

DELEGATED REPORT

Application No: P/19/0326

Site Address: 28 Incline Top
Penyard
Merthyr Tydfil
CF47 0TJ

Development: Detached garage

Case Officer: Rebecca Owens

Site Visit:

Application Expiry Date: 8th April 2020

Consultation reply date expired: 2nd March 2020

APPLICATION SITE

This application relates to a relatively large detached dwelling located within a generous curtilage and within a residential area. The application site is located adjacent to a single track access road which serves this property and a cul-de-sac comprising four large detached dwellings. The site is bounded by this highway to the front, other residential dwellings and a parcel of undeveloped land. The profile of the site varies from a gentle sloping front garden leading up to the dwelling to a terraced rear garden which occupies a higher position than the host dwelling.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a detached garage which would be sited within the south western corner of the front garden. The proposed garage would be 7.6m in depth by 4.6m in width and would have a pitched roof with a ridge height of 3.9m. It would feature a garage door in its front elevation and a door and window in its north facing side elevation.

PLANNING HISTORY

The relevant planning history is detailed below:

P/18/0117 Erection of two storey side extension with first floor access bridge to rear garden and erection of front porch/canopy and other associated works - Granted planning permission subject to conditions on 7 August 2018

P/12/0351 Change of use to divide existing dwelling into 2 dwellings, erection of first floor side extension and two storey rear extension, erection of retaining walls, repositioning of existing vehicular access and creation of new shared access and parking areas to front - Granted planning permission subject to conditions on 2 May 2013

P/12/0259 Change of use to divide existing dwelling into 2 No. dwellings, erection of first floor side extension and two storey rear extension, erection of retaining walls, repositioning of existing vehicular access and creation of new shared access and parking areas to front - Refuse planning permission on 22 November 2012.

P/06/0080 Two storey side extension and front canopy - Granted planning permission subject to condition on 13 April 2006

CONSULTATION

The following bodies were consulted and their responses are presented below:

Engineering & Traffic Group Leader - No objection
PUBLICITY

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

No letters of objection were received following this publicity exercise. However, a letter was received from the occupants of the adjoining property known as 2 Bradley Close, addressed to the applicant and highlighting a number of concerns. These are summarised below;

1. Removal of the trees along the shared boundary which the neighbours would like retained.
2. The siting of the garage which would make exiting from the garage onto the lane difficult.
3. Security of the garage as the entrance would not be overlooked and there is no lighting in the lane.

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

The following policies of the Merthyr Tydfil Borough Local Development Plan 2006-2021 are relevant to the determination of this application:

- SW4: Settlement boundaries
- SW11: Sustainable design and place making
- EnW1: Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Merthyr Tydfil Local Development Plan 2006-2021, Supplementary Planning Guidance (SPG) Notes:

- Note 5: Nature and Development
- Note 6: A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The application relates to a detached dwelling located off a narrow lane which comprises the rear boundaries of two dwellings from an adjacent cul-de-sac known as Bradley Close and provides access to this property and a cul-de-sac of four other dwellings (Newland Park). The application site comprises of a large front garden with the dwelling set back over 28m from the front boundary. Whilst garages and outbuildings are not generally supported where they are sited in front of the principal elevation of a dwelling, in this instance, given the significant set back of the dwelling, the poor street scene which currently exists along the lane and the siting of the garage in a corner adjacent to the boundary with the adjoining dwelling, it is not considered that the garage would be significantly harmful to the character of the property or indeed the visual amenity of the streetscene. It is recognised that the garage is relatively large in scale but given the generous front garden it is not considered that it would appear out of scale. However, to ensure that it does not represent an incongruous feature it is recommended that a condition is included on any planning permission relating to the external finishes thus ensuring it complements the existing dwelling.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding residents. In this respect, it is noted that the garage would only impact on the adjoining dwelling known as 2 Bradley Close. The garage would be erected almost hard on the southern boundary of the dwelling which is the shared boundary with this neighbouring dwelling. At present there are a number of mature trees and vegetation along this boundary line which need to be removed to facilitate the erection of the proposed garage. Whilst the loss of these is regrettable, they can be removed without the benefit of planning permission. The proposal would then result in a built structure erected along the boundary line for a length of 7.6m. However, as it has an eaves height of just 2.25m, it is not considered that it would have an overbearing impact on this property. Furthermore, as it would be sited to the north of 2 Bradley Close it would not result in any significant overshadowing or loss of light (particularly given the height of the existing trees and vegetation which are in excess of the proposed garage eaves height). It is noted that the occupants of 2 Bradley Close have raised concerns with regard to the proposed scheme, particularly regarding the loss of the boundary trees and vegetation. However, these are on the applicants land and as noted above can be removed without planning permission. Their other concerns relate to security and highway safety. In terms of security, whilst it is recognised that the garage doors would not be readily visible from the dwelling as they open out onto the lane, which has no lighting, this is often the case for domestic garages accessed off lanes and would not constitute a reason to refuse the application. Highway safety has been addressed below.

The garage would be accessed from the adjacent highway which is not adopted and privately maintained via an unadopted verge. It is noted that reversing manoeuvres would be required for cars either entering or exiting the garage. As the garage would be sited almost hard on the boundary with the adjoining dwelling, this could result in turning manoeuvres to the south around a blind corner. However, it is unlikely that users would reverse in this direction given the difficulty of the manoeuvre compared to reversing in the opposite direction onto a wider strip of the adjacent lane which would not impinge on the main carriageway. In addition, reversing to the south would result in the vehicle facing towards the cul-de sac of dwellings rather than the direction needed to exit the lane and thus would be unlikely. In addition, as the road only serves five properties it is not heavily used and traffic speed are likely to be low given its narrowness and rough surfacing

material. On this basis and given that the Engineering and Traffic Group Leader has not raised any objection to the proposal it is found to be acceptable in terms of highway safety.

It is acknowledged that the proposal requires the removal of trees and vegetation. The Division's Ecologist has not raised any objection to this but has noted that the works should be undertaken outside of bird nesting season. This can be done through a suitably worded informative.

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:

- Drawing Title: Proposed plans and section, Drawing Number: INCLINE 28 1, Received on 12 December 2019.
- Drawing Title: Proposed block plan, Drawing Number: INCLINE 28 4 V3, Received on 17 February 2020.
- Drawing Title: proposed site section, Drawing Number: INCLINE 28 5, Received on 17 February 2020.

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

3. Prior to the construction of the garage, hereby approved, the materials to be used in the construction of the external surfaces 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 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. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

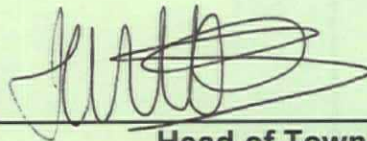
Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

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

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

4/5/20