

DELEGATED REPORT

Application No: P/23/0242

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

Development: Replace first floor window with door leading to balcony, erection of shed in rear garden and other alterations

Case Officer: Nia Chard

Application Expiry Date: 11th December 2023

Consultation reply date expired: 7th November 2023

APPLICATION SITE

The application site relates to a semi-detached dwelling located off Godrer Coed Road, a no through road, in the area of Cefn Coed. The site is bound by a highway to the front, other dwellings on either side.

PROPOSED DEVELOPMENT

Full planning permission is sought for the replacement of a first floor window with a door with the creation of a first floor balcony area above an existing single storey extension. A 1.1m high balustrade would enclose the proposed balcony.

A garden shed is also proposed which would be erected towards the bottom of the garden. It would be 2m in depth by 3.7m in width and would have a shallow, mono-pitched roof with a maximum height of 2.76m. The roof would comprise of EPDM rubber and the external elevations would be finished in render.

PLANNING HISTORY

There is no relevant planning history.

CONSULTATION

None undertaken.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties.

One letter of objection was received following this publicity exercise. The only issue raised relates to land ownership.

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

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 11, February 2021)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4: Settlement boundaries
- SW11: Sustainable design and Placemaking

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 6, Household Design Guide.

Section 3.11 of SPG 6 relates to balconies and raised platforms. This section, when referring to balconies, states:

“Overlooking concerns tend to be the main issue, particularly where a platform is created (unlike Juliet balconies) which can give rise to wider and extended views into neighbouring gardens resulting in a loss of privacy”.

PLANNING CONSIDERATIONS

The application relates to development to a residential dwelling within the settlement boundary and as such, the principle is acceptable subject to compliance with other relevant policies and material planning considerations. With respect to this application, the main considerations are visual and residential amenity, which are discussed below.

Design and visual amenity

The proposed shed would be located towards the bottom of the rear garden. As such, it would be discretely sited and would not be easily viewed from the highway. Furthermore, the rendered finish of the modest 2.76m height is appropriate in respect of their scale, height and finishes. In respect of the balcony, whilst there are no other examples of first floor rear balconies visible in the rear street scene, given its sitting above an existing single storey extension it is not considered that it would have a significant visual impact and thus would not adversely impact on the character of the dwelling or the visual amenities of the area in general. Thus, from a design perspective the proposal is considered to be acceptable.

Residential Amenity

Regard has been had for the impact of the proposal on the residential amenities of surrounding residents. In this respect overlooking and loss of privacy are the most likely impact of a first floor balcony. Whilst it would not have any unacceptable impact to the residents of 2 Godrer Coed Road, there would be significant overlooking to the private, rear garden of the adjoining dwelling (known as 3 Godrer Coed Road) which in turn would result in a loss of privacy. It is acknowledged that the proposed balcony would be located next to the adjoining property's existing two storey extension, which would act in part as a privacy screen. However, it would not restrict views into a large proportion of the garden. Whilst it is noted that the garden is somewhat overlooked from the existing bedroom window of the dwelling, the creation of an outdoor balcony area changes this situation making overlooking easier and more obtrusive to the neighbours from a usable and elevated outdoor space rather than a limited opening from an indoor room. As such, the proposal is deemed unacceptable and contrary to Policy SW11 of the LDP.

Regard has also been had for the impact of the shed on the residential amenities of the neighbouring occupants. It is noted that it would be erected in close proximity to the boundaries with the neighbouring dwelling of 2 Godrer Coed Road. However, given its 2m depth and modest height of 2.76m, it is not considered that it would have an overbearing impact or result in any unacceptable overshadowing or loss of light.

One letter of objection has been received questioning the plans with regard to land ownership this is not a material planning consideration.

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.

Having regard to the above considerations, it is deemed that the development would give rise to any unacceptable level of overlooking and loss of privacy to the rear amenity areas of the adjoining dwelling that would harm the residential amenity of the neighbouring occupants to an unacceptable degree. Accordingly, the following recommendation is made:

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

1. 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

RECOMMENDATION ENDORSED




Director of Neighbourhood Services

DATE: 11.12.2023