

# DELEGATED REPORT

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|-----------------------------------------|------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/24/0282</b>                                                       |
| <b>Site Address:</b>                    | <b>7 Council Street<br/>Penydarren<br/>Merthyr Tydfil<br/>CF47 9DJ</b> |
| <b>Development:</b>                     | <b>demolition of rear garden wall and creation of parking area</b>     |
| <b>Case Officer:</b>                    | <b>Rebecca Owens</b>                                                   |
| <b>Site Visit:</b>                      | <b>13th January 2025</b>                                               |
| <b>Application Expiry Date:</b>         | <b>13th February 2025</b>                                              |
| <b>Consultation reply date expired:</b> | <b>3rd February 2025</b>                                               |

## APPLICATION SITE

The application relates to a mid-terraced dwelling located within the settlement boundary which also falls within the Council and Urban Street Conservation Area. The site is bound by a highway to the front, lane to the rear and other dwellings on either side.

## PROPOSED DEVELOPMENT

Planning permission is sought for the demolition of a stone wall to the rear of the property which is adjacent a lane and for the creation of a parking area. The entire boundary wall would be removed with the exception of two pillars. The land behind the wall would be reprofiled so it slopes upwards from the level of the lane to the higher garden level and the driveway would be surfaced with a durable gravel grid. This would require a new wall along the back of the driveway which would be 0.57m in height (above the level of the driveway). A new wall would also be erected along the south eastern boundary, which would vary in height along the sloping ground profile to a maximum height of 1.65m. A fence would be attached to this which would project above the wall by an additional 0.15m. A further wall would be erected to the other side of the driveway (adjacent to the steps) which would be 1.1m in height. All walls would have a rendered finish.

## PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application. However, it is noted that a planning application has also be submitted with this application seeking conservation consent for the demolition of the stone boundary wall which would be removed to create access to the parking area (planning reference P/24/0281).

## CONSULTATION

The following bodies were consulted and their responses are presented below:

|                                  |                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------------|
| Head of Engineering and Highways | Objection based on insufficient size of parking space, gradient and surface material |
|----------------------------------|--------------------------------------------------------------------------------------|

|                |             |
|----------------|-------------|
| Coal Authority | No response |
|----------------|-------------|

## PUBLICITY

In accordance with the Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012, letters were sent to neighbouring properties, a site notice was displayed within the vicinity of the site and a notice was placed within the local newspaper.

No letters of objection were received following this publicity exercise.

## POLICY CONTEXT

### National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

### National Planning Policies

The following paragraphs of Planning Policy Wales (Edition 12, February 2024) are particularly relevant to the determination of this application:

Paragraphs 6.1.14 to 6.1.17 relate specifically to conservation areas with paragraph 6.1.14 noting that *“There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised”*.

Paragraph 6.1.15 advises that *“There is a strong presumption against the granting of planning permission for developments, ...which damage the character or appearance of a conservation area or its setting to an unacceptable level”*. In addition, paragraph 6.1.17 refers to conservation area consent highlighting that *“When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building’s surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole”*.

Technical Advice Note 24 The Historic Environment has also been considered. Chapter 6 of the TAN refers to conservation area with Paragraph 6.2 noting that *“Conservation area designation provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area’s special interest: this might include the pattern of settlement and the organisation of space and routes as well as the style and type of building, and the use of materials and detail”*.

In addition consideration should be given to:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Welsh Office Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas

### Local Planning Policies

Policies SW11: Sustainable design and place making and CW1 Historic environment of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 is relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

In addition, the following documents have been considered:

- Council Street and Urban Street Conservation Area Character Appraisal and Management Plan (December 2014)

## PLANNING CONSIDERATIONS

### Character and visual amenity

The application site is located within the Council Street and Urban Street Conservation Area. These streets, which were completed in 1903, represent the earliest examples of Council housing in Merthyr Tydfil. They signify a stage in the planned expansion of the Penydarren estate using a formal street grid set at right angles to the earlier ribbon development to the south east. The form of these streets has remained largely unchanged since they were originally built and the wider area still retains a succession of parallel streets containing early twentieth century development of workers' housing. These have survived following post war 'slum clearance' and road widening exercises in Penydarren which were responsible for a loss of a number of distinctive buildings and original layouts. The Conservation Area appraisal notes that the dwellings within this designation have *"retained a high degree of uniformity, including the use of a very limited pallet of colours for painting of the brick jambs of doors and windows. Satellite dishes are almost entirely absent from the main frontages, whilst the views down the alleys to the rear of the rows confirm that very few buildings have been extended to the rear creating a strong rhythm of form and an excellent retention of the original shape and appearance of the structures"*. Relevant to the consideration of this application is also the inclusion of *"small rear gardens accessed by rear lanes, no front gardens, on street parking"* as part of the key characteristics of the conservation area".

The proposal is for the demolition of an original stone boundary wall to the rear of the application site. The rear street scene appears to be largely unaltered from its original form and as the Conservation Area Appraisal notes *"very few buildings have been extended to the rear creating a strong rhythm of form and an excellent retention of the original shape and appearance of the structures"*. This also applies to the rear boundary line, which comprises almost entirely of the original stone boundary walling and with no large openings or off-street parking. It is therefore considered that the boundary wall to the rear of the application site forms an important historical feature of the conservation area and aids in the retention of its original form. The removal of a large section of this to create an off-street parking area would disrupt the continuity of the rear boundary line and result in a disintegration of the layout and form of the conservation area. In addition the proposed car parking area would be an incongruous feature within the rear streetscene

which would harm its overall character. For these reasons the proposal would neither preserve nor enhance the conservation area and would adversely impact on the visual amenities of the area. It is therefore contrary to Policies SW11 and CW1 of the LDP.

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). However, given that this is an application for conservation area consent rather than a planning application a GIS is not required.

### Residential Amenity

The application site is bound on either side by other dwellings. The proposed parking area would be created directly along side the rear garden of the dwelling to the south-east (6 Council Street) and would involve the erection of a new boundary wall between the two properties. This would have a maximum height of 1.65m and as such there would be no overbearing impact and no harmful overshadowing or loss of light. It is recognised that at this height it would be possible for views over the boundary treatment into the private garden of 6 Council Street, however, this is already the case and the proposal would therefore not result in any increased loss of privacy. Furthermore, given that the parking area and associated works would be separated from the dwelling adjoining the north-western boundary (8 Council Street) by an existing pathway, it is not considered that the works would have any significant impact on the residential amenity of its residents.

Consideration has been given to light nuisance from the headlights of vehicles using the parking area. As the proposed driveway slopes upwards towards the rear elevations of the dwelling on either side of the site the glare from headlights could potentially be seen through the ground floor windows of the neighbouring properties. However, these would partially be obscured by the proposed walls and generally would only occur for a short period while the vehicle was being manoeuvred onto the driveway. On balance and noting that no objections were received following the publicity exercise, the impact on residential amenity is considered to be acceptable and thus the proposal is found to be in accord with Policy SW11 in this respect.

### Parking and Highway Safety

The proposed parking area would be accessed off the narrow rear lane. Despite the opening to the driveway being 4.9m in width, it is considered that manoeuvring onto this would be difficult given the limited width of lane and would likely rely on land belonging to the properties opposite which have set their garages back from the edge of the lane. This would be complicated further by the gradient and restricted size of the driveway, which would measure just 4.4m in depth by 5.2m in width and thus would require any car to be parked at an angle to prevent overhang into the lane. The Head of Engineering and Highways has objected to the proposal on the basis that the driveway is not a minimum length of 6m and thus could impinge on the flow of vehicles along the lane. They have also raised concerns with respect to the steepness of the driveway gradient and proposed surface material which would not appear to be consolidated. Having regard to the above it is not considered that the driveway is of a suitable design or size for the purpose of providing off street parking and that it would have an adverse impact on highway safety and the free flow of traffic along the lane. It would therefore be contrary to Policy SW11 of the LDP.

## Ecology

The local planning authority's ecologist has indicated that no ecological survey work would be required and has not raised any objections to the proposal subject to enhancements being sought which can be secured via condition.

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes relatively modest reprofiling and retaining works, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

## Conclusion

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

Accordingly the following recommendation is made:

**RECOMMENDATION: BE REFUSED** for the following **REASONS:**

1. The boundary walls to the rear of Council Street form an important feature of the Council and Urban Street Conservation Area and positively contributes to its character and original form. The removal of a section of this wall at the application site to create a parking area would therefore harm the character and original layout of the conservation area contrary to Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031
2. The parking area, by virtue of its limited size and unacceptable design is not suitable for the purpose of providing off street parking and would have an adverse impact on highway safety and the free flow of traffic along the lane. It would therefore be contrary to Policy SW11 of the LDP.

**RECOMMENDATION ENDORSED**



Director of Neighbourhood Services

**DATE: 07.02.2025**