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CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	28th March 2018

Application No.
P/17/0368

Date
27th December 2017

Determining Authority
MTCBC

Proposed Development

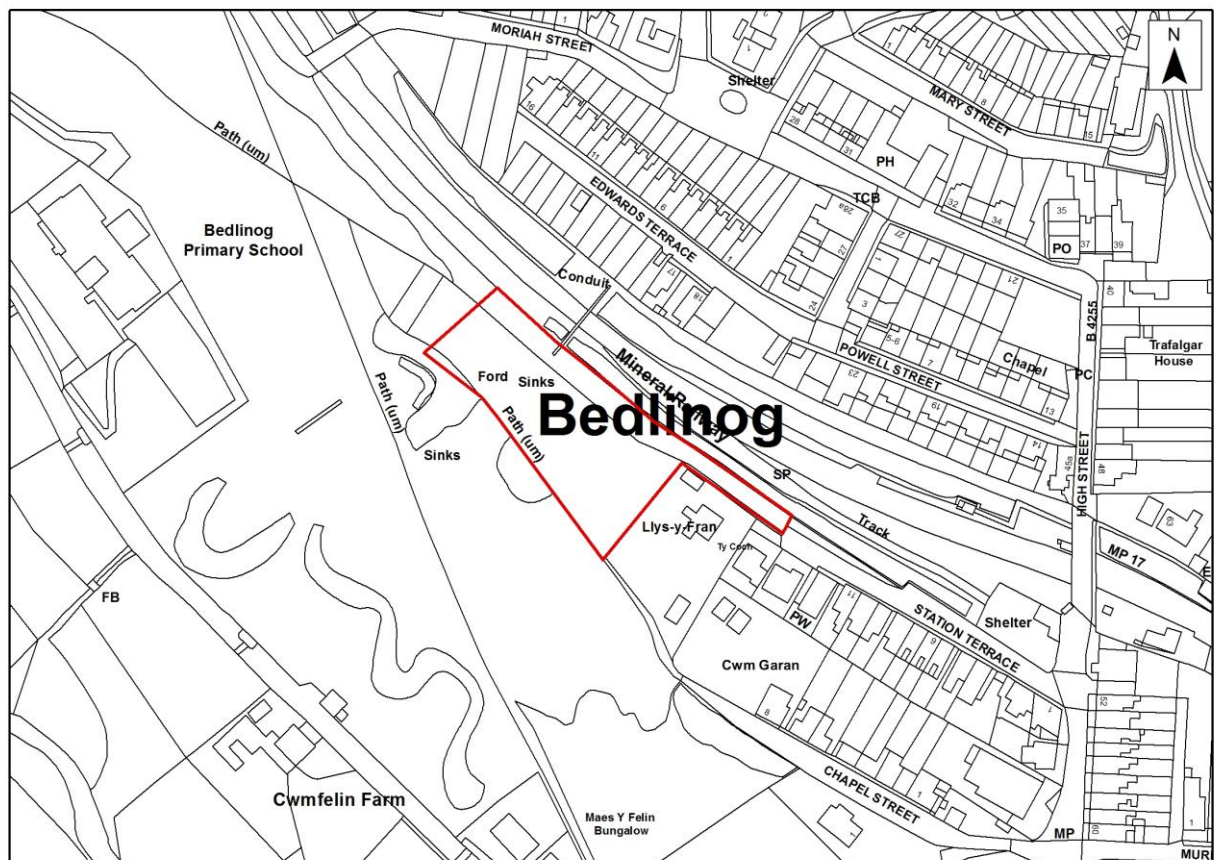
Location

Name & Address of Applicant/Agent

Erection of five dwellings with associated landscaping and access road (Phase 1 of planning permission P/14/0130)

Land North West Of Llys Y Fran
Station Terrace
Bedlingog

Cwm Felin Developments Ltd
c/o CLC
19 The Design Office
Heol Y Deri
Rhiwbina
CF14 8UA



APPLICATION SITE

Councillor Jago and Councillor Colbran have requested that this application be reported to committee to fully consider the objections raised by the local residents.

This application relates to an irregular shaped area of land measuring 0.3 hectares, with the main part of the site comprising a steep sloping area of grassland, which has a maximum width of 80m and a maximum depth of 42m. The site also includes a narrow strip of grassland measuring 7m wide by 37m in length, which links the site to Station Terrace to the south-east. The site is bound to the north-east by a grassed embankment which separates the site from an adjacent railway line. To the south-west and north-west is sloping vacant grassland with a detached dwelling (Llys-y-fran) to the south-east.

A right of way crosses through the site (Ref 100/13) adjacent to the north-east boundary, which provides a link from Station Terrace to Grove Terrace and Bedw Road to the north-west. Adjacent to the south-west boundary of the site are a number of existing mature trees situated next to an informal footpath that links to Chapel Street to the south-east.

It is noted that the application site forms part of a larger residential scheme, which extends to Commercial Street to the south-west and to Grove Terrace/Bedw Road to the north-west.

PROPOSED DEVELOPMENT

Outline planning permission was initially granted for residential development (P/14/0130 - consisting of 4 phases), with all matters relating to layout, appearance, scale and landscaping being reserved for future consideration. This application seeks approval of the reserved matters relating to phase 1 of the development. Detailed plans have been submitted in support of this application, which illustrate a scheme for 5 No. detached dwellings served by a private road that links to Station Terrace.

The proposed dwellings would be located within a central position of the site, in a linear form (from south-east to north-west), with the front elevations orientated towards the railway line. The proposed dwellings would be the same size, measuring 9.5m wide by 9m deep and 8.65m high with a pitched roof.

Due to the sloping nature of the site, re-profiling works would be required on each of the plots, involving the cutting and filling of the land to create level platforms to construct the foundations. The proposed dwellings would be two storey properties with the ground floors (accommodating a kitchen, utility and family/play rooms) being situated below the level of the private road. The main entrance into the dwellings would be at first floor level (accommodating a lounge, study and garage) and accessed via a bridged driveway with steel balustrades on either side. Three bedrooms and bathroom would be accommodated within the roof space.

From the private road (to the north-east) the proposed dwellings would generally appear as modest single storey buildings, with a driveway in front and landscaped embankments, with only part of the lower ground floor level being visible. To the rear (south-west), the two storey design of the dwellings would be more apparent with stepped rear garden areas.

Each dwelling would incorporate a simple arrangement of windows and doors on the front elevation and would include an integral garage. The rear elevations would include windows and patio doors at ground floor and first floor levels, together with balconies and roof lights in both front and rear roof planes. The external finishes of the dwellings would comprise red facing brickwork on the elevations with fibre cement slate roofs and white upvc windows.

The proposed private road would vary between 3m to 5.47m wide over a length of 110m and would be located to the front of the dwellings and adjacent to the north-east boundary of the site. A bridged driveway would be provided for each dwelling measuring at least 5m deep by 5.8m wide, to accommodate two parking spaces and access to an integral garage. Additionally, a turning facility would be located between plots 2 and 3. The access road and driveways would be surfaced using permeable paving.

A new stepped footpath would be constructed adjacent to Plot 5 to provide a link from the private road to the existing informal footpath to the south-west. The stepped footpath would measure 1.9m wide by 22m in length and constructed with a 1m high brick wall and hand rails on either side. The stepped footpath would later provide a link to phases 2 and 3 of the wider residential scheme.

The landscaping scheme indicates a small sloping planted area would be provided to the front of the dwellings. In the rear gardens, the land would be re-profiled to provide a level area underneath the proposed balconies. The rear gardens would comprise a grassed area and planting with a new hedgerow being provided along the south-west boundaries. Between plots 4 and 5, an area of open space would be retained, which includes trees and a water course. The existing informal footpath (which links to Chapel Street) adjoining the lower end of the proposed gardens would be retained.

PLANNING HISTORY

P/16/0367 - Erection of five dwellings with associated landscaping and access road (Phase 1 of Planning Permission P/14/0130).

Reserved matters details REFUSED on 26.01.2017 for the following reasons:

- 1. The proposed dwellings, by virtue of their inappropriate design and appearance, would have an unacceptable impact on the character and visual amenity of the site and surrounding area and would be visually overbearing when viewed from adjoining open spaces and footpaths. Therefore, the proposed development runs contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.*
- 2. The applicant has failed to submit sufficient details to demonstrate that an acceptable landscaping scheme that appropriately responds to the context of the site can be provided. As such, the proposed development is contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.*

This application was subsequently DISMISSED at appeal (Ref APP/U6925/A/17/3180772) on 17.11.2017.

P/16/0019 - Erection of five dwellings with associated landscaping and access road, (Phase 1 of Planning Permission P/14/0130).

Reserved matters details REFUSED on 17.03.2016.

P/14/0130 - Variation of condition 1, 2, 21, 22 and 23 of appeal decision APP/U6925/A/10/2140650 to extend the period of time for the submission of reserved matters details and the phasing of the development.

Permission GRANTED on 24.07.2014

P/08/0352 - Residential development.

Permission REFUSED on 28.07.2010

This application was subsequently ALLOWED at appeal (Ref APP/U6925/A/10/2140650) on 02.08.2011.

CONSULTATION

Engineering and Traffic
Group Leader

- No objection.

Planning Division's
Countryside Officer

- No objection.

Planning Division's
Landscape Architect

- No objection.

Bedlinog Community Council

- No response.

Welsh Water

- No objection subject to a condition relating to surface water and land drainage.

Wales & West Utilities

- No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties on 8th January 2018 and two site notices were displayed in the vicinity of the site on 16th January 2018.

As a result of this publicity exercise 10 letters of objection were received from the residents of Station Terrace, which accompanied a petition with 5 signatures, also from the residents of Station Terrace. In summary the main concerns raised relate to the proposed access to the site via Station Terrace, which is narrow and congested with parking occurring on both

sides of the road. There are also concerns with pedestrian safety and the use of an existing footpath that crosses the site, which provides a link to the nearby school and other parts of the community.

POLICY CONTEXT

The following policies in the Merthyr Tydfil Local Development Plan (LDP) 2006-2021 are relevant in the determination of this reserved matters application:

- 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 TB11 - Access, parking and accessibility of local facilities

Supplementary Planning Guidance (SPG)

SPG5 - Nature and Development, May 2015
CSS Wales Parking Standards, 2008

PLANNING CONSIDERATIONS

The principle of developing the site for residential purposes has already been established by the granting of outline approval (P/14/0130). The means of access into the site from Station Terrace also formed part of that outline permission and was deemed to be acceptable. It is acknowledged that concerns have been raised by the residents of Station Terrace over the suitability of the existing highway to accommodate the development, and pedestrian safety. However, it should be noted that the potential impact the development may have on Station Terrace and the wider highway network, has already been considered in detail and subsequently approved as part of the above mentioned outline approval. The proposed means of access into the site was also examined and found acceptable by a Planning Inspector when allowing an appeal (APP/U6925/A/10/2140650) following the refusal of an outline application (P/08/0352).

Therefore, the main considerations in the assessment of this reserved matters application relate to the proposed layout, appearance, scale and landscaping of the development. In this regard it should be noted that this application is essentially a resubmission of a previously refused scheme (P/16/0367) which was subsequently dismissed at appeal (APP/U6925/A/17/3180772). The main issues considered at this time related to the general design of the dwellings and the lack of landscaping details.

Layout

The layout of the development is largely constrained by the topography of the site which limits the proposal to a linear form that follows the contours of the land. The proposal would essentially be a continuation of the existing properties along Station Terrace with dwellings fronting onto the proposed private road. The siting of the dwellings would also follow a similar building line to the other properties along Station Terrace. However, the garden boundaries and landscaping forming part of Llys-y-fran, which adjoins the site, would restrict the views of the development along Station Terrace.

The position of the dwellings and their relationship to the access road is acceptable and would provide a small area of private space to the front, which would accommodate parking and some planting. Adequate space would also be provided to the rear of each dwelling to provide suitable private amenity areas. There would be sufficient room along the access road to accommodate the traffic movements within the site, together with a turning facility to ensure that vehicles can travel along Station Terrace in a forward gear. In this respect the Engineering and Traffic Group Leader has not raised any objection.

The layout of the development is acceptable and would follow the general pattern of development and would not adversely impact on the character of the area. Therefore, the proposal complies with policy BW7 of the LDP.

Appearance

When considering the wider residential scheme that has been granted outline permission, it was expected that there would be some diversity in the design of the dwellings, which would take into account the differing contexts/constraints of the site. The proposed dwellings would be seen as a small group of properties somewhat separated from the rest of the wider residential scheme. As such, the proposal would have a closer relationship to the existing properties along Station Terrace.

The majority of the properties within the vicinity are two storey with a simple and repetitive style incorporating rendered or stone elevations, vertical windows, stone cills and a slate (or similar) roof. Some of the properties also include brick or stone detailing around the windows and doors. There are a small number of modern style infill developments in the general area. Immediately adjacent to the site are three detached properties which have been built with red facing brickwork elevations. Due to the topography of the area, some of the two storey properties are in elevated positions with either sloping or stepped garden areas. Taking into account the context of the site and its relationship with the surrounding area it is considered that there is some scope to introduce modern style properties within the site.

Each of the proposed dwellings would be of the same design, albeit, some would be handed. In the previously refused application (P/16/0367) there were a number of issues with the design of the dwellings, namely the use of asymmetrical roofs, unbalanced fenestration to the front elevations, use of integral garages and the provision of Juliette balconies serving bedrooms within the roof space. To address these concerns, a number of changes to the proposed scheme have been made. The dwellings would now provide a more traditional roof design and the ridge heights have been reduced to provide better proportions that reflect the character of the area. The windows and doors on the front elevation are appropriately aligned and reduced in size to improve the fenestration.

Whilst the use of integral garages is not widely used on nearby properties, it is noted that one of the properties along Station Terrace includes an integral garage. Additionally, in the recent appeal decision (APP/U6925/A/10/2140650) it is noted that the Planning Inspector did not take issue with the integral garage in principle. Given the improvements to the fenestration, the integral garages sit more comfortably within the front elevations. Furthermore, the Juliette balconies on the rear elevations have been removed and roof lights would be utilised instead, which improves the appearance of the dwellings.

The proposed external finishes to the dwellings are generally considered to be acceptable, given that brickwork has been used on the neighbouring properties. Furthermore, the use of block pavements along the private road and driveways is considered to be acceptable and would help differentiate the private access from the adopted highway. The general design of the dwellings is acceptable and the amendments to the scheme have adequately overcome the concerns of the previously refused application (P/16/0367). Therefore, the proposal complies with policy BW7 of the LDP.

Scale

The scale parameters for the proposed detached dwellings served off Station Terrace were initially approved as part of the outline permission P/14/0130, which indicated that the dwellings would measure between 9m - 9.5m wide by 9m - 9.5m deep and 8m - 10m high. In the previous application (P/16/0367) there were concerns that the dwellings would be seen as three storey properties, particularly when viewed from the rear, which would appear out of scale with existing properties in the vicinity. To address this issue, the design and pitch of the roofs have been amended and the ridge line lowered. Additionally, the Juliette balconies have been removed. It is considered that the scale and proportions of the buildings are now acceptable and would relate well with the surrounding area. Therefore the concerns raised in the previously refused application (P/16/0367) have been adequately addressed and the proposal complies with policy BW7 of the LDP.

Landscaping

The introduction of shrub planting in the front garden areas on either side of the driveways is acceptable and would help to enhance the attractiveness of the development and soften the environment along the private road, which is also used as a right of way. The area of open space between plots 4 and 5, comprising grassland and trees to either side of a small watercourse, would be appropriately retained as part of the development.

Some re-profiling works would be carried out to accommodate the dwellings and to create usable rear garden areas. The upper section of the gardens would comprise a lawn, supported by a retaining wall. A new hedgerow would be planted across the top of the retaining wall with shrub and herbaceous planting in front. This would soften the appearance of the development within the landscape. In the lower section of the site, adjacent to existing trees and an informal footpath, the ground levels and vegetation would be retained as existing.

In the previous application (P/16/0367) the Planning Division's Landscape Architect was satisfied with aspects of the landscaping scheme, but initially raised concerns that there was insufficient detail provided. Notwithstanding this, it is noted in the recent appeal decision (APP/U6925/A/10/2140650) that the Planning Inspector was generally satisfied with the level of detail provided and raised no particular issue with the landscaping scheme. As such, the Planning Division's Landscape Architect has not raised any objection to this proposal. Therefore the landscaping scheme is considered to be acceptable and complies with policy BW7 of the LDP.

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 above reasons the proposed development is acceptable and complies with the relevant LDP policies. Furthermore, the reasons for the refusal of application P/16/0367 have been adequately addressed. Accordingly, the following recommendation is made:

RECOMMENDATION: RESERVED MATTERS BE APPROVED

1. Notwithstanding the provisions of schedule 2, part 1, classes A and B 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 shall be erected other than those expressly authorised by this permission.

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

2. Notwithstanding the provisions of schedule 2, part 1, class B 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 dormer windows shall be erected on the rear roof plane of any dwelling house.

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

3. Notwithstanding the provisions of schedule 2, part 1, class 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 buildings 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.

4. 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.

5. Prior to the occupation of the dwelling on Plot 5, the stepped public footpath along the north-west boundary of the site, shall be completed in accordance with the approved details (Drawings 1800-5-PA-03A, 1800-5-PA-24 and 1800-5-PA-27) and made available for public use.

Reason - To ensure suitable pedestrian access to adjoining land and nearby local facilities as part of the existing network of footpaths within the site and future phases of the development, in accordance with policies BW7 and TB11 of the LDP.