

DELEGATED REPORT

Application No: P/22/0084

Site Address: Land At River Row
Abercanaid
Merthyr Tydfil
CF48 1LJ

Development: Construction of two garages and bike store

Case Officer: Nia Chard

Application Expiry Date: 3rd June 2022

Consultation reply date expired: 3rd May 2022

APPLICATION SITE

The application site is irregular in shape and consists of two adjoining blocks of 5 garages. A block of 7 garages and a bike store are located to the southeast, with associated turning/manoeuvring facilities. The application site is mainly a flat hardstanding.

The site is bounded to the southwest by the highway (River Row) and to the north and east by a footpath that runs along the River Taff.

The application site lies within the settlement boundary and C2 Flood Zone, and adjoins a Site of Importance for Nature Conservation (SINC).

PROPOSED DEVELOPMENT

This application seeks planning permission to extend the existing row of garages, by erecting an additional garage to the end of each row. The proposed garages would be a continuation of the existing garages and would measure 2.8m x 5.7m and have a maximum height of 3.4m. The garages would be finished with rendered elevations, box profile roof sheets and front roller shutters to match the existing garages.

Permission is also sought for the erection of a bike storage area adjoining the proposed garages. The bike store would be set back 0.6m from the front of the garages and would have a maximum width of 5.5m and a maximum depth of 10.4m. It would have a flat roof with a height of 2m. It would have rendered walls and an off-centre roller shutter door.

PLANNING HISTORY

The following planning history is relevant to this application:

P/17/0028 – Erection of a block of 5 garages and low boundary wall (adjacent to the existing footpath) – Approved: 20 March 2017

P/16/0187 – Erect bike store to the eastern side of the block of 7 garages. Brick up existing and create new door openings in the northern elevation of a block of five garages – Approved: 5th August 2016

P/15/0361 – Demolish the existing row of 6 garages and construct a row of 7 garages – Approved: 18th December 2015

CONSULTATION

Head of Engineering	No objection
Coal Authority	No objection
Public Rights of Way	No objection
Landscape Architect	No comment
Natural Resources Wales	No objection
Ecology	No objection subject to condition

PUBLICITY

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

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 SW5 – Affordable Housing Exception Sites

Policy SW12 – Improving the Transport Network

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

The issues to consider under this application relate to whether the proposed garages and bike store would be acceptable with regards to their impact on the character and appearance of the area, flooding, residential amenity and highway safety.

The proposed garages and bike store would be sited to the rear of an existing row of five garages. The garages would be of the same design as the existing garages and would therefore have an acceptable impact on the character and appearance of the area. The proposed bicycle storage extension would also have an acceptable impact on the character and appearance of the area. Although the flat roof contrasts with the gabled form of the block of garages, the design would result in an addition that is subservient to the existing building and less overbearing on the users of the adjoining footpath. The proposed development would therefore comply with Policy SW11 of the LDP.

Given the siting of the proposed garages and bike storage, and their distance away from the adjoining and surrounding properties, the proposal would not result in any loss of residential amenity in terms of overbearing impact or loss of light. As such the proposal would comply with LDP Policy SW11.

The proposal would not significantly increase on traffic movements onto the adjoining highway and there is sufficient space within the site to allow cars to enter and leave in forward gear. The Head of Engineering has therefore raised no objection to the proposal in terms of highway/pedestrian safety. Likewise, the proposal would have no impact on the existing riverside footpath. As such the proposal complies with Policy SW11 of the LDP.

This application site lies within a C2 Flood Zone, however, due to the nature of the proposed development and its siting on a site already containing garages, the proposal is classed as 'less vulnerable development' in TAN15. NRW have therefore not objected to this proposal but have advised that the risk could be acceptable subject to the developer being made aware of the potential flood risks. As such, NRW's comments containing

further advice have been sent to the agent for consideration. In this respect the proposal is considered acceptable and complies with Policy EnW4 of the LDP.

In respect of ecology, the Council's Ecologist has concluded that survey work would not be required in respect of this proposal. However, in accordance with the Environmental Wales Act (2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' (2019), the Council's Ecologist has requested that a bird boxes are installed. In this instance, given that the proposal would not have a detrimental impact upon protected species and relates to only small scale garages, it would not be reasonable to impose a condition to require the installation of a bird box.

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 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:

Proposed floor plans and sections, Drawing No. 02029003-01, Received 8 April 2022

Proposed Elevations, Drawing No. 02029003-03, Received 8 April 2022

Site Plan, Drawing No. 02029003-02, Received 8 April 2022

Location Plan, Received 8 April 2022

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

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.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

10/5/22