

DELEGATED REPORT

Application No: P/19/0296

Site Address: 30 Lancaster Villas
Lancaster Street
Merthyr Tydfil
CF47 8SN

Development: New parking area with associated ground re-profiling to front garden

Case Officer: Rebecca Owens

Site Visit: 25th November 2019

Application Expiry Date: 10th January 2020

Consultation reply date expired: 11th December 2019

APPLICATION SITE

The application relates to a semi-detached dwelling located in a mainly residential area. The site is bounded by a highway to the front and other residential dwellings to the sides and rear. The dwelling occupies a higher level than the highway to the front with a large part of the front garden also elevated and accessed via steps.

PROPOSED DEVELOPMENT

Full planning permission is sought for the creation of a new car parking area within the front garden which would provide off street parking for up to two vehicles. Due to the levels of the site, this would require excavation of part of the front garden and associated retaining works.

The proposed parking area would span the full width of the front garden and as such would necessitate the removal of the front boundary wall, leaving the parking area open to the adjacent highway. The parking area would slope up towards the dwelling and would be surfaced with permeable pavements (Driveline priora). A new retaining wall would be erected between the parking area and the front elevation of the dwelling which would have a maximum height of 0.9m above the level of the new driveway. Two new sets of steps would also be created, one to the north west of the site providing access to the front entrance and the other to the south east of the site providing access to the side entrance. The 1.2m high steel fabricated handrails would be provided to the sides of these and on top of a section of the retaining wall.

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:

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 properties.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

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

- BW1: Development Strategy - Primary Growth Area
- BW4: Settlement boundaries / locational constraints
- BW7: Sustainable design and place making
- BW8: Development and the water environment
- BW12: Development proposals and transport
- TB11: Access, parking and accessibility of local facilities

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) Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The application site is located on the north-eastern side of the street which is characterised by semi-detached dwellings. The majority of these have enclosed front gardens with low, red brick front boundary walls topped with railings and hedges. This proposal would result in the loss of this front boundary treatment and the opening up of the front garden to form a large hard standing area. Whilst this alteration is not favoured and would erode the original character of the street scene, it is recognised that other similar development have been undertaken to provide off street parking within the front garden areas. As such, the original frontage of the street has already been damaged and consequently it would not be justified to refuse the proposal on such grounds. Furthermore, it is noted that the proposed retaining walls would be set back within the site and finished in matching red brick work. As such they would not appear incongruous or significantly impact on the visual amenities of the street scene. Thus having regard to the existing parking areas, it is not considered that the proposal would be harmful to the character and visual amenities of the area and accordingly would comply with Policy BW7 of the LDP.

Regard has also been had for the impact of the development on the residential amenities of the surrounding occupants. In this respect, given the location and lower level of the parking area and the position and height of the retaining works, the proposal would not have any significant impact on residential amenity and no representations were received following the publicity exercise. As such the proposal is in accord with Policy BW7 of the LDP.

The Engineering and Traffic Group Leader has also considered the proposal and has not raised any objections to the scheme. It is therefore deemed to be acceptable in terms of car parking and highway safety and thus in compliance with Policies BW12 and TB11 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: Existing & Proposed Plans, Elevations & Sections, Drawing Number: LANCASTER 30 01, Received on 15 November 2019.

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

3. **BEFORE** works commence on site, a porosity test shall be undertaken and the results of this and details of the permeable construction shall be submitted to and approved in writing by the local Planning Authority. The development shall be carried out in accordance with the approved details before the car parking area is brought into use.

Reason - To protect the environment and prevent excess water entering the highway in accordance with Policies BW8 and BW12 of the Merthyr Tydfil Local Development Plan

INFORMATIVES

1. 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.

2. 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.

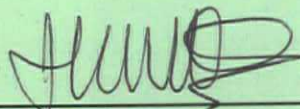
3. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- 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.

4. 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.
5. The applicant/developer is advised to liaise with the County Borough Council's Head of Engineering regarding any consents which are required in association with the provision of any vehicle cross over.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

16/12/19.