

Application No.
P/15/0434

Date
11th December 2015

Determining Authority
MTCBC

Proposed Development

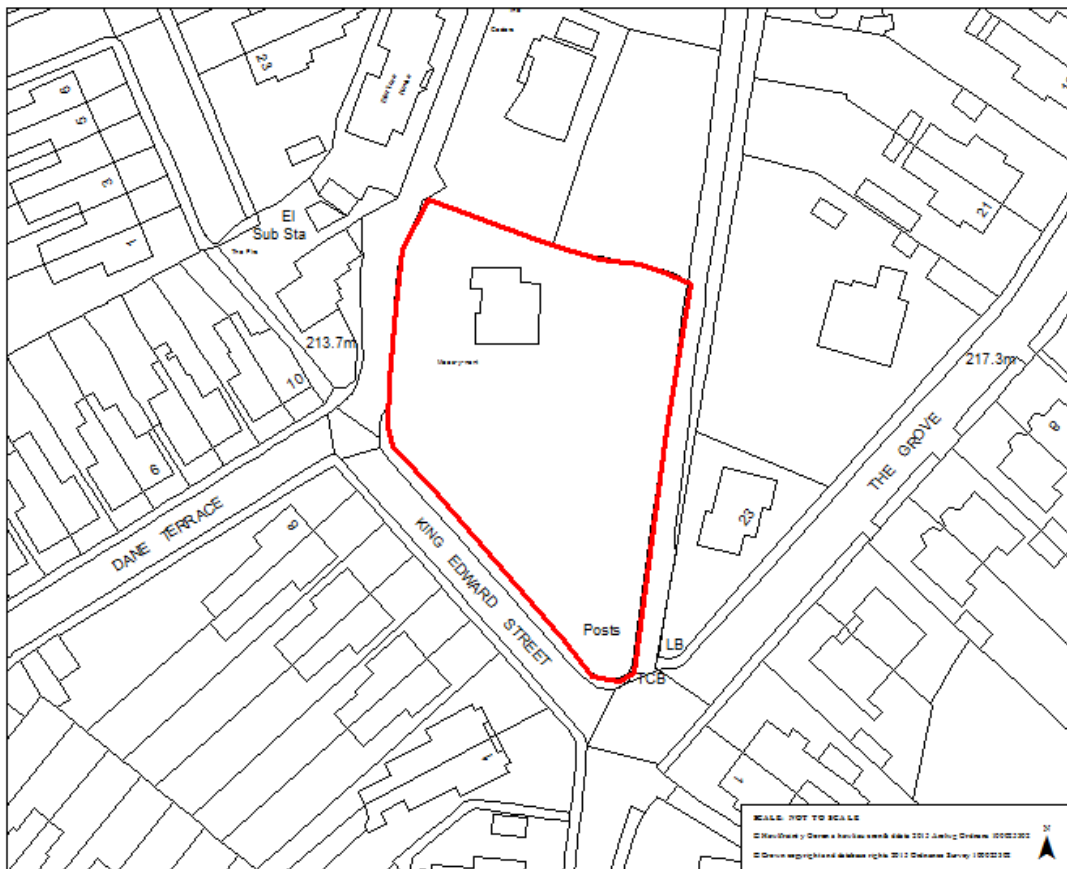
Location

Name & Address of Applicant/Agent

Residential Development

Land At Maesynant
Grove Park
Merthyr Tydfil

Mr S Meredith
c/o Stephen George
Architects
25 Courtland Terrace
Merthyr Tydfil
CF47 0DT



APPLICATION SITE

This application relates to an irregular shaped area of land measuring approximately 0.15 hectares with a maximum depth of 51.5m from north to south and a maximum width of 47m from east to west. The site generally slopes downwards from north to south with a plateau at the centre of the site. There is also a water course located near the eastern boundary of the site.

The application site currently forms part of the residential curtilage of Maes Y Nant which adjoins the northern part of the site. To the west is a private access road serving a number of detached dwellings forming part of Grove Park. A public footpath (Red Lane) runs along the eastern boundary of the site with large detached properties beyond. To the south is an adopted highway serving a row of semi-detached dwellings forming part of King Edward Villas.

PROPOSED DEVELOPMENT

Outline planning permission is sought for the residential development of the site. All matters relating to access, appearance, landscaping, layout and scale have been reserved for future consideration.

An indicative layout plan has been submitted in support of this application which illustrates a potential scheme comprising three detached dwellings with detached garages located to the south of the existing Maes Y Nant property. The upper and lower scale limits of each dwelling would measure between 9m-10.5m wide by 10m-12.5m deep and 9m-11.8m high. The garages would measure between 5.5m-6.5m wide by 5.5m-6.5m deep and 4.3m-5.5m high.

The indicative layout plan suggests that the proposed dwellings would be orientated towards King Edwards Villas, with front and rear garden areas. The garages and driveways would be located to the rear of the properties and served by a shared private driveway which is accessed off King Edward Villas. Members should be aware that this plan simply indicates how the site could be developed. The layout of the site is not being considered under this application. If this application is approved then another application(s) would have to be submitted which proposes the layout and other reserved matters.

Councillor Toomey requested that this application be presented to the Planning & Regulatory Committee so that the merits of this application can be carefully considered.

PLANNING HISTORY

P/14/0322 - Residential Development (Outline).

Permission GRANTED on 05.02.2015

P/12/0169 - Erection of 9 detached dwellings with associated access road and highway works.

REFUSED permission on 27.06.2013 for the following reasons:

1. *The proposed development by virtue of its unacceptable design and poor layout fails to provide an appropriate response to the surrounding context, particularly in terms of the siting of the dwellings and the level of private amenity space provided for each residential plot. The poor layout gives prominence to the extensive parking provision and new access road with limited land made available for the delivery of a comprehensive landscape scheme. Therefore, the proposed development would have a poor relationship with the surrounding area to the detriment of the character and visual amenity, contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.*

2. *The proposed dwellings by virtue of their scale and proportion in terms of their width, height and roof design fail to harmonise with the character/style of the existing properties in the area, resulting in a negative impact on the visual amenity and quality of the street scene.*

Furthermore, the steeply pitched roofs on the gabled features to the front and rear elevation of each dwelling, together with the cramped positioning of the windows (including bay windows) and doors on the front elevations to each dwelling would have an adverse impact on the character and visual amenity of the surrounding area. Therefore the proposed development runs contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.

3. The proposed dwellings located on plots 6 and 7, by virtue of their siting in close proximity to the private garden area serving Elm Tree House, Grove Park, would give rise to an unacceptable level of overlooking that would adversely impinge on the amenities of those nearby occupiers. Therefore the development would be detrimental to the living conditions which those neighbouring occupiers could reasonably expect to enjoy, contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.

The application was subsequently DISMISSED at appeal (Ref: APP/U6925/A/13/2209984) on the 10.03.2014.

P/11/0357 - Erection of 14 dwellings comprising 6 pairs of semi detached and 2 detached, with associated access road and highway works.

Application WITHDRAWN on 11.01.2012

CONSULTATION

Engineering and Highways
Manager

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

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.

Welsh Water

- No objection subject to conditions relating to foul and surface water details.

Wales & West Utilities

- No objection.

Western Power Distribution

- No response.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) Order 2012, letters were sent to neighbouring properties on the 18th December 2015 and three site notices were displayed within the vicinity of the site on the 22nd December 2015.

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

POLICY CONTEXT

The policies listed below are considered to be 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

Adopted 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 BW17 - Securing community infrastructure benefits.
- Policy AS4 - Historic landscape.
- Policy AS22 - Affordable housing contributions.
- Policy TB11 - Access, parking and accessibility of local facilities.

Other Material Considerations

- SPG1 - Affordable Housing, March 2012.
- SPG2 - Planning Obligations, March 2012.
- SPG4 - Sustainable design, July 2013.
- SPG5 - Nature and Development, May 2015.
- CSS Wales Parking Standards, January 2008.

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement boundary as defined by the LDP Proposals Map. As such, the development of the site for residential purposes is supported by Policy BW4 of the LDP. Furthermore, the site is situated within the 'Primary Growth Area' as defined by Policy BW1 of the LDP where the majority of new development is encouraged.

It is considered that the principle of the proposed development is acceptable. In this respect it is acknowledged that outline permission (P/14/0322) was recently granted on the site albeit, that scheme also included Maes Y Nant, which has been excluded from this proposal.

Design

Whilst matters relating to the layout, scale and appearance of the proposed development have been reserved for future consideration, an indicative layout plan has been submitted in support of the application, which demonstrates a potential residential scheme.

The layout plan indicates that a row of three detached properties along the south-western part of the site, with a set back from the main highway, could provide an appropriate response to the existing pattern of development of the area. The layout plan adequately demonstrates that a residential scheme with garages could be accommodated within the site and would include sufficient amenity space, without adversely impacting on the character of the area.

The scale parameters for the minimum/maximum width, depth and height of the dwellings and garages, which would form part of any outline permission, are considered to be acceptable and would enable the detailed design of the development (as part of a reserved matters application) to provide an appropriate response to the surrounding context.

Subject to the detailed design of the development being considered as part of a reserved matters application, it is considered that the site can be developed without adversely impacting on the character and appearance of the area. Therefore, the proposal complies with Policy BW7 of the LDP.

Amenities

The indicative layout plan suggests that the dwellings could be setback from the boundaries of the site to ensure a suitable separation distance with existing properties. This approach would help minimise any concerns with potential overlooking or overbearing impacts on neighbouring occupiers. The indicative plan shows that a residential scheme could be suitably accommodated within the site without adversely impacting on the amenities of neighbouring occupiers. However such impacts would be fully considered as part of a future reserved matters application if this application is permitted. Therefore, the proposal complies with Policy BW7 of the LDP.

Environment

The application site is considered to be of limited ecological value and the development of the site is unlikely to have a significant impact on any protected species or natural features. In this regard it is noted that the Town Planning Division's Countryside Officer has not raised any objection to the development.

It is acknowledged that there is a ditch crossing through the site, which would be culverted as part of the development. Flooding issues have been experienced historically in the area from the ditch. The development of the site would present an opportunity to improve the drainage and discharge of water from the site.

A detailed landscaping scheme has not been submitted, as this matter has been reserved for future consideration. It is considered that the site is of a sufficient size to incorporate an appropriate landscaping scheme, which may include the planting of trees and hedgerows in the garden areas to complement the character and appearance of the area. Therefore, the proposal complies with Policies BW5 and BW8 of the LDP.

Highways

The indicative layout plan suggests that off-street parking could be provided on a driveway and in garages for each residential property with access off the main highway via a shared private drive.

It is considered that the existing highway is capable of accommodating the additional traffic generated by the development. In this regard, the Engineering and Highways Manager has not raised any highway safety concerns. Subject to the future detailed design of the development, it is considered that a suitable means of access and parking provision could be provided without giving rise to 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 requirements for planning obligations and affordable housing respectively. 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 £13,000 to the Council.

CONCLUSIONS

For the above reasons, the proposed residential development of the site is considered to 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. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

4. **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 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.

5. Prior to the occupation of the dwellings 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 before the dwellings are occupied.

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 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 .

7. 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.

8. **No development or site clearance shall commence** until the local planning authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the local planning authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the local planning authority within two months of the archaeological fieldwork being completed.

Reason - In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Policy BW6 of the Merthyr Tydfil Local Development Plan.

9. The access road/driveways serving the development shall be completed prior to the occupation of the dwellings in accordance with the approved details.

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

10. 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.
