

DELEGATED REPORT

Application No: P/22/0086

Site Address: Land To The Rear Of 1 & 2 Blaenau'r Cwm
Penyard
Merthyr Tydfil
CF47 0JD

Development: Erection of a detached garage/storage shed

Case Officer: Caroline Pulley

Site Visit: 14th April 2022

Application Expiry Date: 7th June 2022

Consultation reply date expired: 5th May 2022

APPLICATION SITE

The application relates to a parcel of land within a parking courtyard area in the housing development of Gelli Dawel in Penyard. The courtyard is accessed from the south-west through an under-croft access way located between numbers 7 and 9 Blaenau'r Cwm. The land is situated within the north-western corner of the courtyard and is enclosed by close board fencing along its northern boundary. Beyond the fencing there is small landscaped embankment leading up to the main highway. To the east, the site is enclosed by the rear boundary of the neighbouring property, 1 Blaenau'r Cwm. The rear garden of this property is elevated above the level of the courtyard and is enclosed by timber fencing and a brick retaining wall along its eastern rear boundary. To the south of the site, there is a row of four garages positioned along the rear boundaries of numbers 3 and 4 Blaenau'r Cwm. To the east, there are a further two garages. However, these buildings face away from the site.

The land itself is positioned directly adjacent to the rear boundary of number 1 Blaenau'r Cwm and comprises a small grass area and two designated parking bays for use by the owners of number 2 Blaenau'r Cwm. The profile of the parking area is relatively flat but the grassed area slopes from the rear boundary of number 1 Blaenau'r Cwm down towards the parking area.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a garage/storage shed on land to the rear of numbers 1 and 2 Blaenau'r Cwm. The proposed building would cover a small-grassed area and one of the two parking bays serving number 2 Blaenau'r Cwm. It would measure 7.7m wide, a maximum of 4.8m deep and 3.2m in height to the apex of its roof. The garage/storage shed would incorporate a single garage door in its front elevation. No openings are proposed within any of remaining elevations.

The garage/storage shed would be finished with render matching the materials used on the row of garages to the south and similarly, would have a tiled roof.

PLANNING HISTORY

The relevant planning history is detailed below:

P/06/0077 Mixed use scheme of 39 acres to include residential and education uses
Granted outline planning consent subject to conditions, 16th June 2006

P/06/0170 Residential development comprising 228 residential units
Granted planning consent subject to conditions, 23rd August 2006

CONSULTATION

Head of Engineering:	No objection, subject to a condition requiring details of any retaining structures greater than 1m in height.
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The Coal Authority:	No objection.
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PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed at the entrance of the courtyard.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 6 – A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The parking courtyard area, to which this application relates, accommodates garage buildings and parking bays. Accordingly, it is considered that the introduction of a new detached garage/storage shed would be consistent with the existing situation. Furthermore, the proposed garage/storage would be of a low height and has been designed with a pitched roof which would generally match the adjacent garage buildings. Moreover, it is proposed to use the same finishes as the existing garages. In view of this, it is not considered that the proposed scheme would adversely impact on the character or visual amenities of the area.

Regard has also been had to the impact of the proposed scheme on the amenities of the surrounding residents. In this respect it is not considered that the garage/storage would have any significant impact. As highlighted by the submitted plans, the garage/storage shed would be screened from the garden of 1 Blaenau'r Cwm by its rear boundary fence. At this site and level, the development would have no overshadowing or overbearing impact on this property. It is also noted that two parking spaces would be retained for the use of the occupiers of number 2 Blaenau'r Cwm (the application property) and the Head of Engineering has not raised any highway objection to the proposed scheme. Accordingly, the proposal is acceptable in this regard.

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:

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 number GG-03

Drawing number GG-04

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

3. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

16/5/22