

<b>DATE WRITTEN</b>	7th July 2017
<b>REPORT AUTHOR</b>	Judith Jones
<b>CASE OFFICER</b>	David Cross
<b>COMMITTEE</b>	Planning and Regulatory
<b>COMMITTEE DATE</b>	19th July 2017

**Application No.**  
P/17/0149

**Date**  
17th May 2017

**Determining Authority**  
MTCBC

**Proposed Development**

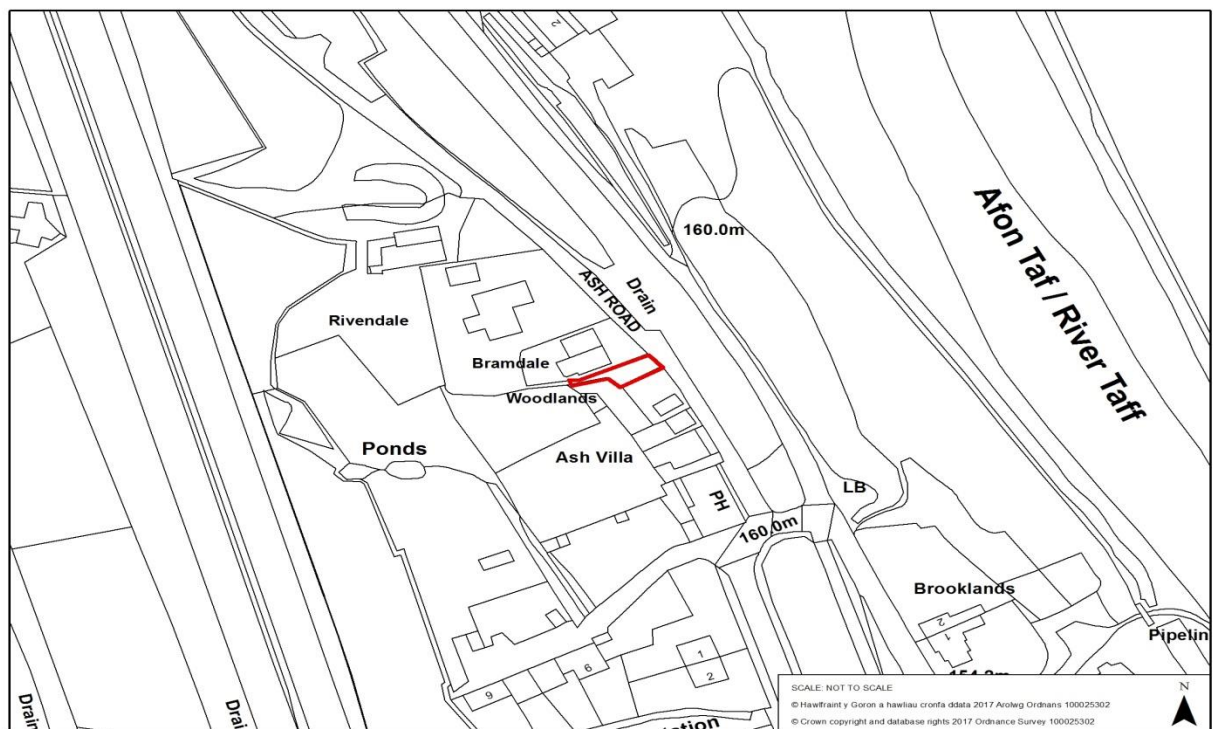
**Location**

**Name & Address of Applicant/Agent**

Erection of detached building to provide tourist accommodation with associated parking and bicycle storage

Land Adjoining Bramdale  
Ash Road  
Troedryhiw  
Merthyr Tydfil

Mrs J Jones  
Llyswen  
Cilsanws Lane  
Cefn Coed  
Merthyr Tydfil



Councillor Gareth Lewis has requested that this application be reported to Committee to fully consider the objections raised by the local residents.

#### APPLICATION SITE

This application relates to an area of vacant land measuring approximately 13m deep by 7m wide. The site largely comprises an area of hardstanding (with stone chippings) and gabion baskets supporting the western boundary of the site. To the north is an adjoining

three storey residential property and to the east is Ash Road which provides access to the site. The Taff Trail also runs parallel with Ash Road and is separated from the road by landscaping. To the west and south of the site are what appear to be garden areas that form part of the curtilage of Ash Villa, which is located further south along Ash Road. It is noted that a hedgerow runs along the southern and western boundaries of the site with a number of trees located outside of the site to the west.

## PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a small building, with off-street parking and bicycle storage facilities, to provide tourist accommodation. The proposed building would be situated in the western part of the site and in order to accommodate the development, would involve the removal of the existing gabion baskets. The building would measure 5.14m wide by 4.64m deep and 6.7m high with a pitched roof. An open plan sitting room and kitchen would be provided at ground floor level with a single bedroom and shower room at the first floor level. The external finishes of the building would comprise blue Pennant natural stonework to the front elevation with painted render to the side and rear elevations. Fibre cement slate would be utilised on the roof.

To the rear of the building a small decked area would be provided on an upper ground level measuring approximately 5.14m wide by 1.5m deep. This would be accessed from the first floor level. To the front of the property a driveway would be created which would provide one off-street parking space. Adjacent to the existing hedgerow to the south of the site, two secure bicycle storage units would be provided. These units would be pre-fabricated steel structures measuring 2.3m wide by 1m deep and 1.3m high.

## PLANNING HISTORY

P/04/0200 - One pair of semi-detached houses.

Permission GRANTED on 12.07.2004

## CONSULTATION

Engineering & Traffic  
Group Leader

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

Planning Division's  
Policy & Implementation  
Group Leader

- No objection.

Planning Division's Landscape  
Architect

- No objection. It is noted that Japanese Knotweed is known to be present in the general area and care should be taken to ensure the invasive species is not disturbed.

Environmental Health manager

- No response.

Welsh Water	-	No objection subject to a condition relating to surface water drainage.
Western Power Distribution	-	No response.
Wales & west Utilities	-	No objection.

## PUBLICITY

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

As a result of this publicity exercise 7 letters of objections were received from five of the neighbouring properties, which raised the following concerns:

1. The existing road serving the site is narrow and any additional traffic would cause disturbance and highway safety concerns for existing residents and pedestrians.
2. There have been issues with blocked sewer pipes and a collapsed conduit pipe in the past and any increase in sewerage could adversely impact the existing system.
3. The proposed building would be close to the front door of the adjoining property (Bramdale) and would increase the difficulty for large furniture items to be manoeuvred in and out of the property.
4. The road serving the site is constantly used for access to nearby stables and the road may need to be dug up for utility connections, which will cause disruption to the area.
5. There are concerns that the site does not have any turning facilities and would only provide 1 parking space.
6. There are concerns that the proposed building and patio would result in overlooking into adjoining land.
7. The proposed building would lead to the overshadowing of adjoining land, would prevent light coming through the front door of Woodlands and would block views of the mountainside.
8. It has been highlighted that the development would involve the removal of land which is not in the applicant's ownership.
9. The development would devalue existing properties.
10. The development has the potential to introduce strangers to the area, which raises security concerns.

## POLICY CONTEXT

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

### National planning policy

*Planning Policy Wales (PPW), Edition 9, November 2016:*

Para's 4.11.9 – 4.11.12 set 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's 5.5.1 – 5.5.3 note 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 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.

#### *Technical Advice Notes (TAN):*

- TAN 5 Nature Conservation and Planning, September 2009
- TAN 12 Design, March 2016
- TAN 18 Transport, March 2007

#### 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 TB11 - Access, parking and accessibility of local facilities

##### *Supplementary Planning Guidance (SPG):*

- 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 and Primary Growth Area as defined by the LDP, where the majority of new development is encouraged. Whilst permission is sought for a new building to provide tourist accommodation, it is considered that it would not be dissimilar to a small 1 bedroom dwelling. Having regard to the

predominantly residential nature of the nearby properties, it is considered that the proposal would not be out of character with the area.

The applicant has indicated that the building is intended to provide tourist accommodation particularly for those visiting the nearby mountain bike centre (Bike Park Wales), where there are direct links along Ash Road. Additionally, the site has good access to a national cycle route (Taff Trail) adjacent to the site. Therefore, it is considered that the principle of the development is acceptable and complies with policies BW1 and BW4 of the LDP. The development would also promote the use of the national cycle network as encouraged by PPW.

### Design

The existing properties within the immediate vicinity of the site vary in their style with town houses and a bungalow situated to the north, with a traditional stone faced dwelling and public house to the south. There are also two garages near the site, one of which is constructed from metal sheets and the other from natural stone. The application site is situated in an area that has a semi-rural character, which is emphasised by the surrounding natural landscape and the narrow access lane that leads into the open countryside.

The proposed building has been designed to reflect the more traditional character of the area, rather than introduce another modern property, which would otherwise deteriorate further the semi-rural appearance of the area. The scale of the building is largely constrained by the extent of the site. Nevertheless, the proposal would not appear at odds with the traditional buildings in the vicinity. Indeed the proportions, fenestration and use of natural stone on the front elevation, would complement the character and appearance of the area.

Ideally the two bicycle storage units would be situated in a more discreet location i.e. in a rear garden area or to the side of the building. However, due to the constraints of the site, the only suitable location would be the front of the building. The applicant has indicated that these units are an essential feature of the development as they would cater for tourists taking advantage of the nearby cycling facilities. Taking into account the need for the units, their small scale and the fact they would be partly screened by the existing hedgerow, it is considered that they would not have an adverse impact on the character of the area. Any harm that they may have on the appearance of the area is outweighed by the benefits they would have to the proposed tourism accommodation. It is considered that the overall proposal would not have an adverse impact on the character or appearance of the area. Therefore, the proposal complies with policy BW7 of the LDP.

### Amenities

The properties that would have the greatest potential to be affected by the development would be Bramdale to the north and the garden area to the south serving Ash Villa. It is noted that specific concerns have been raised by the occupants of Woodlands relating to loss of light. However, this property is situated a sufficient distance away from the site and would not be affected by the development.

The proposed building would largely be situated to the side of Bramdale and would project approximately 1.9m forward of its front elevation. To the side of Bramdale is the main

entrance and a small window serving a toilet. It is acknowledged that the position of the development would impact on the light received to the side of Bramdale. However, the principle windows/patio doors of the property, which serve habitable rooms, are located on the front and rear elevations. In this respect it is considered that the position and scale of the development would have a minimal impact on the living conditions of the adjoining property and would not give rise to adverse overshadowing or overbearing impacts.

The garden area to the south of the site appears to be somewhat detached from Ash Villa as it is separated from the property by two detached garages. The land in question also appears to be used for the siting of a caravan. Notwithstanding this, taking into account the sun path, with the development situated on the northern side of the garden, it is considered that there would not be any overshadowing impacts. Additionally, there would not be any windows on the side elevation of the proposed building that may otherwise give rise to overlooking concerns. It is accepted that the proposal would bring development closer the boundary of the garden, which would have some impact on the garden area. However, taking into account the siting of the proposal and its small scale, it is considered that the development would not give rise to overbearing concerns that adversely impact on the amenity space. It is considered that the proposed development would not give rise to an unacceptable impact on the amenities of the neighbouring occupiers or the living conditions they can reasonably expect. Therefore, the proposal complies with policy BW7 of the LDP.

### Highways

A large part of the application site has been covered with stone chippings to create a hardstanding area, which is already being used for parking by the adjoining property (Bramdale). It has been demonstrated on the submitted plans that adequate room can be accommodated within the site for the provision of one off-street parking space in front of the proposed building. The parking arrangement would likely necessitate vehicles either having to reverse in to or out of the site, in a similar manner to the neighbouring properties.

It is acknowledged that the access lane serving the site is narrow and generally supports single lane traffic with limited opportunity for vehicles to pass. However, it is considered that the proposed development would not result in a significant rise in the level of traffic generated in the area. It is noted that the lane has a shared surface with no pedestrian segregation. The introduction of one additional vehicle using the access as a result of the development would unlikely lead to a greater impact on the free flow of traffic in the area. Nor would it likely give rise to greater highway safety concerns. The narrow nature of the lane and the limited forward visibility for drivers would inherently result in slower traffic speeds and more cautious driving. Additionally, the provision of one parking space is deemed to be adequate for the scale of the development. It is noted that the Engineering and Traffic Group Leader has not raised any objection to the proposal. Therefore, the proposal complies with policies BW12 and TB11 of the LDP.

### Environment

Given that the site largely comprises a hard surfaced area with gabion baskets, it is considered that there are no features of any significant ecological value. As such, the development is unlikely to have an adverse impact on any protected species or habitats. It is acknowledged that the existing hedgerow adjoining the southern and western boundaries of the site would be retained. Furthermore, there are no water courses that would be

affected by the development. Therefore, the proposal complies with policies BW5 and BW8 of the LDP.

### Representations

The concerns raised in respect of the potential highway implications of the development and the impact on residential amenity have been considered above. The following considerations are also made in response to other matters highlighted by neighbouring residents:

- Whilst the development is considered to have a limited impact on any views from the neighbouring properties, the loss of any view is not a material planning consideration.
- The side access serving Bramdale is narrow due to the position of the property close to the boundary of its curtilage. The development would not encroach or overhang the neighbouring property. Therefore the proposal would not impinge on the existing access serving Bramdale.
- It is acknowledged that there is some contention over the ownership of the application site. The applicant has indicated that the site is in their ownership. Nevertheless, such disputes are not a material planning consideration.
- The potential impact of the development on the value of neighbouring properties is not a material planning consideration.
- Although there are concerns that the development would encourage strangers to the area, there is no evidence to suggest that the provision of tourist accommodation would give rise to greater security issues in the area.
- No concerns have been raised by Welsh Water or the Engineering and Traffic Group Leader that would otherwise indicate that there is no capacity for the development to connect to the existing sewerage system.
- It is accepted that there is often some disruption during construction which may have an impact on access or utilities. Such issues are normally temporary in nature would not substantiate a reason for the refusal of the application.

### CONCLUSIONS

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.

For the reasons set out in this report the proposed development is considered to be acceptable and would comply 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. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. 01 - Proposed Plans and Elevations

Drawing No. 02 - Proposed Site Layout

Drawing No. 03 - Proposed Street View

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

3. **Prior to the construction of the building** hereby approved details / samples of the materials to be used in the construction of the external surfaces of the building 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.

4. **Prior to the provision of the bicycle storage units** hereby approved, details of their exterior colour 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.

5. **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 beneficial use of the development 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.

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.