

DELEGATED REPORT

Application No: P/20/0115

Site Address: 74 Mount Pleasant
Cardiff Road
Merthyr Vale
Merthyr Tydfil
CF48 4TD

Development: Private garage in rear garden with garden terrace above and associated balustrading

Case Officer: Rebecca Owens

Site Visit: 8th June 2020

Application Expiry Date: 3rd August 2020

Consultation reply date expired: 29th June 2020

APPLICATION SITE

The application relates to an end of terrace dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, lane to the rear, another dwelling to the south and both an area of public space and overgrown land to the north. The profile of the site slopes steeply from the front to the rear with the garden comprising of three terraced levels.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a private garage at the bottom of the garden which would be accessed off the adjacent lane. The garage would be erected on an existing hard standing area and set back 0.4m from the edge of the lane. It would also be erected adjacent to one of the garden's retaining walls, which would form the rear wall of the garage. The garage would be 6.025m in depth by 4.75m in width and would have a flat roof with a height of 2.6m. It would feature a galvanised steel roller shutter door in its western elevation and a timber pedestrian door in its north facing elevation. The walls of the garage would be finished with fined down, sand cement render (which would be painted) and the roof would comprise of a polyroof. The roof of the garage would also act as an elevated garden terrace, being at the same height as the existing middle terrace level and accessed directly off this. Around the roof of the garage it is therefore proposed to install a 0.9m high timber balustrade.

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:

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

Policy SW11: Sustainable design and place making 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 proposed garage is generally considered to be of an acceptable design and scale. Whilst it is considered that a pitched roof would be more visually appealing, it is noted that within the rear street scene of the application site there are examples of other garages and outbuildings, which are of varying designs and scales, including a similar flat roofed garage on the adjoining site to the south which also appears to have a roof terrace above. Given the steeply sloping nature of the rear gardens within the rear street scene, it is also noted that a number of garden terraces are visible which vary in terms of their heights and depths and also feature differing designs of balustrading. Thus, when viewed within this backdrop, the proposed terrace above the garage roof with associated balustrading is also considered to be visually acceptable. However, details of the exact design of the balustrading should be conditioned to ensure it would be sympathetic. Thus, in the context of the site it is not considered that the proposal would appear incongruous or be harmful to the character and visual amenities of the dwelling itself or the area in general and as such it is found to be in accord with Policy SW11.

Regard has also had for the impact of the proposal on the residential amenities of the surrounding occupants. In this respect, the garage structure is only likely to impact on the dwelling that adjoins the southern boundary known as 76 Mount Pleasant. It is noted that this property already has a garage in its rear garden located in a similar position to the proposal, with a narrow pathway leading to steps up to this garden's higher level located between the side elevation of the garage and the boundary with the application site. The proposed garage would be erected almost hard on the boundary with this neighbouring property resulting in its aforementioned pathway being flanked on both sides by garage walls. This may result in the neighbour's pathway feeling more enclosed and receiving less light than at present. However, despite being taller, it is not considered that the impact of the garage (and balustrading above) would be substantially greater than the impact of the existing boundary wall. In addition, the garage would only affect a small area of the rear garden, which is only used as an access. Thus, it is not considered that the garage would be harmful enough as to warrant the refusal of the application on such grounds.

In addition to the above, it is acknowledged that the flat roof of the garage would create an elevated garden terrace which would be utilised as useable amenity space. Elevated

terraces can have the potential to create overlooking and impinge on the privacy of neighbouring occupants. However, given the steeply sloping profile of the rear gardens which make up the rear street scene, there are already a number of terraces visible which vary in terms of their depths and heights and which already create a degree of overlooking. In addition, the roof of the adjoining garage also appears to be in use as garden space. When you consider this context and the overlooking which already takes place to neighbouring gardens and rear windows from the existing terraces within the application site itself and other gardens, it is not considered that the roof terrace (extending the middle garden level) would create any substantially greater overlooking or loss of privacy than that which already exists. In this respect, it is also noted that no representations were received following the publicity exercise. As such, the proposal would again comply with Policy SW11 of the LDP.

The proposal would replace a hardstanding area which currently provides two off-street parking spaces with a garage which given its size would likely provide parking for just a single vehicle. Despite the potential loss of an off-street parking space, there has been a clear shift in national policy with an emphasis placed on reducing the reliance on private cars. In this location, which is served by public transport, there is an opportunity for the occupants of the dwelling to be less dependent on private cars and thus, two car parking spaces may not be required. There is also capacity within the surrounding highway network to accommodate - parking for an additional vehicle without adverse impact on highway safety. In this respect, it is noted that the Engineering and Traffic Group Leader has not raised any objection to the application on parking or highway safety grounds.

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:

Proposed front and side elevations, Drawing Number: 1 of 2, Amended plan received on 10 June 2020.

Proposed Plan and Proposed Section, Drawing Number: 2 of 2, Amended plan received on 10 June 2020.

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 .

4. **Prior to works commencing on site**, details of the design of the timber balustrade shall be submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and 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. 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.

2. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property; or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

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.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

30/7/20.