

FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	23 rd May 2019
REPORT AUTHOR	Judith Jones
CASE OFFICER	Rebecca Owens
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	5 th June 2019

Application No. P/18/0362	Date 27.11.2018	Determining Authority MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Erection of a pair of semi-detached dwellings (Outline)	Land Adjacent To 1 David Street Merthyr Tydfil	Mr Singh C/O George + Co Hwyl Hub 1st Floor Woodfired Studios 62 High Street Merthyr Tydfil CF47 8DE



TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/A/19/3222392
DATE DECISION RECEIVED:	14.05.2019
DECISION:	DISMISSED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 09/04/19

gan **Joanne Burston BSc MA MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 14.05.2019

Appeal Decision

Site visit made on 09/04/19

by **Joanne Burston BSc MA MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 14.05.2019

Appeal Ref: APP/U6925/A/19/3222392

Site address: Land to the side of 1 David Street, Merthyr Tydfil

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr J Singh against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref P/18/0362, dated 4 November 2018, was refused by notice dated 21 January 2019.
 - The development proposed is outline planning for a pair of semi-detached houses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters reserved. The submitted plans and elevations are indicative only and show the erection of 1 pair of two-storey semi-detached houses with gardens and off-street parking spaces.
3. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Main Issues

4. The main issues in this case are the effect of the proposed development on:
 - The character and appearance of the area; and
 - Highway safety.

Reasons

Background

5. The area surrounding the appeal site has a distinct character of close-knit rows of two-storey terraced properties. These are bounded by a railway line to the west and the

A4054 to the east. The A4054, in the vicinity of the appeal site, is a busy through road, with wide verges and mature landscaping which provides the area with a spacious verdant appearance. The appeal site itself is situated on the corner of David Street and the A4054 and at this point marks the southern extent of the wide landscaped verge. Accordingly, the appeal site marks a transition of the A4054 from a spacious character to a more enclosed character as it travels further south.

6. The Merthyr Tydfil Local Development Plan (LDP) Policy BW7 supports sustainable design and require new development to, amongst other matters: be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density; and integrate effectively with adjacent spaces and the public realm to enhance the general street scene and create good quality townscape.
7. LDP Policy BW12 establishes that development proposals will be expected to demonstrate how they will avoid causing or exacerbating highway safety problems. LDP Policy TB11 also ensures that developments incorporate sufficient infrastructure to successfully serve that development that is constructed in accordance with adopted standards.

Character and appearance

8. Notwithstanding that the appeal proposal is in outline, consent is sought for 1 pair of semi-detached houses. Having considered all relevant matters, including the illustrative drawings, I have assessed whether the development of the appeal site could, in principle, reflect the local character of the area having regard to the constraints of the site, in accordance with LDP Policy BW7.
9. The proposed dwellings on the appeal site would be set well behind the building line established by the frontages of the other houses on the south side of David street and, due to the scale of the proposal, would significantly interrupt the open feeling of this section of the road. Indeed, the proposed dwelling would remove an important landscaped corner that makes a positive contribution to the character and appearance of the area.
10. Furthermore, given the defined pattern of development hereabouts, the semi-detached nature and form of the proposed dwellings would be at odds with the immediate character. The proposed intensification in built form on the appeal site would be so significant that it would result in a cramped layout with the pair of semi-detached houses experiencing an awkward relationship to others in the street scene. The scale and mass of the buildings relative to their diminutive plots would greatly erode the sense of spaciousness. The overall impression would be of 2 dwellings shoe-horned onto the site.
11. Throughout the application process the appellant has clearly taken steps to address concerns over the degree of development and its impact on the character of the area. For example, the retention of some of the existing landscaping and trees. However, this does not overcome the harm that I have identified.
12. To conclude on this main issue, the siting the proposed new houses in this manner would introduce a prominent and incongruous feature into what is an attractive street scene and I therefore find that it would cause harm to the character and appearance of the area and be contrary to LDP Policy BW7.

Highway safety

13. The appeal site is accessed from David Street, with the parking bays located close to the junction with the A4054. Given this layout vehicles would have no option but to reverse either in or out of the site. There is a narrow pavement bordering the site and a car park access for David Court opposite, and this combined with the constrictions caused by the boundary wall of 1 David Street, would be additional distractions for drivers to negotiate. This effect, commingled with the busy nature of the A4054, leads me to conclude that there would be a materially harmful effect on highway safety.
14. Consequently, the use of the proposed access would materially harm highway safety. The proposal would therefore be contrary to LDP Policies BW12 and TB11, which requires development to address road safety matters.

Conclusion

15. For the above reasons, and taking in to account all matters raised, I conclude that the appeal should be dismissed.

Joanne Burston

INSPECTOR