

DELEGATED REPORT

Application No:	P/22/0274
Site Address:	12 Angus Street Troedyrhiw Merthyr Tydfil CF48 4EU
Development:	Erection of detached garage in rear garden
Case Officer:	Marlene Ferreira
Site Visit:	3rd November 2022
Application Expiry Date:	13th December 2022
Consultation reply date expired:	14th November 2022

APPLICATION SITE

The application site relates to a two storey terraced dwelling, 12 Angus Street, located in the area of Troedyrhiw. The property benefits from a rear access via an adopted lane which runs along the back of this property (and others along the street), where a gated hardstanding/parking area is provided to serve the parking requirements of the occupiers.

The application property lies in a street of terraced dwellings of a similar scale and design, many of which also benefit from rear gated parking areas and/or garages. It should also be noted that the dwellings, including the application site, are located at a higher level, whilst their rear gardens are located at a lower level, since the levels of these properties slope down from the north (front) to the south (rear).

The application site lies within the settlement boundary, as designated within the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a garage to the rear of the property, off the rear lane. The proposal also includes works to the rear garden/patio area.

The proposed garage, which would replace the hardstanding/parking area, would measure approximately 4.05 metres wide, 6.9 metres deep and 2.8 metres in height. It would appear to be finished with rendered elevations, tiled roof and a steel roller shutter door. The plans also illustrate that the wall retaining the elevated garden/patio area would be moved forward, closer to the rear lane, to provide an extended elevated garden area. The wall would measure approximately 2 metres in height and would be sited 2 metres forward, thus providing an additional 2 metres of elevated garden/patio area. The existing gated pedestrian access would be stepped back 0.8 metres from the rear lane, but

retained alongside the proposed garage to provide external access along the new steps into the extended elevated rear garden/patio area.

PLANNING HISTORY

P/07/0440 – Erect two storey and single storey rear extension – Approved: 26th September 2007

CONSULTATION

Consultations were not carried out under this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to the nearby adjoining occupiers and a site notice was displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

- Supplementary Planning Guidance (SPG's)

SPG Note 6 – A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider in the assessment of this application relate to whether the proposed garage and extended garden area would be acceptable in respect of its impact upon the character and appearance of the area, residential amenity and highway safety.

Character and Appearance

The proposed garage would be located at the rear of the property and as such, it would not have any detrimental impact on the character and appearance of the dwelling when viewed within the primary street scene. The garage, as a result of its modest scale,

pitched roof design and material finishes (which would be secured by condition) would be considered acceptable and reflect other pitched roof garages within the street.

The proposed garden/patio extension would also be considered acceptable. Whilst this additional garden/patio area would be elevated, it should be noted that this would only provide a very small extension and would meet the level of the existing garden/patio which is also elevated. Indeed, elevated garden/patio areas appear to be prevalent in other properties along this row. Thus, the proposed garage and elevated garden area would therefore be in context with the surrounding built environment. As such, it would not have any adverse impact on the character and appearance of the rear street scene and would therefore comply with LDP Policy SW11.

Residential Amenity

The proposed garage and elevated garden/patio area would sit immediately adjacent with the dividing boundaries with neighbouring dwellings 11 and 13 Angus Street.

The garage is a single storey structure which would have a maximum pitched roof height of 2.8 metres and extend 6.9 metres in depth. It would not have an overbearing impact upon the neighbouring properties or cause any significant loss of light to the rear garden area, since both properties also have similar sized garages at the end of their gardens. Although side facing windows are proposed on the side elevation adjacent to 11 Angus Street, this would front the blank garage wall serving this neighbouring property.

In terms of the extended garden/patio area, this is also acceptable. Whilst it would measure approximately 2 metres in height, it would meet the height of the existing garden/patio area and as such the extent of overlooking into neighbouring properties either side would not be significantly greater or significantly more harmful than that already achieved from the current garden/patio arrangement. Indeed, the neighbouring garden at 13 Angus Street is already overlooked by the rear garden/patio area at the application property, since these properties are both served by raised garden/patio areas and are divided by a low boundary wall. In terms of 11 Angus Street, this property is relatively well screened by the boundary wall and vegetation along the boundary. This boundary arrangement combined with a small scale 2 metre garden/patio extension would not be significantly more harmful to the private amenities of these neighbouring occupiers than the current overlooking achieved from the existing garden/patio area. Furthermore, it should be noted that no objections have been received in respect of this proposal.

The relationship between the proposed garage and extended garden/patio area with the neighbouring adjoining properties is therefore considered acceptable and would comply with LDP Policy SW11.

Parking and Highway Safety

The proposed garage seeks to replace an existing vehicular parking space and as such would continue to serve the parking requirements of the property. Thus, the proposed garage would not have a detrimental impact upon highway or pedestrian safety. It would therefore accord with LDP Policy SW11.

CONCLUSION

The proposed garage and extended garden/patio area, due to the reasons discussed above, are acceptable and in compliance with relevant policies and guidance.

Finally, 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 Plan, AS-02, received: 18th October 2022;
- Site plan, AS-03, received: 18th October 2022.

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

3. The materials to be used in the construction of the external surfaces of the garage shall match those used in the existing building.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

21/11/22