

DELEGATED REPORT

Application No: P/24/0270

Site Address: 4 Godrer Coed Road
Cefn Coed
Merthyr Tydfil
CF48 2RS

Development: Retention of external log store and raised terraced above.

Case Officer: Rebecca Owens

Site Visit: 29th January 2025

Application Expiry Date: 30th January 2025

Consultation reply date expired: 1st January 2025

APPLICATION SITE

The application relates to a semi-detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the eastern side, a garage to the north, other dwellings to the west and south and a parcel of undeveloped land to the west.

PROPOSED DEVELOPMENT

Full planning permission is sought for the retention of an external log store and raised terraced above. The log store has been erected on the lower garden level adjacent to the higher terrace, which has been extended out over the top of the log store. The structure has an irregular footprint with a maximum width of 4.9m and a maximum depth of 3.6m. Due to the profile of the ground its height varies but the maximum height above ground level is 1.55m. The terrace above this has been enclosed with 0.8m high picket fencing.

PLANNING HISTORY

The relevant planning history is summarised below:

P/23/0242 Replace first floor window with door leading to balcony, erection of shed in rear garden and other alterations
Refused planning permission on 11 December 2023 for the following reason:

“The proposed balcony would give rise to an unacceptable degree of overlooking and loss of privacy to the private rear garden of the adjoining dwelling known as 3 Godrer Coed Road, which would be contrary to Policy SW11 of the Merthyr Tydfil Borough Council Replacement Local Development Plan”.

CONSULTATION

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

Head of Engineering and Highways No response

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and a site notice was displayed within the vicinity of the site.

One letter of objection was received following this publicity exercise. The main points raised within this are summarised below:

- Overlooking into the neighbour's garden
- Overlooking of dogs that bark when they see strangers
- Potential use of property as an air B'n'B and therefore use by strangers

Local ward councillors have been consulted and they wish the application to be determined under delegated power by the Director of Planning.

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

Planning Policy Wales (Edition 12, February 2024)

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.

PLANNING CONSIDERATIONS

The proposed log store is of a modest scale and is viewed as part of the existing raised terraced area. Having regard to this and noting that it is located to the rear of the property where it is entirely out of sight from public view, it is not considered that the development has resulted in any adverse impact to the character and visual amenities of the dwelling itself or indeed the area in general and as such it is in accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the development on the residential amenities of the neighbouring residents. In this respect it is not considered that there is any overbearing impact or unacceptable loss of light/overshadowing. However, it is recognised that raised platforms can result in overlooking and a loss of privacy to neighbouring occupants and there are two adjoining dwellings that could be affected. The development has been erected hard on the western boundary line which is shared with 3 Godrer Coed Road. The majority of the raised area is directly alongside an existing boundary fence which is 1.8m in height above this level and thus prevents any overlooking directly into the neighbouring garden. There is a small section of the terrace, 1.2m in length which projects beyond this fencing and at this point there are clear views into the bottom section of this garden area. However, this is fenced off from neighbours the upper garden level so there are no views from the terrace back into this section of the garden or to the rear elevation of 3 Godrer Coed Road. It is also noted that there would have been some level of overlooking to the lower garden area from the existing raised garden level of the application site. Having regard to this and noting that no objections have been received from this neighbour it is on balance considered that the overlooking would not be to an unacceptable level.

The other dwelling adjoining the site is located to the south east and is known as 2 Godrer Coed Road. It is noted that the terrace would allow for views across to this property but the elevations facing the site do not contain any windows with the exception of the conservatory. However, only the tops of these windows can be viewed as the remainder is obscured by the boundary fencing. In addition, views from the terrace into the garden of this property are limited and not significantly greater than those from the existing raised garden area. Thus on balance, it is not considered that the development has resulted a sufficiently harmful impact in terms of overlooking or loss of privacy as to justify refusing the application on such grounds.

It is noted that one letter of objection was received following the publicity exercise from the occupants of this property and that this highlighted overlooking into their garden as a concern. Whilst this is acknowledged, overlooking from the terrace has been assessed above and has not been found to be sufficiently harmful as to warrant the refusal of the application on such grounds. It is also noted that the planning authority cannot withhold permission for a development because it may agitate neighbouring dogs causing them to bark. In addition to the above concerns, the objector noted that the property could potentially be used as an air B'n'B which would result in strangers occupying the property. It is assumed that this has been raised as the users of the terrace would be unknown to the objector. However, as noted above it is not considered that the level of overlooking would be significant enough to be deemed harmful irrespective of who is occupying or using the terrace. It is also highlighted that the property could be used for part time holiday letting without the need for planning permission.

Having regard to the above, the development is on balance not found to result in a detrimental impact on residential amenity and as such would not contravene Policy SW11 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). In this instance, due to the scale and nature of the development, which only includes a modest log store with raised terraced above, 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.

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 be carried out in accordance with the following approved plans and documents:

Drawing Title: Site Location and Block Plan, Drawing Number: LP01, Received 5 December 2024

Drawing Title: Overall Garden and Detail Plan of Wood Store and Terrace, Drawing Number: PL01, Received 5 December 2024

Drawing Title: Sectional Elevations of Existing Log Store and Terrace, Drawing Number: PL02, Received 5 December 2024

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

2. **WITHIN 3 MONTHS OF THIS DECISION** a scheme for biodiversity enhancement, including 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



Director of Neighbourhood Services

DATE: 07.02.2025