



MERTHYR TYDFIL
County Borough Council
Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL

PLANNING , REGULATORY AND LICENSING COMMITTEE MEETING

**4.00 pm WEDNESDAY, 2ND MARCH, 2016
COUNCIL CHAMBER**

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Any reference documents referred to but not published as part of this agenda can be found on the Council's website or intranet under Background Papers.

A G E N D A

1. Apologies for absence
2. Declarations of Interest

Members of the Planning and Regulatory Committee are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct.

- a. Members are reminded that they must identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
- b. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chair when they leave.

OPEN SESSION

Planning Applications - Recommendations under the Town and Country Planning Act 1990 and the Planning and Compensation Act 1991

3. P/15/0369 - Former Old Mount Pleasant School, Cardiff Road, Merthyr Vale, Merthyr Tydfil
To consider a report of the Corporate Director **(Pages 1 - 8)**
(Place and Transformation).
4. P/15/0433 - Land to the rear (south) of No. 9-15 Newton Street, Abercanaid, Merthyr Tydfil
To consider a report of the Corporate Director **(Pages 9 - 18)**
(Place and Transformation).

Information Reports

5. Delegated Decision Report List - 1st to 31st January 2016
To receive a report of the Corporate Director **(Pages 19 - 24)**
(Place and Transformation).

Other Business

6. Any Other Business as Deemed Urgent by the Chair

COMPOSITION:

Councillors C T Jones (Chair)
B E Mansbridge (Vice-Chair)

H Barrett, T Chaplin, E Galsworthy, A Jones,
W R Smith, G Lewis, S Slater, L E Smart and
S Williams

together with appropriate officers

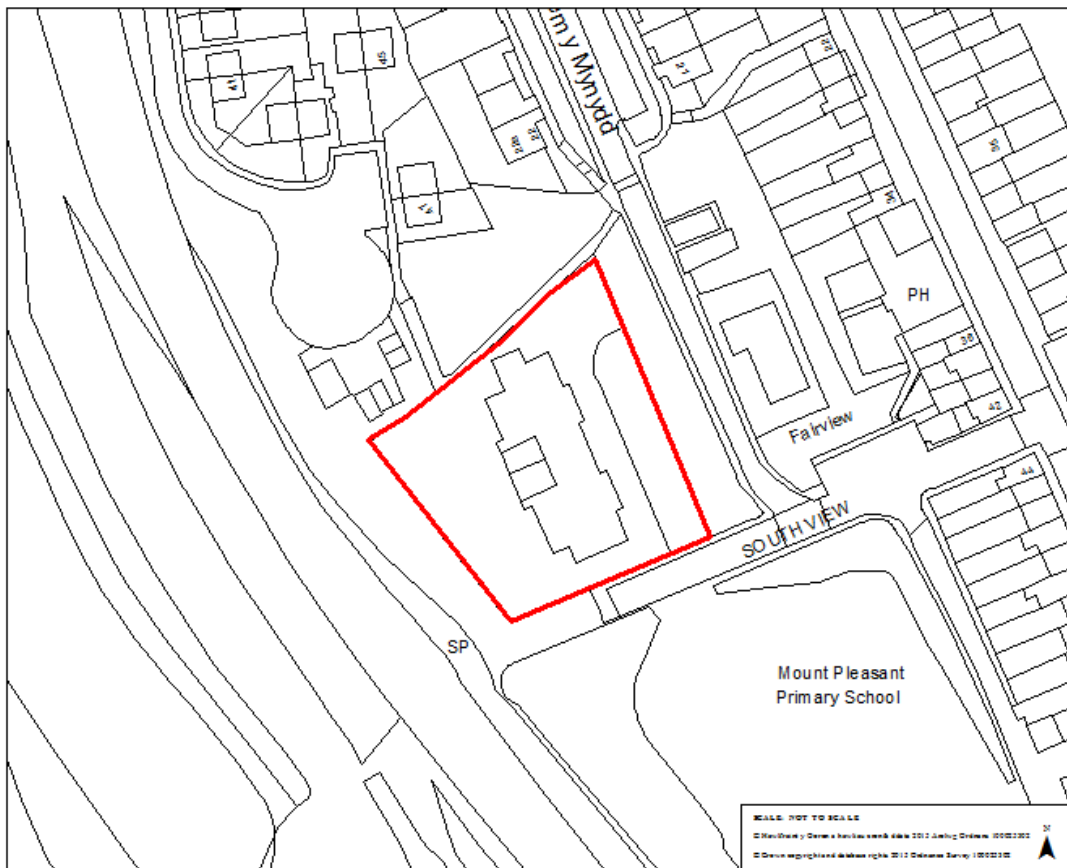
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Agenda Item 3

Application No.	Date	Determining Authority
P/15/0369	25th January 2016	MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Change of use from school (Use Class D1) to a bunk house (Sui Generis) and the provision of a new car parking area	Former Old Mount Pleasant School Cardiff Road Merthyr Vale Merthyr Tydfil CF48 4TD	Mr Tahsin Atas c/o 3dcadwales Limited F.a.o. Mr P Harris 5 Ashlea Drive Thomastown Merthyr Tydfil



APPLICATION SITE

This application relates to the former Mount Pleasant School which closed in 2010 and was then used as the Merthyr Tydfil Learning and Well-Being Centre until 2011. The building has subsequently remained vacant for a number of years.

The site is bound to the south-east by South View with a sports field beyond and to the south-west is vacant land which abuts a railway line with the Taff Trail on the opposite side. To the north-east is a sloping grassed embankment with a number of trees that adjoins Mount View. A public footway runs along part of the northern boundary of the site with a group of garages and a hard standing area located opposite the north-west corner of the site.

The majority of the application site is hard surfaced with a grassed embankment and tree located in the eastern part of the site. The school building is also located on an upper plateau with the western part of the site being at a lower level. Access into the site is limited to pedestrian entrances only, which are located at the northern and southern ends of the site.

PROPOSED DEVELOPMENT

Full planning permission is sought for the change of use of the school building to a bunk house, which would provide rooms with up to 34 beds, communal bathroom facilities, a hall and kitchen area, along with staff accommodation and office space. There are no proposed alterations or extensions to the existing building.

The applicant has indicated that the proposed bunk house would provide accommodation for recreational / tourism activities in the area including mountain bikers visiting Bike Park Wales, cyclists using the Taff Trail and by hikers visiting Brecon Beacons. The building is not to be used for any other temporary form of accommodation.

A new vehicular access into the site from South View would be created which would involve the removal of part of the boundary wall to form a 4.8m wide entrance. A total of 13 parking spaces with turning facilities would be provided in the eastern part of the site.

Councillor Mansbridge has requested that this application be reported to Committee so that the proposed access and highway safety implications of the development can be considered.

PLANNING HISTORY

There is no relevant planning history relating to the application site.

CONSULTATION

Engineering and Highways Manager	-	No objection.
Town Planning Division's Policy & Implementation Group Leader	-	No objection.
Town Planning Division's Countryside Officer	-	No objection.
Environmental Health Manager	-	No response.
Economic Development and Tourism Manager	-	No objection
Welsh Water	-	No objection subject to conditions relating to foul, surface water and land drainage.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, three site notices were displayed within the vicinity of the site.

As a result of this publicity exercise a petition has been received with a total of 152 signatures. The main concerns raised are as follows:

- The development would result in additional traffic in the area which poses health and safety concerns for children who play in the vicinity and use the highway to visit a nearby playground.
- The building is not suitable for commercial use where people will reside or visit the building at all hours.
- There are a number of bunk houses in Merthyr Tydfil and it is questioned whether there is a need for any more.

POLICY CONTEXT

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

National planning policy:

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

Sections 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.

Sections 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.

Section 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.

Section 11.1.13 states that local authorities should seek to protect and enhance the rights of way network as a recreational and environmental resource, as well as promote the use of national cycle networks.

Local planning policy:

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

- Policy BW3 - Development Strategy – Other Growth Areas
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW15 - Community facilities
- Policy BW16 - Protecting / enhancing the network of leisure facilities
- Policy TB11 - Access, parking and accessibility of local facilities

Supplementary Planning Guidance (SPG):

- SPG 5 – Nature and Development, May 2015

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement limits as defined by the LDP, where new development is generally supported in principle by policy BW4 of the LDP. The site also lies within the ‘Other Growth Area’, as defined by policy BW3 of the LDP, where development is limited to proposals that sustain the integrity and vitality of the existing settlement.

Policy BW15 of the LDP seeks to protect and enhance the provision of community facilities within the County Borough. Where development proposals would result in a loss of an existing community facility, permission should only be granted where:

- Alternative provision of at least equivalent value to the local community can be provided nearby, or
- It can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- It can be demonstrated there is no longer a viable community use for the facility.

The former Mount Pleasant School was closed in 2010 as it was deemed to be surplus to the requirements of the community with alternative provision for children now being accommodated at the Ynysowen Community Primary School. Furthermore, the building has remained vacant for at least 4 years following the closure of the Merthyr Tydfil Learning and Well-Being Centre. Therefore the conversion of the building is considered to comply with policy BW15 of the LDP.

The proposed use of the former school building as a bunk house would provide temporary accommodation that supports recreational activities and tourism in the area and is suitably located near the Taff Trail, which forms part of a network of footpaths and cycleways. It is considered that the proposal would help sustain the quality and vitality of the area and bring an otherwise vacant property back into beneficial use. Therefore the proposal complies with policies BW3, BW4 and BW15 of the LDP.

Design

The former school building is considered to be a prominent and attractive property with brickwork detailing, large glazed windows and a slate roof, which contributes to the architectural quality of the area. Its conversion to accommodate the proposed bunk house would not require any alterations or extensions to the existing building. As such, the architectural qualities of the building and the quality of the area in general can be maintained, which is a more favourable approach than the redevelopment of the site. Additionally, the alterations required to the existing gate and boundary wall to provide a new vehicular entrance into the site from South View are deemed to be generally minor in nature. It is considered that the proposed development would not have adverse impact on the character or appearance of the area. Therefore the proposal complies with policy BW7 of the LDP.

Highways

Access into the site is currently limited to two pedestrian entrances located to the north from Mount View and to the south from South View. There are no alterations proposed to the gated entrance from Mount View. However, alterations would be carried out to widen the existing access from South View to enable vehicles to enter and exit the site. This would involve increasing the width of the entrance from 4m to 4.8m by demolishing part of the existing stone boundary wall.

Whilst the approach to the site along South View is down a steep road, this section of the highway and the proposed vehicular access into the site would be of an acceptable design to accommodate the traffic generated by the development. There would be sufficient room to enable vehicles to enter the site with appropriate turning facilities to allow vehicles to exit in a forward gear. There would also be sufficient room to enable vehicles to pass each other within the site and along South View without impinging on the free flow of traffic in the area.

There are no specific guidelines on the parking requirements for bunk houses, which would differ to the requirements of a hotel or guest house, given that the majority of the rooms accommodate larger groups of 4-12 people. A total of 13 parking spaces would be provided within the site, of which one of these spaces would be required for staff. It is anticipated that the majority of people using the bunk house would arrive as a group by car or in a mini-van.

The Engineering and Highways Manager has requested that a total of 12 visitor parking spaces be provided within the site to serve the bunk house, which would accommodate up to 34 people. This equates to an average of 3 people per vehicle arriving at the site. On this basis, adequate off-street parking provision would be provided to serve the development.

It is considered that the conversion of the building to a bunk house would not give rise to highway safety concerns and the traffic generated would not differ significantly to its original use as a school. As such, the Engineering and Highways Manager has not raised any objection. Therefore the proposal complies with policies BW12 and TB11 of the LDP.

Residential amenity

The nearest residential properties to the application site are the semi-detached and terraced dwellings (approximately 25m) to the north of the site, which form part of Mount View. Fairview bungalow is located (approximately 16m) to the north-east of the site.

In terms of the potential impact on the amenities of nearby residents, the main consideration is whether the proposed bunk house would generate unacceptable levels of noise and disturbance in the area. The original use of the building as a school would have likely generated a greater level of noise and disturbance in the area during peak pickup/drop off times and during the day when the children were playing outside. In comparison, the impact of the proposed development on residential amenity is considered to be minimal. The number of vehicles arriving and leaving the site is likely to be intermittent throughout any day. Additionally, the noise generated by those residing at the bunk house is unlikely to have an adverse impact on neighbours given their distances away from the school building. On this basis, it is considered that the proposed development would not adversely impact on residential amenity and would therefore comply with policy BW7 of the LDP.

Ecology

A Protected Species Survey: Preliminary Bat Inspection Survey report has been submitted in support of this application. Whilst, it is identified that there is some potential for bats to use the building, the report concludes that there was no evidence of bats being present, with no signs of historic use externally or internally. Additionally, no evidence of bird nesting was found. Given that there are no alterations proposed to the school building, the report concludes that the proposal would not have an adverse impact on any bats or birds. In this respect the Town Planning Division's Countryside Officer has raised no objection. Therefore the proposal complies with policy BW5 of the LDP.

Representations

Concerns have been raised that the additional traffic generated by the bunk house poses health and safety risks to children who play in the vicinity and use the highway to visit a nearby playground. As noted above, the traffic generated by the development is not considered to differ greatly from its original use as a school. Additionally, there is an adequate network of footways along the adopted highway leading to the recreational facilities. In this respect, the Engineering and Highways Manager has not raised any highway safety concerns.

In terms of the commercial use of the building, it has been adequately demonstrated that the proposal can be accommodated on the site with appropriate facilities. The level of noise and disturbance is also likely to be less than the original use of the building as a school. It is not deemed necessary to impose restrictions of the times at which people can arrive or leave the site. In this respect it is considered unlikely that there would be significant traffic movements in the early/late hours of the morning and evening.

It is acknowledged that there are other bunk houses located in Merthyr Tydfil that support recreational activities / tourism. Whilst the need for an additional bunk house has been questioned by local residents, the viability of the development is a matter for the applicant to determine and would not form a reason to refuse this application. Furthermore, the Council's Economic Development and Tourism Manager advises that the current accommodation offer in the area is predominantly B&B's with a low number of serviced bunk houses, as such the proposed bunk house would complement the existing tourism sector and support the vision of Merthyr Tydfil County Borough Council in terms of promoting and encouraging tourism.

CONCLUSIONS

For the above reasons the proposed development 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**.

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. No more than 34 guests shall be accommodated within the bunk house hereby approved at any one time and the internal layout of the bunk house shall be provided in accordance with the approved plan (Dwg No. 51024003P) and retained as such in perpetuity.

Reason - To ensure adequate parking provision is available for guests using the bunk house in the interests of highway safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

3. **Before the bunk house hereby approved is brought into use**, the vehicular access, car parking spaces and turning facilities shall be provided in accordance with the approved block plan (Dwg No. 51024072B) and retained as such thereafter.

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

4. **Before the bunk house hereby approved is brought into use**, details of the works necessary to make good any alterations to the existing stone wall to form a new vehicular access into the site, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

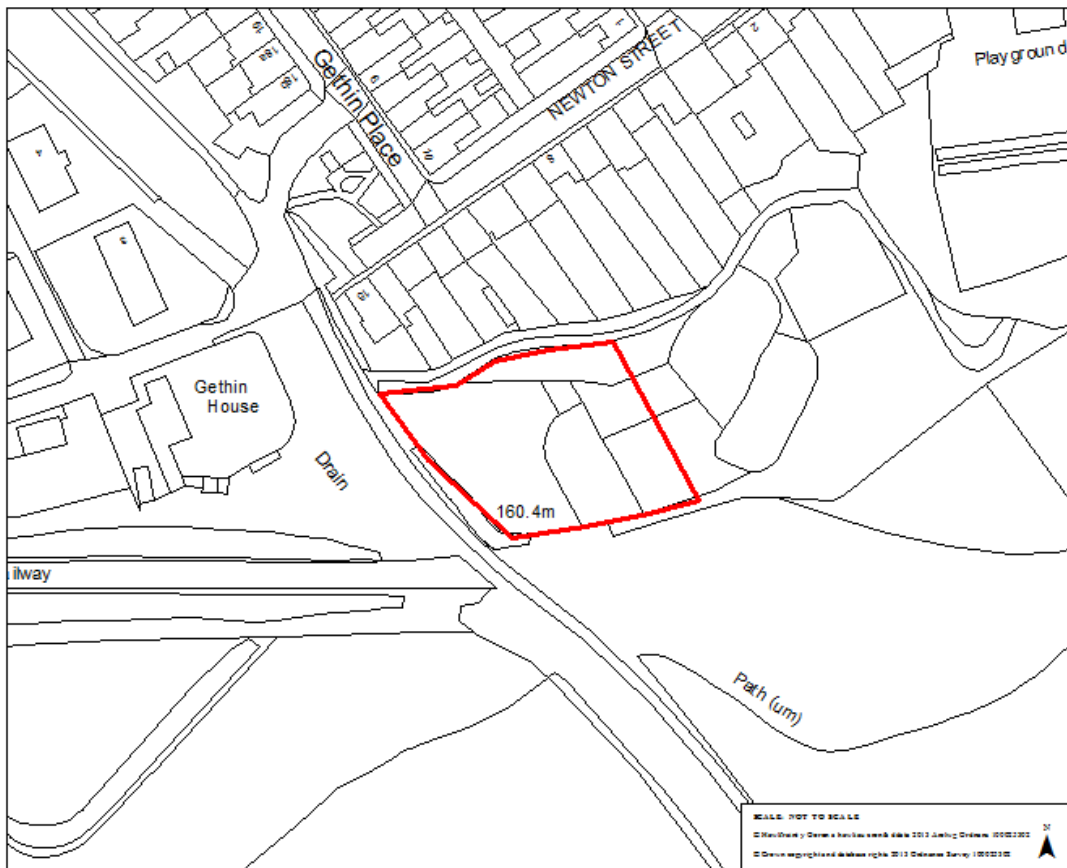
Reason - To ensure the development will be visually attractive and its appearance is in keeping with the character of the area, in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

5. **Before the bunk house hereby approved is brought into use**, details of the gates (including its height, design and materials) that form part of the new vehicular access into the site, shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details.

Reason - To ensure the development is visually attractive and its appearance is in keeping with the character of the area, in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Agenda Item 4

Application No. P/15/0433	Date 29th January 2016	Determining Authority MTCBC
Proposed Development Erection of detached dwelling, barn, shed and car shelter with associated access works	Location Land To The Rear (south) Of No. 9-15 Newton Street Abercanaid Merthyr Tydfil	Name & Address of Applicant/Agent Mr & Mrs F & C Thomas c/o Patrick Borer Architect F.a.o. Mr P Borer Cwmwr Isaf Hirnant Penybontfawr



APPLICATION SITE

This application relates to an irregular shaped area of land measuring approximately 0.2 hectares located on the southern edge of Abercanaid. The site is characterised as an area of vacant grassland with overgrown vegetation along its boundaries including a number of trees and unmanaged hedgerows. The land within the site generally slopes down from west to east.

The site is bound to the west by the Taff Trail, which is elevated above the site and to the north by a watercourse, which also runs along rear garden boundaries of terraced properties that front onto Newton Street. On all other sides the site is bound by vacant land with the open countryside located to the south.

The application site lies entirely within the Afon Taf Site of Importance for Nature Conservation (SINC 58).

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a detached dwelling located within a central position of the site with a barn and car shelter to be erected to the east and south of the dwelling respectively. Additionally, a new access driveway that links to the Taff Trail would be constructed to serve the development and shed would be constructed adjacent to the driveway.

The proposed dwelling would be 'L' shaped measuring 17m wide by 14.3m deep and between 4.3m to 5.4m high with a single pitched roof. The dwelling would be constructed using straw bale walls with timber cladding applied to the external elevations. The building would have a 'green' roof consisting of grass species. The windows and doors would also be of a timber framed construction. Due to the sloping nature of the site, the dwelling would be supported above the ground by timber posts.

The proposed barn would measure 11.7m wide by 5.5m deep and between 3.5m to 4.3m high with a single pitched roof. The barn would be constructed using timber cladding on the elevations and roof with a stone base. The barn is to be utilised for domestic purposes as a workshop and store area.

The car shelter would be constructed using timber posts with a timber roof measuring 3.5m wide by 4.8m deep and 3m high with a single pitched roof. A small shed measuring 1.9m wide by 2.8m deep and 2.3m high would be constructed adjacent to the driveway serving the development.

The proposed driveway would initially be level with the Taff Trail measuring 4.5m wide and reducing to 3m wide with a gradient of 1 in 9 over a length of 20m where it leads to a turning area measuring 7m wide by 6m deep. The driveway would have a gravel surface and would be supported along one side by gabion baskets measuring up to 2.5m high.

Councillor Gareth Lewis has requested this application be reported to Committee to consider the points raised in the objection letters received from local residents.

PLANNING HISTORY

There is no relevant planning history relating to the application site.

CONSULTATION

Engineering and Highways
Manager

- No objection subject to conditions relating to access, drainage and structural design.

Town Planning Division's
Policy & Implementation
Group Leader

- No objection.

Town Planning Division's Countryside Officer	-	No objection subject to a condition relating to a habitat mitigation strategy.
Rights of Way	-	No objection.
Environmental Health Manager	-	No objection.
Welsh Water	-	No objection.
Wales & West Utilities	-	No objection.
Western Power Distribution	-	No response.

PUBLICITY

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

As a result of this publicity exercise **5 letters of objection** were received. The following is a summary of the concerns raised:

- The proposal includes the erection of a barn which infers that livestock would be kept on site adjacent to neighbouring gardens, which would introduce unpleasant odours and encourage rats.
- The development is located within a SINC and will damage both the conservation value and aesthetics of the site and surrounding area.
- The barn would be located next to the bank of a watercourse which is slowly eroding which may be exacerbated by the development.
- The development would give rise to overlooking and overshadowing concerns, particularly in relation to the proposed barn.
- Vehicles entering and exiting the site along the Taff Trail raises health and safety concerns for the users of the Taff Trail, which includes cyclists and horse riders. The access does not conform to current standards with inadequate visibility splays, no turning area, no footpaths or street lighting.
- A covenant on the site precludes the construction of a dwelling on the site.
- Existing boundary walls serving neighbouring properties may be damaged during construction by heavy machinery.
- A main gas pipe and water main exist in the verge of the Taff Trail leading past the site to Gethin Street, which may be affected by the development.
- Access along the Taff Trail needs to be kept free to enable safe access for service, delivery and emergency vehicles.

POLICY CONTEXT

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

National Planning Policy

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

Sections 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.

Sections 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 application. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Section 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.

Sections 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:

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

- Policy BW1 - Development strategy – Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- 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 BW16 - Protecting / enhancing the network of leisure facilities
- Policy BW17 - Securing community infrastructure benefits
- Policy AS4 - Historic landscape
- Policy AS6 - Local nature conservation designations
- Policy AS22 - Affordable housing contributions
- Policy TB11 - Access, parking and accessibility of local facilities

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

Land use

The application site is located within the settlement boundary as defined by the LDP. As such, the development of the site is generally supported by policy BW4 of the LDP. Furthermore, the site is located adjacent to existing residential properties and within the 'Primary Growth Area' as defined by policy BW1 where the majority of new development is encouraged. Therefore the principle of the development is considered to be acceptable.

Design

The proposed dwelling would be located in an area that is somewhat isolated from the existing properties in the area, given its siting to the rear of Newton Street on land that is largely enclosed by existing vegetation.

The dwelling would be setback approximately 15m away from the Taff Trail which helps to minimise any visual intrusion on the enjoyment and recreational use of the Taff Trail. Additionally, the dwelling would be single storey in nature with the ground floor level being constructed at a lower level to the trail. The retention of the existing trees and hedgerows would also screen the majority of the development. As such, it is considered that the proposal would have a limited relationship with the more traditional properties in the area.

The general scale and design of the dwelling with timber cladding on the external elevations and a 'green' roof is considered to be appropriate for the site, given its close proximity to the open countryside and Taff Trail. In this respect the appearance of the dwelling would not be dissimilar to an agricultural building in the countryside. Similarly, the proposed barn (which is to be used as a workshop/store), shed and car shelter are also considered to be appropriately located and would not have an adverse impact on the surrounding area. Furthermore, the gabion baskets would have a limited visual impact on the area and the users of the Taff Trail, given that the retaining structure would largely be hidden by the driveway and existing vegetation.

The general design of the development, which incorporates sustainable building techniques and materials, would not have an adverse impact on the character and appearance of the area. Therefore the proposal complies with policy BW7 of the LDP.

Amenities

The nearest residential properties to the proposed development would be the existing terrace properties along Newton Street, which have rear gardens that lie adjacent to northern boundaries of the site. These terraced properties would be situated at least 27m away from the proposed dwelling and their respective rear gardens are separated (4m-5m away) from the site boundary by a water course. Taking into account the single storey nature of the proposed dwelling, its west to east orientation and the separation distance from the existing terrace, it is considered that the development would not give rise to adverse overlooking or overbearing concerns. Therefore the proposal complies with policy BW7 of the LDP.

Highways

Access to the site from Newton Street would be via a private access road which also forms part of the Taff Trail. This private road serves a small group of dwellings at Gethin Street to the north-west of the site and a number of dwellings further along the Taff Trail to the south-east. There is an existing informal gated access into the application site, which is understood to have been in a place for a few years.

The general design of the driveway in terms of its dimensions and gradients are considered to be of an acceptable standard to serve a single dwelling. Additionally, adequate turning facilities and parking for at least 3 cars can be accommodated within the site. It is considered that there is sufficient visibility for drivers exiting the site to see oncoming traffic, including pedestrians and cyclists. The access road also widens to the north-west of the site which provides sufficient room to enable vehicles to pass along the access road. The traffic speeds along the Taff Trail are expected to be generally low and self regulated by its established shared use with pedestrians and cyclists. It is acknowledged that the Engineering and Highways Manager and the Rights of Way Division have not raised any objection. As such, it is considered that the proposed development would not give rise to adverse highway safety concerns or impinge on the free flow of traffic in the area. Therefore the proposal complies with policies BW12 and TB11 of the LDP.

Ecology

The application site lies entirely within the Afon Taf Site of Importance for Nature Conservation (SINC 58). As such, an Ecological Assessment has been carried out which considers the potential impacts of the development on a number of protected species and the qualities of the SINC. Whilst the assessment identifies the site being used by a small number of reptiles, birds and foraging bats, it is concluded that the ecological integrity of the SINC would be improved through better management of the existing trees and hedgerows which are to be retained, the provision of bat boxes and removal of invasive species.

In this instance, it is considered that the proposal would not have an adverse impact on protected species or the qualities of the SINC and as such the Town Planning Division's Countryside Officer has not raised any objection to the proposal. Therefore the proposal complies with policies BW5 and AS6 of the LDP.

Planning obligations

The requirement for an affordable housing contribution or any other appropriate planning obligations has been assessed by the Town Planning Division's Policy and Implementation Group Leader. In this instance no such planning obligations have been sought as this would likely render the development financially unviable. This conclusion is based on a viability assessment carried out using the default values in the Three Dragons Toolkit. Therefore, the proposed development complies with policies BW17 and AS22 of the LDP.

Representations

Concerns were raised in respect of the siting of the proposed barn adjacent to rear gardens and its use to accommodate farm animals. The applicant has confirmed that the barn is intended to be used as a workshop/store for domestic purposes only and is not to be used

to house animals. The barn has also been repositioned to the east of the dwelling, where it is located further away from the existing properties. Furthermore, this minimises any potential impacts to the embankment of the watercourse and visual impacts along the Taff Trail.

The potential impacts on the ecology of the site, aesthetics of the area and the amenities of neighbouring occupiers have been addressed above in the relevant sections of this report.

Whilst the Taff Trail does not meet the normal standards required for an adopted highway, it is noted that the trail is already used to provide vehicular access to a number of properties in the vicinity. The approach to the site from the north and south has also been considered to ensure there is adequate visibility for drivers and other users of the Taff Trail. In this regard the Engineering and Highways Manager has not raised any highway safety concerns. Furthermore, the right of way along the Taff Trail will be kept open for public use at all times.

No evidence has been submitted to substantiate the claim that the site is covered by a covenant that precludes the construction of a dwelling on the land. Nevertheless, this is not a planning issue and would be a civil matter.

Any damage that may occur to neighbouring properties i.e. boundary walls, would be a matter for the respective land owners to resolve privately and would not be a sufficient reason to refuse this application.

The concerns raised in respect of the potential impacts on existing gas or water mains, which extend past the site in the verge of the Taff Trail have been noted. It should be pointed out that both Welsh Water and Wales and West Utilities have raised no objection to the application.

CONCLUSIONS

For the above reason the proposed development 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:**

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. **Prior to the construction of the dwelling** hereby approved details/samples of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

3. **No development shall commence** until details of a scheme for the disposal of foul and 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 dwelling 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. **No development shall take place** until full engineering details and sections of the proposed access, including structural calculations and 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 access and 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 .

5. **Prior to the occupation of the dwelling** hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the dwelling.

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.

6. **No development shall take place** until a Habitat Mitigation Plan has been submitted to and approved in writing by the local planning authority. The plan shall take in to account the recommendations and mitigations set out in Section 5 of the Ecological Assessment by Merlin Bio-Surveys (Dated May-June 2014). The plan shall also set out the locations, timings, methods of working and protection measures. All works shall be carried out in accordance with the approved details.

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

7. **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 in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

8. 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 dwelling 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.

9. **No development shall take place**, or any demolition works or site clearance, until details of a scheme for the eradication of Japanese Knotweed (*Fallonica japonica*, *Rouse decraene*, *Polygonum cuspidatum*) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason - To ensure compliance with the Wildlife and Countryside Act 1981.

10. Notwithstanding the provisions of schedule 2, part 1, class(s) A, B, D 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, roof alterations, porches or buildings/platforms shall be erected other than those expressly authorised by this permission.

Reason - In the interest of visual amenity and to protect the natural environment in accordance with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

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Agenda Item 5

FOR INFORMATION

DATE WRITTEN	15 February 2016
REPORT AUTHOR	Judith Jones
CASE OFFICER	Various
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	2 March 2016

DELEGATED DECISION REPORT LIST: 1 – 31 JANUARY 2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0225	Land Adjacent To Hyfrydfa Maes Meyrick Heolgerrig Merthyr Tydfil	Erection of detached dormer bungalow with a detached garage	Full Approval	18/01/2016
P/15/0229	Victoria House Victoria Street Dowlais Merthyr Tydfil CF48 3RL	Remove Condition 3 (Affordable Housing Condition) of P/15/0042 for the conversion of former residential care home into 25 self contained flats	Full Approval	14/01/2016
P/15/0266	116 High Street Merthyr Tydfil CF47 8AP	Conversion of 1st, 2nd and 3rd floors into 6 No. apartments	Full Approval	19/01/2016
P/15/0329	60 Woodlands Avenue Treharris CF46 5AS	Retention of change of use of land to private garden and retention of conservatory and outbuildings	Full Approval	06/01/2016
P/15/0341	5 Greenfield Terrace Duffryn Road Pentrebach Merthyr Tydfil CF48 4BU	Retention of two storey rear extension	Full Approval	13/01/2016
P/15/0357	15 Parc Cwm Pant Bach Heolgerrig Merthyr Tydfil CF48 1TQ	Erection of single storey rear extension, erection of boundary fence, re-grading of land in rear garden and erection of associated retaining walls	Full Approval	21/01/2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0376	99 The Hollies Quakers Yard Treharris CF46 5PP	Construction of a detached garage	Full Approval	05/01/2016
P/15/0382	Blaencanaid Farm Heolgerrig Heolgerrig Merthyr Tydfil CF48 1RW	Variation of condition 1 of planning permission P/15/0218 to enable clay pigeon shooting on 3 Sundays in any calendar year between the hours of 10.00 am - 2.30 pm	Full Approval	04/01/2016
P/15/0383	97 High Street Merthyr Tydfil CF47 8UD	Installation of new shop front and erection of chimney stack	Full Approval	07/01/2016
P/15/0387	Land To The North Of Dan Y Mynydd And To The Rear Of No. 69 And 71 Monmouth Drive (Former Twyncarmel Inn) Winchfawr Road Heolgerrig Merthyr Tydfil	Erection of 8 dwellings with associated garages and access road	Refusal	14/01/2016
P/15/0392	Land To The South (130m) Of Cefn Fforest Farm Twynygarreg Treharris	Retention of access track and hardstanding area serving an existing wind turbine	Full Approval	07/01/2016
P/15/0393	2 The Ferns Quakers Yard Treharris CF46 5LQ	Erection of extension to existing detached garage	Full Approval	07/01/2016
P/15/0395	2 Godrer Coed Road Cefn Coed Merthyr Tydfil	Increase the height of the dwelling to provide a 3rd storey. Two storey extension above single storey side extension. First floor extension above single storey flat roof extension. Existing sun lounge to be removed	Refusal	14/01/2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0397	34 Vernon Close Penyard Merthyr Tydfil CF47 0HY	Erection of front dormer extension	Full Approval	11/01/2016
P/15/0398	Pedestrian Walkway Adjacent To Car Park High Street Pontmorlais Merthyr Tydfil	Replacement of existing information board	Advertisement Approval	06/01/2016
P/15/0399	Pedestrian Area Adjacent To Y Dic Penderyn 102 - 103 High Street Merthyr Tydfil CF48 2PN	Replacement of existing information board	Advertisement Approval	06/01/2016
P/15/0400	6 Pant Road Dowlais Merthyr Tydfil CF48 3SH	Retrospective change of use from A1 shop to tattoo studio (Sui Generis)	Full Approval	14/01/2016
P/15/0401	Pedestrian Walkway Adjacent To Castle Street Merthyr Tydfil	Replacement of information board	Advertisement Approval	06/01/2016
P/15/0402	Pedestrian Walkway Adjacent To Old Town Hall High Street Merthyr Tydfil	Replacement of information board	Advertisement Approval	06/01/2016
P/15/0403	Pedestrianised Area At Llys Janice Rowlands Court Street Merthyr Tydfil	Replacement of information board	Advertisement Approval	06/01/2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0404	Pedestrian Area Adjacent To Poundland Graham Street Merthyr Tydfil	Erection of information board	Advertisement Approval	06/01/2016
P/15/0405	Pedestrian Area Adjacent To Pedestrian Link Bridge From College To St Tydfils Shopping Centre College Boulevard Merthyr Tydfil	Erection of information board	Full Approval	06/01/2016
P/15/0406	Pedestrian Walkway Adjacent To Merthyr Tydfil Leisure Centre Merthyr Tydfil Leisure Village Merthyr Tydfil	Erection of information board	Advertisement Approval	06/01/2016
P/15/0408	Penybryn House Galon Uchaf Road Galon Uchaf Merthyr Tydfil CF47 9AR	Single storey side extension	Certificate of Law Granted	05/01/2016
P/15/0410	18 Ynysgored Road Aberfan Merthyr Tydfil	Rear two storey extension, attic conversion and erection of garage at the rear of the property	Full Approval	21/01/2016
P/15/0414	Prince Charles Hospital Gurnos Road Gurnos Merthyr Tydfil CF47 9DT	Extension to existing switch room building at the rear of Cynon Block, erection of a new air handling unit on the roof of the existing McMillan Unit, installation of ventilation items to include 2 roof cowls and five new intake louvres, to support the provision of new maternity neonatal services	Full Approval	28/01/2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0418	Linde Industrial Park Pentrebach Merthyr Tydfil CF48 4LA	Erection of 3m high security fencing and gates	Full Approval	04/01/2016
P/15/0419	Land Adjacent To 4 & 5 Waunwyllt Court Abercanaid Merthyr Tydfil	Erection of 4 No. one bedroom flats and 2 No. two bedroom flats with associated parking area	Full Approval	21/01/2016
P/15/0423	40 Hylton Terrace Bedlinog Treharris CF46 6RG	Erection of two storey rear extension	Full Approval	27/01/2016
P/15/0426	Land Adjacent To 30 Aneurin Crescent Twynyrodyn Merthyr Tydfil	Change of use of land to garden (retrospective)	Full Approval	21/01/2016
P/15/0428	Unit 14C Cyfarthfa Retail Park Swansea Road Merthyr Tydfil	Installation of 1 No. internally illuminated fascia sign and 4 No. poster signs to the front elevation along with logo graphics and vinyl signs to shop entrance. Installation of 1 No. internally illuminated fascia sign and deliveries panel to the rear elevation	Advertisement Approval	29/01/2016
P/15/0430	15 Harris Court Quakers Yard Treharris Merthyr Tydfil CF46 5LX	Erection of rear single storey 'orangery' extension	Full Approval	28/01/2016
P/15/0435	Plot 35 Beacon Heights Swansea Road Merthyr Tydfil	Erection of 1 No. pair of semi detached dwellings	Full Approval	27/01/2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0437	Ysgol Gynradd Coed Y Dderwen Heol Parc Maen Swansea Road Merthyr Tydfil CF48 1LG	Erection of canopy	Full Approval	13/01/2016
P/16/0022	4 Lower High Street Bedlinog CF46 6TG	Certificate of Lawfulness to provide external render to two outbuildings	Certificate of Law Granted	29/01/2016