

Application No.
P/16/0165

Date
3rd June 2016

Determining Authority
MTCBC

Proposed Development

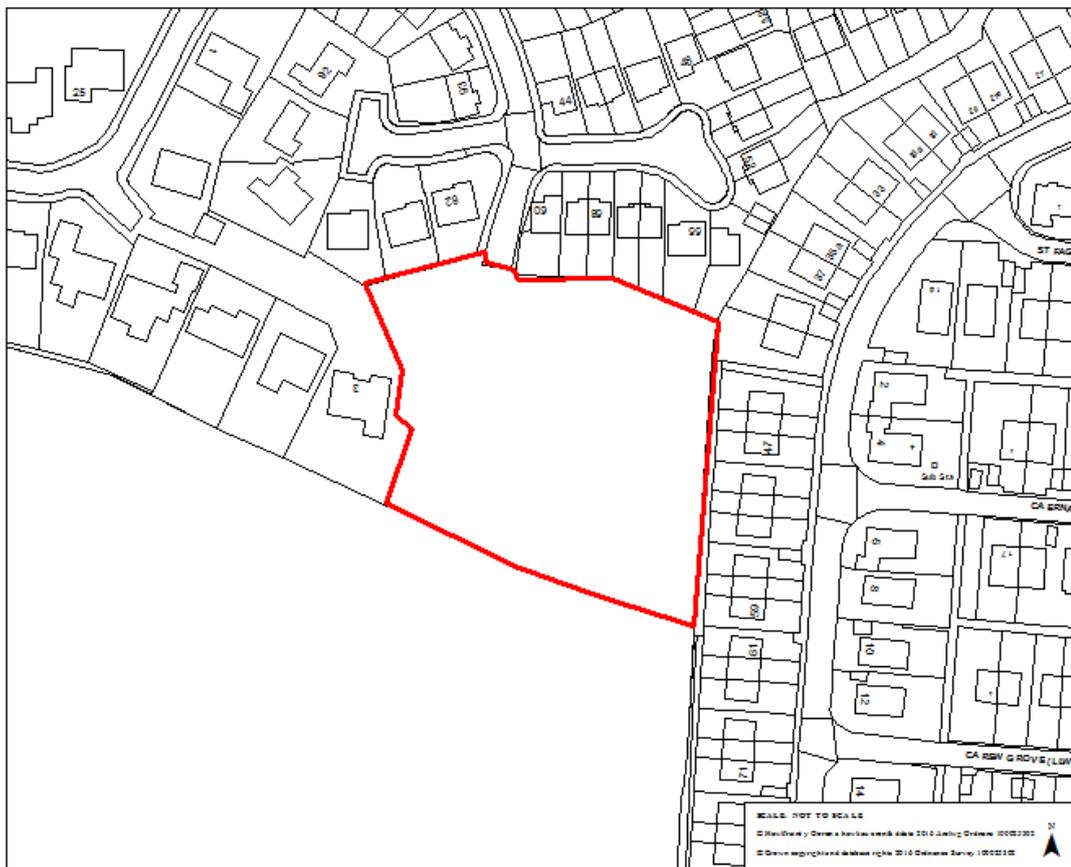
Location

Name & Address of Applicant/Agent

Erection of 4 detached dwellings and 10 semi detached dwellings and associated access road

Land To The South Of Nos. 54-60 And Nos. 82, 84 And 86 Beacon Heights Swansea Road And To The West Of Nos. 41-59 (odds Only) Harlech Drive Castle Park Merthyr Tydfil

Davies Homes (Merthyr) Limited
F.a.o. Mr A Smith
7 Gelliwastad Road
Pontypridd



APPLICATION SITE

This application relates to an irregular shaped area of land measuring approximately 0.59 hectares. The site is largely enclosed by existing residential properties with Beacon Heights to the north, Heol Corn Du (self build development) to the west and Harlech Drive to the east (Castle Park). To the south of the site is vacant land which forms part of the open countryside. It is evident that some preliminary works have already been carried out within the site with the ground having been cleared of any vegetation and the land re-profiled in preparation for its development.

The site is generally elevated above Beacon Heights and Harlech Drive with the topography sloping down from south to north. The dwellings (Heol Corn Du) to the west are elevated above the application site. Access into the site is via the adopted highway serving Beacon Heights which passes between No. 60 and 82 Beacon Heights.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of 10 semi-detached dwellings and 4 detached dwellings located around a new access road. The site forms the last phase of the Beacon Heights development which is allocated in the Local Development Plan for residential development. It is noted that this proposal is essentially a re-submission of a previous application (P/09/0044) for 14 dwellings, which was granted permission in 2009. That scheme was not implemented and the permission expired in 2014.

The proposed detached 4 bedroom dwellings would measure 10.25m wide by 9.3m deep and 7.7m high with a pitched roof. These dwellings would have two, two-storey, projecting gable features to the front elevation, a canopy over the main entrance and an integral garage. Two parking spaces would be provided on the driveways.

The proposed pair of semi-detached 3 bedroom dwellings would measure 11.5m wide by 9.5m deep and 7.1m high with a pitched roof. These dwellings would each have two-storey gable features to the front elevation with a canopy over the main entrance. Two parking spaces would be provided on each of the driveways.

The proposed dwellings would be constructed around the proposed access road to form a cul-de-sac layout. The new road would link to the existing adopted highway serving Beacon Heights and have a 5.5m wide carriageway with a 1.8m wide footway on either side. The road would measure approximately 52m in length and would accommodate a turning facility. The dwellings would generally back onto the rear garden areas of neighbouring properties. To integrate the development with the surrounding properties, it is proposed to re-profile the site by removing a considerable amount of material.

A detailed landscaping scheme has been provided which includes the planting of trees within the front garden areas and hedgerows along some of the front garden boundaries. Planting would also be provided to either side of a new pedestrian footpath to the east of the site which would provide a link to Harlech Drive.

PLANNING HISTORY

- | | | |
|-----------|---|---|
| P/09/0044 | - | Erection of 4 detached dwellings and 10 semi-detached dwellings and associated access road. |
| | | Permission GRANTED on 03.07.2009 |
| P/07/0568 | - | Erection of 11 detached dwellings and associated access road. |
| | | REFUSED at Committee on 02.07.2008 for the following reason: |

“The proposed dwellings on Plots 7-11, by virtue of their elevated position, will give rise to unacceptable levels of overlooking onto existing neighbouring rear garden areas (Nos 54-60 Beacon Heights and Nos 41-59 Harlech Drive (odds only)), resulting in a loss of privacy to the occupiers of such properties, to the detriment of the standards of amenities that such neighbouring occupiers can reasonably expect to enjoy, contrary to Policy H2 of the Merthyr Tydfil Borough Local Plan.”

CONSULTATION

Internal consultees

- | | | |
|---|---|--|
| Engineering and Traffic Group Leader | - | No objection subject to conditions relating to surface water drainage, retaining works and traffic management. |
| Town Planning Division's Policy & Implementation Group Leader | - | No objection |
| Town Planning Division's Countryside Officer | - | No objection. |
| Town Planning Division's Landscape Architect | - | No objection. |
| Environmental Health Manager | - | No response. |
| Housing Strategy Officer | - | No objection. |

External consultees

- | | | |
|----------------------------|---|---|
| Welsh Water | - | No objection subject to a condition relating to a drainage scheme for the site. |
| Wales & West Utilities | - | No response. |
| Western Power Distribution | - | No response. |
| South Wales Police | - | No objection. |

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties on the 9th June 2016, two site notices were displayed in the vicinity of the site on the 9th June 2016 and a press notice in the local newspaper was advertised on the 23rd June 2016.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

The following policies are relevant in the determination of this application:

National planning policy

Planning Policy Wales (PPW), 8th Edition, January 2016:

Para 4.11.9 – 4.11.12 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Regard should be given to the appropriate scale, appearance, landscaping and quality of building design and should also be accessible for all.

Para 5.5.1 – 5.5.3 notes that the impact a development proposal may have on wildlife or the landscape is an important consideration in determining applications. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Para 8.7.1 sets out the criterion that should be considered where transport implications may occur, such as impacts on local travel demand, public transport provision, accessibility and highway safety.

Para 9.3.1 – 9.3.4 highlights that new housing schemes should be well integrated with and connect to the existing patterns of settlements. Sensitive infilling of small groups of houses, or minor extensions to groups may be acceptable, though much will depend upon the character of the surroundings. In determining applications for new housing, particular regard shall be given to the area's character, amenity and density. High quality design and landscaping standards are also important.

Local Planning Policy

Adopted Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

- Policy BW1 - Development strategy – Primary Growth Area.
- Policy BW4 - Settlement boundaries / locational constraints.
- Policy BW6 - Townscape and built heritage.
- Policy BW5 - Natural heritage.
- Policy BW7 - Sustainable design and place making.
- Policy BW8 - Development and the water environment.
- Policy BW12 - Development proposals and transport.
- Policy BW17 - Securing community infrastructure benefits.
- Policy AS1 - Housing allocations in the Primary Growth Area.
- Policy AS4 - Historic landscape.
- Policy AS22 - Affordable housing contributions.
- Policy TB11 - Access, parking and accessibility of local facilities.

Supplementary Planning Guidance (SPG):

- SPG1 - Affordable Housing, March 2012.
- SPG2 - Planning Obligations, March 2012.

- SPG4 - Sustainable design, July 2013.
- SPG5 - Nature and Development, May 2015.

Other material considerations:

- CSS Wales Parking Standards, January 2008.

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement boundary and Primary Growth Area as defined by the LDP, where the majority of new development is encouraged. The site is also allocated (H3) in the LDP for housing development, which includes the wider part of Beacon Heights to accommodate a total of 153 residential units. It is considered that the proposed development of the site to accommodate 14 dwellings is acceptable, given that permission has previously been granted for a similar residential scheme (P/09/0044) on the same site. Therefore, the proposal complies with policies BW1, BW4 and AS1 of the LDP.

Design

The residential area surrounding the application site is characterised by a mixture of detached and semi-detached dwellings of differing designs and styles that represent the various phases of development within the Beacon Heights estate. The majority of the properties in the area are constructed using a combination of brickwork and rendered external finishes with concrete roof tiles.

The layout of the development would create a cul-de-sac arrangement that would be seen as a continuation of the existing pattern of development in the area and would essentially form an extension to the Beacon Heights estate to the north of the site. The proposed dwellings would be of a modern design incorporating gabled features, porches and canopies that reflect the character of neighbouring properties. Additionally, the proposed external brickwork finishes to the elevations with concrete roof tiles would be similar to those used on the neighbouring properties.

It is considered that the general layout of the development and the design of the detached and semi-detached dwellings would complement the existing character and appearance of the area. Therefore, the proposal complies with policy BW7 of the LDP.

Amenities

The proposed dwellings along the northern and eastern part of the site (Plot 1 and 11-15) pose the greatest potential to impact on the amenities of neighbouring occupiers in terms of overlooking. The finished floor levels of these dwellings are elevated above the ground level of the existing neighbouring properties in Beacon Heights and Harlech Drive. It is proposed that along part of the northern boundary of the site a 2.4 metre high fence would be provided instead of a typical 1.8 metre high fence, which helps to ensure the privacy of the neighbouring occupiers is not adversely impinged upon. The proposed dwellings on plots 13, 14 and 15 would be at least 21m away from the properties in Beacon Heights.

The dwelling on plot 1 would be constructed approximately 9.5m to 10.5m away from No. 84 Beacon heights, with the side elevation (incorporating no windows) orientated towards their adjoining garden area. As such, there would be no overlooking concerns. It is accepted that this dwelling would have some impact on the adjoining rear garden area of No. 84 Beacon heights given its close proximity (2m) from the garden boundary. However, this arrangement is a common characteristic of the area due to the density and layout of the Beacon Heights estate. No concerns have been raised by the adjoining occupants who were sent a letter to inform them of this proposal. It is considered that the dwelling on plot 1 would not result in an adverse impact of the amenities of neighbouring properties.

The dwellings along the eastern boundary of the site would be constructed at least 16m away from neighbouring properties along Harlech Drive. These dwellings would also be orientated at an acute angle to Harlech Drive, and would not directly face the front elevation of those properties.

Whilst the development adjoins No. 3 Heol Corn Du (to the west), this property is situated in an elevated position to the application site. As such, the proposal would not have an adverse impact on their residential amenity.

Taking into consideration the siting of the proposed dwellings, the ground levels, their orientation and the provision of higher boundary fencing, it is considered that the proposed development would not adversely impinge on the amenities of neighbouring occupiers in terms of overlooking or overbearing impacts. In this regard it is acknowledged that no objection has been raised by the local residents. Therefore, the proposal complies with policy BW7.

Ecology

The application site, in its current condition, is of limited ecological value given that the ground has been subjected to extensive engineering operations i.e. deposition of materials and re-profiling works. The site does not contain any trees or hedgerows or other forms of vegetation of any value. As such it is considered that the proposal would not have a significant impact on the ecological value of the site. The introduction of an acceptable landscaping scheme will enhance the ecological/biodiversity value of the site. It is acknowledged that the Town Planning Division's Countryside Officer has raised no objection to the proposal. Therefore, the proposal complies with policy BW5 of the LDP.

Heritage

It is noted that the site lies adjacent to an area of early industrial remains (Iron Ore Scours and Patch Workings) that is designated as a Scheduled Ancient Monument (SAM) and lies within the Merthyr Tydfil Landscape of Outstanding Historic Importance.

Given that the site is allocated in the LDP for residential development it is considered that the principle of residential development adjacent to the SAM is acceptable. Taking into account the sloping nature of the site and extent of the pre-profiling works required, the development would be partly screened by an embankment along the southern boundary of the site. Visually, the proposal would be seen as a continuation of the existing development in the area, which links Heol Corn Du to Harlech Drive and would effectively complete the extent of the Beacons Heights estate. It is noted that a similar scheme was previously

approved on the site (P/09/0044), at which time both Cadw and the Glamorgan Gwent Archaeological Trust had raised no concerns with the development. The site circumstances remain the same and as such, it is considered that the proposed development would not have an adverse impact on the character or setting of the SAM or the historic landscape. Therefore, the proposal complies with policies BW6 and AS4 of the LDP.

Highways

The proposed access road, which is to be constructed to adoptable standards, is considered to be of an appropriate design in terms of its dimensions, gradient, visibility for drivers, as well as the provision of footways and a turning facility. The new access and existing highway infrastructure is deemed to be capable of accommodating the additional traffic generated by the development. Adequate off-street parking would be provided with parking spaces on driveways and in integral garages. Furthermore, a new pedestrian link would be provided to an existing footpath that runs alongside the eastern boundary of the site. This assists in the integration of the development with Harlech Drive and provides a suitable link to nearby local facilities. It is acknowledged that the Engineering and Traffic Group Leader has raised no highway safety concerns. Therefore, the proposal complies with policies BW12 and TB11 of the LDP.

Planning obligations

Policies BW17 and AS22 of the LDP consider the requirement for planning obligations and affordable housing contributions respectively. The provision of a 10% on-site affordable housing contribution is normally sought on residential schemes for 10 or more units within the Primary Growth Area. This would translate to the provision of 1 affordable dwelling within the site. However, it has been highlighted by the Housing Strategy Officer that there is no interest from the Registered Social Landlords (RSL) in purchasing and managing one residential property. In this regard the RSL's have indicated that the provision of a 3 bed semi-detached property would not meet the current demand for smaller units. Notwithstanding this, the RSL's have indicated that the relatively isolated nature of the development in relation to existing social housing stock would likely present management issues. As such, a financial contribution has been sought in-lieu of on-site provision.

Using the Three Dragon's Toolkit, the Town Planning Division's Policy & Implementation Group Leader has assessed the viability of the development. In this instance a financial contribution towards the provision of affordable housing in the area is required, together with an appropriate monitoring fee. This would be secured by means of a Section 106 agreement. The terms of the Section 106 agreement would require the applicant to pay an affordable housing contribution of £10,000 to the Council.

CONCLUSIONS

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

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS** and the applicant (and anyone else with an interest in the land) **ENTERING INTO A SECTION 106 AGREEMENT.**

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:

- Dwg No. DD/BHMT/100 Site Layout
- Dwg No. DD/BHMT/600 Cross Sections
- Dwg No. DD/DT/100 The Sandford
- Dwg No. DD/SD/100 The Felton
- Dwg No. 212131-04 Rev A Road Construction Details
- Dwg No. 212131-01 Rev B Engineering Layout
- Dwg No. 21213-10 Typical Retaining Wall Details
- Dwg No. 212131-02 Rev B Proposed Regrade Layout
- Dwg No. 212131-08-01 Regrade X-Sections - Sheet 1
- Dwg No. 212131-08-02 Regrade X-Sections - Sheet 2
- Dwg No. 212131-03 Rev A Road & Sewer Long Sections / Schedule
- Dwg No. 212131-05 Rev A Road and Sewer Setting Out
- Dwg No. 212131-06 Rev B Section 38 Colouring
- Dwg No. 212131-07 S104 Adoptable Chambers
- Dwg No. 212131-11 S104 Colouring
- Dwg No. DD/BHMT/300 Street Lighting Design

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

3. **No development shall commence** until details of a sustainable drainage scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the dwellings and retained in perpetuity.

Reason - To ensure adequate disposal of foul and surface water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

4. Notwithstanding the submitted details **no development shall commence** until additional site sections through each of the plots identifying the existing and proposed ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To protect residential and visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

5. Notwithstanding the details submitted **no development 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 in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

6. 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 BW7 of the Merthyr Tydfil Local Development Plan.

7. The boundary treatments as illustrated on Drawing No. DD/BHMT/100 shall be completed in accordance with the approved details prior to the occupation of the dwellings and retained as such thereafter.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

8. 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 Policy BW7 of the Merthyr Tydfil Local Development Plan.

9. The access road and footways hereby approved, shall be constructed in accordance with the approved details and completed up to base course level prior to the occupation of any dwelling and fully completed (wearing course level) prior to the occupation of the last dwelling, hereby approved.

Reason - In the interests of highway safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

10. 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 principle 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 BW7 of the Merthyr Tydfil Local Development Plan.

11. Notwithstanding the provisions of schedule 2, part 1, classes A and E 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 extensions, buildings or raised platforms shall be erected other than those expressly authorised by this permission.

Reason - In the interest of visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

12. **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 BW7 of the Merthyr Tydfil Local Development Plan .

INFORMATIVES

1. The requirement to notify the Local Planning Authority of an intention to commence development is contained within the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended). You are advised to submit a Notification of Initiation of Development form, in line with Schedule 5A of the above Order.

The Order also specifies that a site notice is to be displayed (as required by Section 71ZB of the 1990 Act) at all times when development is being carried out which must be in the form set out in Schedule 5B (or in a form substantially to the like effect). The site notice must be firmly affixed and displayed in a prominent place, be legible and easily visible, and, be printed on durable material.
