

DELEGATED REPORT

Application No:	P/20/0255
Site Address:	23 Darren Las Merthyr Vale Merthyr Tydfil CF48 4SZ
Development:	Erection of new front wall
Case Officer:	Marlene Ferreira
Site Visit:	10th November 2020
Application Expiry Date:	11th February 2021
Consultation reply date expired:	23rd November 2020

APPLICATION SITE

The application site relates to a semi-detached dwelling, 23 Darren Las, in Merthyr Vale. The property is elevated above the front highway and is accessed via a stepped access off Darren Las. The stepped access is shared with the neighbouring dwelling to the north, and therefore serves the application site and the neighbouring property, 25 Darren Las. The property is served by a front patio and sloping grassed garden to the west (enclosed by a retaining wall measuring between 0.95 and 1.15 metres in height and two pillars measuring 1.35 and 1.7 metres in height, adjacent to the highway). A rear private garden area is provided to the east. There is no on-site parking available, but the dwelling is served by on-street parking along the front highway.

The properties along this side of the road all appear to be served by shared stepped accesses, enclosed sloping front gardens and on-street parking areas.

The application site lies within the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to re-grade the front grassed garden area, in order to provide two level patio areas beyond the existing patio area.

The grassed garden area would be excavated to provide a flat middle patio and flat lower patio. The proposed middle patio would be approximately 0.65 metres lower than the existing top patio area (which would remain unaltered). This proposed flat middle patio, measuring approximately 6.8 metres wide and 1.2 metres deep, would be accessed by three steps off the top existing patio. The proposed lower patio, measuring 6.8 metres wide and 1.3 metres deep, would be approximately 0.2 metres lower than the proposed middle patio area. These re-grading works would be retained by a new front wall

measuring between 1.1 and 1.5 metres in height, with piers either side measuring 1.35 and 1.8 metres in height.

PLANNING HISTORY

The council's records do not show any other recent or relevant planning history relevant to the assessment of this application.

CONSULTATION

Head of Engineering

No objections.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to nearby occupiers. No letters of representation have been received.

POLICY CONTEXT

The following policies of the Merthyr Tydfil Replacement LDP 2016-2031 are relevant to the assessment of this application:

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Supplementary Planning Guidance (SPG)

SPG Note No. 6 – A Design Guide for Householder Development (September 2015)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed patio areas would be acceptable with regards to their impact upon the character and appearance of the street scene and upon residential amenity.

The proposed alterations to the garden would result in a visible alteration to the property. However, the proposed re-grading works would not be substantial in scale, given that the new walls and new pillars to retain these works, would only be 0.35 metres higher than the highest part of the existing wall and 0.1 metres higher than the highest existing pillar. Thus, the works to the front garden although seeking to provide a two tier front patio area (middle patio and lower patio), when viewed in context with the proposed retaining wall and proposed pillars, would not appear significantly different to the existing front garden enclosure. Thus, provided the proposed wall and pillars are finished in material finishes that are sympathetic to the character and appearance of the area (details of which could be secured by condition), the proposed patio areas and associated works, would be deemed acceptable and in compliance with LDP Policy SW11.

Residential Amenity

The proposed front patio areas would be sited adjacent to the neighbouring dwellings, 25 Darren Las, detached property to the north, and 21 Darren Las, the semi-detached

property located to the south, and these are the properties most likely to be affected by this proposal.

The proposal would provide two flat useable patio areas which would enable its occupiers to use these areas and look back into the front windows of these neighbouring properties. However, it should be noted that these proposed patio areas would be located at a lower level to the dwellings either side, which would therefore prevent any overlooking. In addition, the front windows of these neighbouring properties can already be overlooked by the existing elevated patio area to the front of the application dwelling. Similarly, the front windows of the application property can also be overlooked by the front elevated patio areas to the front of these neighbouring dwellings. As such, this relationship already exists between the properties within this street and the proposed patio areas to the front of this dwelling would therefore not have any additional significant impact upon the amenities of these adjacent occupiers. It should also be noted that the front of these properties can already be overlooked by pedestrians travelling along the front pavement. The relationship between the proposed development and nearby occupiers would therefore be acceptable and would comply with LDP Policy SW11.

CONCLUSION

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

Finally, 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:

- Drawing no: 016.003 - Proposed Plans, received: 17th December 2020;
- Drawing no: 016.004 - Proposed Sections/Elevations, received: 17th December 2020.

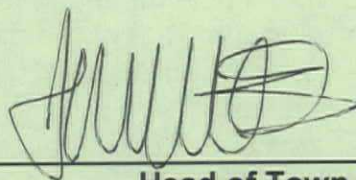
Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Prior to the commencement of works** hereby approved, details of the materials to be used in the construction of the external surfaces of the retaining wall, pillars and patio

areas, 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 SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

4/1/21