to the applicant no PRA has been submitted in support of the application and the potential for impact on priority and protected species and / or habitats cannot be assessed.

Planning Obligations

Policy SW9 relates to planning obligations. Given that the proposal is for two dwellings, onsite provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. However, Community Infrastructure Levy (CIL) is chargeable on residential development in this part of the County Borough and would be chargeable if the proposed development were acceptable.

CONCLUSIONS

For the above reasons the proposed development by reason of its siting and design would have an adverse impact on the character and appearance of the area and a detrimental impact on residential amenity of existing and proposed occupiers. The lack of adequate access and off-street parking provision would be detrimental highway safety. In addition, insufficient information has been provided to assess the potential impact on priority and protected species and / or habitats.

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.

RECOMMENDATION: BE REFUSED for the following REASONS:

1. The proposed dwellings due to their siting and design would have a harmful impact on the character and appearance of the area and would fail to enhance the general street scene. As such, the proposed dwellings are contrary to Policy SW11 (criteria 1 and 2) of the adopted Merthyr Tydfil Replacement Local Development Plan 2016 - 2031.
2. The proposed dwellings due to their siting and design would result in an unacceptable impact on the amenity of the existing occupiers of adjoining properties, in particular on 2, 4, 6 and 8 Beech Grove, 52, 54, 56 and 58 Sycamore Road and 3, 5 and 11 Goitre Lane. The proximity of the proposed dwellings to the shared boundaries and distance from the existing dwellings will result in overlooking, a loss of privacy and an overbearing development. As such the proposed dwellings are contrary to Policy SW11 (criterion 3) of the adopted Merthyr Tydfil Replacement Local Development Plan 2016 - 2031.
3. The proposed means of access to the dwellings is substandard and the layout of the proposed front forecourt parking area is insufficient. By design this would result in traffic manoeuvres that are detrimental to highway safety and the free flow of traffic on the public highway. Furthermore, the developments lack of adequate off-street parking provision would result in additional pressure for on-street parking demand to the detriment of highway safety and the free flow of traffic. As such, the proposed development is contrary to Policy SW11 (criteria 5) of the adopted Merthyr Tydfil Replacement Local Development Plan 2016 - 2031.
4. Insufficient information has been submitted to enable the local planning authority to fully assess the ecological impact of the proposed development. As such, the proposed development is contrary to Policy EnW1 of the adopted Merthyr Tydfil Replacement Local Development Plan 2016 - 2031.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services



DATE: 24.08.2023