

DELEGATED REPORT

Application No: P/21/0275

Site Address: 16 Highfield Rise
Trelewis
Treharris
Merthyr Tydfil
CF46 6EQ

Development: Extension of existing raised patio area and siting of gazebo

Case Officer: Rebecca Owens

Site Visit: 9th August 2021

Application Expiry Date: 20th September 2021

Consultation reply date expired: 29th September 2021

APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front and other dwellings to the sides and rear. The rear garden comprises of a raised patio area adjacent to the rear elevation of the dwelling with a lower garden level.

PROPOSED DEVELOPMENT

Full planning permission is sought to retain an extension to an existing raised patio area within the rear garden which is 1m in height above the lower garden level. The extended section of patio has been erected adjacent to the north western boundary and is 1.5m in depth and 3m in width. The walls below the extended patio level are finished with brickwork to match the existing garden walls

Permission is also sought for the retention of a gazebo, which has been erected on the raised patio area. The gazebo is sited adjacent to the north western boundary and 1.6m from the rear elevation of the dwelling. It is 3m in depth by 3m in width and has a mono-pitched roof with a ridge height of 2.4m and an eaves height of 2.1m (Note, this is erected on the raised patio area which is 1m above the lower garden level). The roof of the gazebo is covered with Cororshal shingles. The north western, south eastern and south western elevations would comprise of timber cladding up to 1.2m in height with a slatted wood privacy screen above and the north eastern elevation would remain open for access.

PLANNING HISTORY

The relevant planning history is summarised below:

- P/15/0053 Variation of a condition attached to outline planning permission P/10/0078 for residential development (of up to 300 residential units) to allow a further 3 years for the submission of reserved matters
- P/13/0330 Substitution of house types and re-plan of layout for Plots 50, 51, 87-89, 100, 108, 109, 116, 117, 134 & 135 (12 Plots) and associated works
Granted planning permission subject to conditions 19 December 2013
- P/13/0191 Residential development comprising 124 (2, 3 & 4 bedroom) dwellings and all associated work
Granted planning permission subject to conditions on 30 September 2013
- P/10/0078 Residential development (of up to 300 residential units) and associated infrastructure works
Granted outlined planning permission subject to conditions on 21 February 2012

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

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

Two objections were received following this publicity exercise. The main points raised within these letters are summarised below:

- Modifications to the original garden layout would cause additional and unnecessary imposition to neighbouring gardens. The elevated position of property and the proposal is affecting privacy particularly to properties to the rear with concerns raised in regard to overlooking and loss of privacy to gardens and rear rooms of neighbouring properties.
- No details of the slatted wood privacy screens have been provided and thus there are concerns regarding the effectiveness of these.
- The structure is imposing on the objectors garden and towers over their fence.
- The proposal would affect the aesthetics of the surroundings.
- There are discrepancies within the drawings.
- There are no details of how the rainwater would be discharged from the roof and there are concerns that due to the lower level there is a potential for water to flow into the objector's property, which may result in flooding.

Local ward councillors have been consulted and they wish the application to be determined under delegated powers by the Chief Officer Planning and 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

Policies SW11: Sustainable design and place making and CW1: The 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 works have been undertaken to the rear of the dwelling where they are not visible from the front highway. Notwithstanding this, the extension to the patio area is relatively modest in size and has been finished to match the existing patio and thus does not appear out of place. In addition, the gazebo is deemed to be of an acceptable design and scale, which does not represent an incongruous feature within a rear garden or impinge on the character or appearance of the dwelling itself or the wider area. As such the proposal is in accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the amenities of the neighbouring residents. In this respect it is noted that the patio extension and gazebo have been erected hard on the boundary with 18 Highfield Rise. However, the majority of the gazebo structure is largely obscured by the existing boundary fence that runs along the patio, with only a limited amount visible above this fence. The extended section of patio with the remainder of the gazebo above is adjacent to a shorter section of boundary fence but this is only a 1.5m length. As such, it is not considered that the proposal results in an overbearing impact on this property or causes any unacceptable loss of light or overshadowing. Similarly, despite the elevated position of the proposal in relation to the neighbouring dwellings, particularly those to the rear, it is considered that the structure is a sufficient distance from these properties to prevent any significantly harmful overbearing impact or loss of light which would warrant the refusal of the application. In terms of its impact with respect to overlooking and loss of privacy, it is noted that three sides of the gazebo would be fully enclosed with privacy screening which would sufficiently obscure and direct views from it to neighbouring properties. A condition can be attached to any permission issued to ensure this is retained at all times.

Notwithstanding the above, it is acknowledged that two letters of objection were received following the publicity exercise from adjoining neighbours. In respect to these the following comments are made:

- The impact of the proposal on the residential amenity of neighbouring occupants in terms of overbearing impact, overshadowing and loss of privacy/overlooking has been considered above. Whilst it is recognised that details of the slatted wood privacy screens were not originally submitted they have since been provided and the effectiveness of these has been considered. Whilst they would not be completely solid, it is considered that the gaps proposed would be small enough to obscure any direct and harmful views from the structure and provide an appropriate level of privacy to neighbouring residents. Comments regarding the elevated

nature of the structure above the objector's fence are noted. Whilst the development would be at a higher level than the properties to the rear, it is considered that the set back from the rear boundary line would alleviate the impact of the overall height and would be sufficient enough to prevent any overbearing impact.

- The appearance of the development and its impact and the character and visual amenity of the area have been considered above.
- It has been suggested that there are discrepancies within the drawings but these have not been detailed by the objector. The drawings have been checked and whilst there are minor discrepancies, it is considered that there is sufficient information within the submitted details to establish exactly what is being proposed. The objector has also indicated that it is their belief that the measurements of the structure provided are incorrect. However, as the structure is largely erected, the proposal has been assessed against both the drawings provided and the development on site.
- It is recognised that no details regarding surface water drainage have been provided but given the scale of the development proposed it is not considered necessary to request this information as it is unlikely that it would result in a significant increase in surface water that would impact upon flooding.

Finally, whilst the site is located in an Archaeologically Sensitive Area, given the scale and nature of the work which has taken place, it is not considered that this has been adversely impacted upon.

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 **CONDITION:**

CONDITIONS/REASONS:

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

Drawing Title: Proposed side view, Drawing Number: PK07, Received on 26 July 2021

Drawing Title: Proposed aerial view, Drawing Number: PK08, Received on 26 July 2021

Drawing Title: Expanded proposed side view, Drawing Number: PK09, Received on 26 July 2021

Drawing Title: Proposed rear view, Drawing Number: PK10, Received on 26 July 2021

Drawing Title: Expanded front view, Received on 18 August 2021

Drawing Title: Expanded side view, Received on 18 August 2021

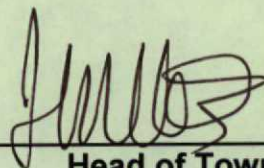
Drawing Title: Proposed privacy screens, Received on 18 August 2021

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

2. **WITHIN 1 MONTH** of the date of this permission, the privacy screens shall be erected in accordance with the details indicated on the approved plans. The development shall be retained as such thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

20/9/21