

DELEGATED REPORT

Application No:	P/20/0148
Site Address:	104 High Street Cefn Coed Merthyr Tydfil CF48 2PN
Development:	Construction of a detached garage for use by shop and erection of 2m high fence
Case Officer:	Caroline Pulley
Site Visit:	16th July 2020
Application Expiry Date:	4th September 2020
Consultation reply date expired:	6th August 2020

APPLICATION SITE

The application site relates to a shop located at 104 High Street, Cefn Coed. The development specifically relates to an area of curtilage located to the rear of the property. This area is set on a slight slope. It is bound by the garden area of a residential property (1 Pearce's Court) to the north, the highway of Pearce's Court to the west, a residential care home to the east and a small grassed verge to the south. It is accessed from the west via an opening within a stone boundary wall.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a detached garage to the rear of a shop premise.

The proposed garage would be located towards the southern part of the site and would be orientated to face a north-easterly direction (towards the rear of number 104). It would measure 6.65m wide, 6m deep and would have a 2.9m high flat roof. The external walls of the garage would be finished in render and the roof would be covered in fibreglass. The submitted plans indicate that the existing stone walls which border the eastern, western, and southern boundaries of the site would be retained. However, a new 2m high fence is proposed to be erected inside and along the length of the eastern boundary wall (bordering the nursing home).

In terms of the proposed use, the agent has confirmed during the course of this application that the garage would be used for storage of goods for the shop and for the parking of a commercial van (also used by the shop).

PLANNING HISTORY

P/98/0283 Increase the shop area (change of use from residential to retail)
Approved – 22.10.1998

CONSULTATION

Engineering and Traffic Officer: No objection

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

The application site is located within the defined settlement boundary and lies partially within the designated retail local centre of Cefn Coed. The following policies are therefore considered to be of a relevance in the consideration of this application.

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

PLANNING CONSIDERATIONS

The primary considerations in the determination of this application are the impact of the development on the character and appearance of the surrounding locality, the impact on the amenity and privacy of neighbouring properties and the highway implications of the scheme.

As referenced earlier, the application seeks permission for the construction of a garage within the rear curtilage of a shop premise. The proposed garage is considered to be of an acceptable scale and design. While it is noted that the garage is to be used in connection with the shop, its scale and overall visual appearance is akin to a typical domestic garage building. Additionally, the existing stone wall which bounds the highway, will screen a large part of the building. Additionally, a tree positioned outside but next to the rear boundary wall will help to soften the visual impact of the proposed garage. In light of this, it is considered that the garage would not adversely impact the character and appearance of the area or the street.

Turning to the impact on existing levels of residential amenity, it is considered that there are two main issues arising from this scheme. The first issue relates to the use of the garage. Being located within a prominently residential area, consideration must be given to the potential impacts arising from the commercial use of the building. While acknowledging that the garage would be used in connection with the shop, the potential impacts arising from its use would be restricted by the size of the building. Moreover, the applicant has indicated that the garage would be used for the parking of a commercial van and for storage purposes only. Although, the movements and activity of commercial vehicles can result in a level of noise and disturbance to residential properties, it would appear from the historic aerial photography that this area has been used for parking in connection with the existing shop premise for a number of years. Taking this into account, the proposed use of the garage in association with the shop is unlikely to give rise to a significant and greater level of noise and disturbance beyond that which is experienced at present.

The second issue relates to the impact resulting from the garage building itself. In this respect, it is noted that the garage would not be excessive in terms of its scale or its height. Any potential overshadowing or overbearing impact to the adjacent properties would therefore be limited. However, it is acknowledged the garage would be slightly elevated above the level of the nursing home to the east, and there would be some level of impact to the windows located within the side of this premise. However, given that the side wall of the garage would be angled away from the dividing boundary and the height of the garage would not be excessive, the impact on the care home would not be so significant to warrant the refusal of planning permission. It is also noted that the garage would be offset from the boundary with the residential property to the north (1 Pearce's Court) by a distance of approximately 4m and there would be no windows within any of the elevations. There have also been no objections raised to this scheme.

Consideration has also been given to the impact that would arise from the siting of a 2m high fence along the eastern boundary. Visually, the fence would not be overly prominent from the road nor would it look significantly out of place within the street scene. While there is some concern that the fence could be overbearing when viewed from the windows located to the side of the adjacent care home, a 2m high fence could be erected from the existing ground level of the site without the need for planning permission. This fence only requires planning permission by virtue of the fact that the ground levels are proposed to be lowered resulting in the fence being greater than 2m in height. Taking this into account, the impact of the fence is deemed acceptable.

Turning to highway safety, the garage would utilise the existing access onto Pearce's Court and a plan has been provided to show vehicles can enter and leave the garage in a forward gear. While the use of the garage is for commercial purposes in connection with the use of the shop, it is unlikely that the use of a garage of this size for storage and parking purposes would give rise to a significant increase in traffic movements. Moreover, as noted above, it would appear that a hardstand is currently used for parking purposes in connection with the shop. The Engineering and Traffic Group Leader has also raised no objections to the scheme. As such, the proposal would not prejudice highway safety.

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

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 no. 02023090-01 received on 10.07.2020

Drawing no. 02023090-04 received on 10.07.2020

Drawing no. 02023090-03 received on 10.07.2020

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

3. The garage hereby approved shall only be used for storage purposes and/or for the parking of a vehicle in connection with the shop use at 104 High Street, Cefn Coed only and for no other purpose.

Reason - In the interests of highway safety and residential amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

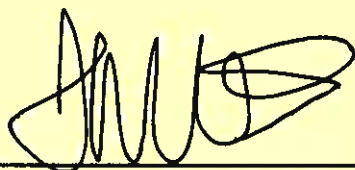
INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

2. The developer is advised to contact Merthyr Tydfil County Borough Council's Highway Division regarding any retaining works or other works affecting the highway BEFORE construction works commence. This approval is independent of any planning approval.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

13/8/20

1. The first part of the report discusses the general situation of the company and the results of the audit.

2. The second part of the report discusses the results of the audit of the financial statements.

3. The third part of the report discusses the results of the audit of the internal control system.

4. The fourth part of the report discusses the results of the audit of the tax returns.

5. The fifth part of the report discusses the results of the audit of the company's compliance with the law.

6. The sixth part of the report discusses the results of the audit of the company's compliance with the standards of the accounting profession.