

DELEGATED REPORT

Application No:	P/25/0025
Site Address:	Lyndhurst Upper High Street Cefn Coed Merthyr Tydfil CF48 2HW
Development:	Erection of rear garden room
Case Officer:	Marlene Ferreira
Site Visit:	13th February 2025
Application Expiry Date:	24th March 2025
Consultation reply date expired:	25th February 2025

APPLICATION SITE

The application site relates to a semi-detached dwelling located off Upper Higher Street in the area of Cefn Coed. The dwelling is bound by the main highway to the front along with a driveway to provide off-street parking. External access is provided along the side of the dwelling to its rear garden, which is split over various levels, since the land rises steeply to the rear (east).

The dwelling lies in a street made up of detached, semi-detached and terraced properties of varying scales, design and materials, some of which are also served by steeply rising rear garden areas. It adjoins the boundary with Glen Rosa to the north, Delfryn to the east, Devonian to the south and Upper High Street to the west.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a garden room within the rear garden area.

The flat roof building would measure 6.3m wide, 4.5m deep and 2.9m in height and would be finished with a rubber roof, cladded elevations and aluminium windows. It would be constructed at the end of the rear garden, the highest part of this rear amenity area. Patio slabs would be laid to the front of the garden room, occupying an area of approximately 8sq.m, which would be enclosed to its front by a 1.1m high glazed balustrade, erected above the existing retaining wall (that retains the elevated amenity space).

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this property.

CONSULTATION`

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed outbuilding, in terms of its siting, scale and design, would comprise an acceptable form of development with regards to its impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed outbuilding would amount to a single storey structure which would be located to the rear of the property. However, it would be sited on the highest part of the rear garden, which is significantly elevated above the ground level of the dwelling. Nevertheless, its siting combined with the fact that it would be largely screened by the application dwelling (and neighbouring dwellings), would ensure that the garden room, which is of an acceptable scale, does not appear dominant or is readily visible within the street scene. Its external materials would also be considered acceptable. Thus, given its scale, discrete siting and appropriate finishes, it would not be considered to detract from the character or appearance of the dwelling or the surrounding area. The small elevated patio area enclosed with low balustrade, would also be considered acceptable. Indeed, this form of development is one which is commonly found to the rear of residential

properties, including those located along this part of Upper High Street, which are also served by steeply rising rear garden areas.

The proposed garden room would therefore result in an acceptable form of development, which would accord with LDP Policy SW11.

Residential Amenity

Regard has been had to the proposed development and its impact on the nearest residential properties, Glen Rosa, Devonian and Delfryn.

The proposed garden room, as explained above, would be located near the rear boundary of the garden and in an elevated position. However, it would be located adjacent to the existing outbuildings that also sit in an elevated position at the neighbouring adjoining properties, Glen Rose, to the north, and Devonian to the south. Although an outbuilding in an elevated position such as this, would not normally be supported, in this instance, it would be in context with the appearance of the rear gardens along this part of the street, since the rear gardens serving these neighbouring dwellings are also steeply rising. It is therefore considered that whilst the proposed garden room would be somewhat overbearing on these neighbouring properties either side, and cause overlooking into their rear garden, this impact would be very similar and would not be considered any more significant than the impact caused by these existing structures upon the occupiers of the neighbouring dwellings, such as the application site. In respect of the proposed enclosed patio area, this would also be deemed acceptable. Indeed, at this elevated garden level, there is already significantly overlooking into the neighbouring properties' rear garden areas, and vice versa.

With regards to the impact of the proposed garden room upon the neighbouring dwelling to the rear (east) Delfryn, this has also been considered acceptable. Whilst the outbuilding would be located immediately adjacent to the rear boundary, the property to the rear is located at a lightly higher ground level and as such, the proposed outbuilding, which would not exceed single storey height and which would be largely enclosed by the 2m (approx.) high dividing boundary fence, would not have any overbearing, loss of light or loss of privacy impact upon these adjoining occupiers.

The relationship of the proposed garden room extension with the neighbouring properties, as explained above, is therefore considered acceptable and would comply with LDP Policy SW11.

Ecology

The proposed development has been considered by the Council's Ecologist, and given the nature of development proposed, no survey work has been requested. However, enhancement works in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' have been requested. As such, a suitably worded condition will be added to any planning permission granted.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). However, due to the scale and nature of the development, the submission of a GIS would be deemed disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided (to be requested by condition) which would contribute to the wider green

infrastructure objectives. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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.

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:

- Existing and Proposed Plans and Elevations, Drawing no: GA 001, received: 27th January 2025

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, to include a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

RECOMMENDATION ENDORSED



pp **Director of Neighbourhood Services**

DATE: 26.02.2025