

DELEGATED REPORT

Application No: P/20/0040

Site Address: Land To The Rear Of
8 Summerhill Place
Twynyrodyn
Merthyr Tydfil

Development: Change of use of land and construction of detached domestic garage

Case Officer: Rebecca Owens

Site Visit: 19th February 2020

Application Expiry Date: 14th April 2020

Consultation reply date expired: 11th March 2020

APPLICATION SITE

The site is located within the settlement boundary and relates to a parcel of land off a lane to the rear of a residential terrace. The site forms part of a larger parcel of land which lies between the lane and the boundary of the adjacent school. This land is largely covered with vegetation, although the section which is subject to this application is covered with gravel. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought to erect a detached domestic garage on this parcel of land and to change its use accordingly. The proposed garage would be 4m in width by 5.5m in depth and would have a pitched roof with a ridge height of 3.074m. The garage would feature a single roller shutter door in its front elevation. Its roof would be covered with metrotile profiled metal roof tiles and the external walls would be finished with render.

The submitted drawings also illustrate the erection of a 2m high galvanised metal palisade fence to the side and rear with matching gates to the front. As this would be set back from the adjacent highway this can be erected under permitted development rights.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

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

Engineering & Traffic Group Leader

No objection subject to conditions

Coal Authority

No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring dwellings and the adjacent school and two site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

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 place making

PLANNING CONSIDERATIONS

Design and impact on visual amenities

The site is located off a rear lane and forms part of a larger parcel of land which lies between the lane and the boundary of the adjacent school. This land is largely covered with vegetation, although the section which is subject to this application is covered with gravel. There are no garages on this strip of land although it is acknowledged that there is a substation on the southern section and that there are a number of other garages units within the immediate vicinity. These are located within the rear gardens of the terraced properties opposite and on land to the south of the site. The garage proposed is of an acceptable scale and given that it would be erected on an existing hard standing area (and thus would not result in the loss of any of the existing vegetation), it would not adversely impact on the character or visual amenities of the area.

Residential amenities

There is a terrace of residential properties located to the west of the application site which are separated from this land by the rear lane. The rear boundaries of these dwellings feature relatively high boundary treatments and/or rear garages. Having regard to this and the scale and siting of the garage it is not considered that the development would have any significant impact on the residential amenities of the neighbouring occupants. However, any potential commercial use of the premises may have the propensity to create unacceptable noise and disturbance. As such, it is recommended that a condition is included on any planning permission granted which would prevent its use for any commercial or business activities.

It is acknowledged that the site is directly adjoined by the grounds of a school. However, given its scale and position, it is not considered that it would have any significant impact on this land or its use.

Drawing Title: Plans and Elevations, Drawing Number: 01, Received on 18 February 2019.

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

3. The garage hereby approved, shall not be used at any time for any commercial or business use.

Reason - To clearly define the scope of this permission and the use of the garage in the interest of highway safety and residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

3. The developer is advised to contact the County Borough Council's Head of Engineering regarding any retaining works or other works affecting the highway **BEFORE** construction works commence.
4. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

Highway safety

The proposed garage would be accessed from the lane to the rear of Summerhill Place which is adopted with no designated footways. It is also narrow and contains a blind bend around the rear garden of number 1 Summershill Place. It is noted that the introduction of a new garage could result in the intensification in the use of the lane. However, the introduction of a single garage on an existing hardstanding area (which can already be used for parking) it not likely to increase traffic movements to such an extent as to warrant a refusal of any such application on highway safety grounds. Furthermore, despite the narrow width of the lane and the need for reversing movements, it is noted that the garage has been set back within the site to facilitate access into and out of the garage. As such the Engineering and Traffic Group Leader has not raised any objections in terms of highway or pedestrian safety.

Land stability

The application site falls within an area defined as being of high risk from past coal mining activities and the Coal Authority records indicate that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. However, given the nature of this particular development, which is small in scale and is unlikely to require substantial foundations or earthworks, the Coal Authority do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of the development and thus have not raised any objection to the planning application. However, they have requested an informative be included on any planning permission issued.

Summary

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:**

CONDITIONS/REASONS:

1. The development shall begin not later than five years from the date of this decision.

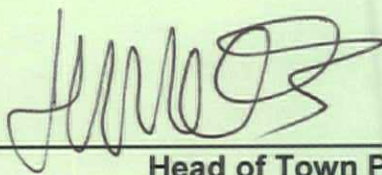
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing Title: Block Plan, Drawing Number: L.01, Amended Plan Received on 4 March 2019.

If any coal mining feature is unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

RECOMMENDATION ENDORSED

A handwritten signature in black ink, appearing to be 'J. M. G.', written over a horizontal line.

Head of Town Planning

DATE:

23/3/20