

DELEGATED REPORT

Application No:

P/21/0422

Site Address:

20 Heol Corn Du
Swansea Road
Merthyr Tydfil
CF48 1BW

Development:

Proposed re-profiling of rear garden and new garden shed

Case Officer:

Rebecca Owens

Site Visit:

4th July 2022

Application Expiry Date:

16th February 2022

Consultation reply date expired:

19th January 2023

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 side and rear. The application dwelling occupies a higher level than the properties to the rear with the garden of the application site comprised of different terraced levels and a sloping lawn.

PROPOSED DEVELOPMENT

Full planning permission is sought to re-profile the rear garden with associated retaining works and to erect a new garden shed.

The proposed shed would be located 0.6m off the rear elevation of the dwelling and adjacent to the western boundary. The shed would be 4.1m in width by 8m in depth and would have a shallow mono-pitched roof with a maximum height of 2.7m. It would feature large bi-fold doors and two windows in its east facing elevation.

At present the rear of the property opens onto the upper terrace which comprises a large patio area. Below this there is a second smaller, gravel terrace which it is proposed to extend both outwards towards the rear and across the full width of the garden. This would create a larger lower terrace which would be approximately 4.65m in depth by 17.95m in width. This would necessitate retaining works with a retaining wall proposed 3m off the rear boundary which would be 1.4m in height. This would return along the side boundaries of the site. On top of this new level it is proposed to erect a 1.7m high close boarded timber fence along the edge of the terrace and along both sides.

PLANNING HISTORY

The relevant planning history is summarised below:

P/07/0364	Erection of 3 No. detached houses	Granted planning permission subject to conditions on 27 September 2007
P/06/0642	Erection of 3 No. detached houses	Granted planning permission subject to conditions on 16 March 2007

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 the neighbouring properties. In addition, following amendments to the application a second publicity exercise was undertaken. No letters of objection were received following either of these.

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

Policy SW1 1: 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

Given that the proposed developments would be located to the rear of the application site, they would not be readily visible from the front streetscene as and as such would have no impact on the character or visual amenities of the area in general. Whilst it is acknowledged that the proposed shed/outbuilding would have a large footprint, it would not appear disproportionate to the dwelling and its general design and appearance is typical of larger outbuildings found within residential properties. It is recognised that the external finishes have not been provided but these details can be conditioned to ensure that the material used would be sympathetic. As such, no concerns are raised with this

aspect of the proposal. Similarly, the reprofiling works are also found to be acceptable. The topography of the area has resulted in a number of rear gardens being terraced to provide useable areas and close boarded timber fencing a readily visible boundary enclosure. Therefore, the proposal is found to be of an acceptable design and appearance and would therefore comply with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring properties. In this respect it is noted that the application site is bound by other dwellings on either side and to the rear. The proposed shed would be erected almost hard on the western boundary which is shared with 19A Heol Corn Du and it is acknowledged that this would be 8m in depth. However, given that the elevation adjacent to boundary is just 2.6m in height it would not have an overbearing impact or create any unacceptable overshadowing or loss of light. It is also noted that the new terrace level would be adjacent to the boundary with 19A Heolgerig, with a retaining wall and timber fence being erected almost hard on the boundary line. At its highest point this would be 2.95m above the garden of 19A Heolgerig, but it would only be this height for a length of 0.9m and as such, it is not considered that it would result in an overbearing impact or create any significant overshadowing. In addition, there would not be any overlooking or loss of privacy from this new level as the 1.7m high close boarded timber fencing would prevent views to this neighbouring property.

Similarly, the enlarged terraced level would be located adjacent to the eastern boundary which is shared with 21 Heol Corn Du. The garden of this neighbouring property is of a similar profile to that of the application site and the proposal would result in a retaining wall being erected along the boundary with a 1.7m high timber fence on top. This would be higher than the existing boundary fence and would at its highest point be approximately 3m above the level of the rear garden of 21 Heol Corn Du. However, given the relatively short length of which the fencing would be over 2m in height, it is not considered that this would have an overbearing impact or result in any harmful overshadowing. In addition, the 1.7m high fencing would ensure that there would be no overlooking from the new garden level to the rear garden or indeed windows of this adjoining dwelling. Visually, given the prevalence of such boundary treatments in the immediate area, this fencing is also considered acceptable.

Finally, the rear boundary of the site is shared mainly with 10 Clos Cribyn, with a small section of the north eastern corner bounding 11 Clos Cribyn. These dwellings occupy a significantly lower level than the application site and it is noted that there is already a degree of overlooking from the existing garden into these neighbouring properties. Whilst the proposal would create a higher level which is in closer proximity to the dwellings in Clos Cribyn, the introduction of a 1.7m high fence would prevent any overlooking from this new level to the dwellings to the rear of the site. Furthermore, whilst the retaining wall and this fencing would have a combined overall height of 3.1m, it would be set back 3m from the rear boundary and as such it is not considered that it would have an overbearing impact or result in any harmful overshadowing or loss of light to the gardens of the dwellings in Clos Cribyn.

Having regard to the above and noting that no objections were received following the publicity exercises, the proposals would not have a detrimental impact on residential amenity and as such they would accord with Policy SW11 of the LDP.

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:

Drawing Title: Proposed Plans & Section Details, Drawing Number: BEACON 20 02E, Amended Plan Received on 4 January 2023

Drawing Title: Proposed Plans, Elevations & Section Details, Drawing Number: BEACON 20 03F, Amended Plan Received on 4 January 2023

Drawing Title: Proposed Plans & Elevations, Drawing Number: BEACON 20 04B, Amended Plan Received on 4 January 2023

Drawing Title: Proposed Section Details, Drawing Number: BEACON 20 05A, Amended Plan Received on 4 January 2023

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

3. Prior to the construction of the shed/outbuilding hereby approved, detail and/or samples of 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.

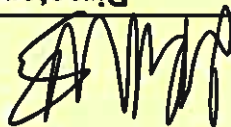
4. **BEFORE** the raised garden level hereby approved is brought into use, the close boarded timber fencing on top of its northern edge and the eastern and western sides, shall be erected in accordance with the details indicated on the approved plans (Drawing Numbers: 02E, 04B and 05A). The development 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

5. **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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

26/1/23