

DELEGATED REPORT

Application No: P/20/0056

Site Address: 70 Brecon Rise
Pant
Merthyr Tydfil
CF48 2EF

Development: New vehicular access and two off road parking spaces with associated retaining works

Case Officer: Rebecca Owens

Site Visit: 4th March 2020

Application Expiry Date: 27th April 2020

Consultation reply date expired: 14th May 2020

APPLICATION SITE

The application relates to a detached dwelling located within the settlement boundary and in a mainly residential area. The site is bound by a highway to the front and dwellings to the sides and rear. The dwelling occupies a lower level than the adjacent highway with a sloping front garden.

PROPOSED DEVELOPMENT

Full planning permission is sought for a new vehicular access off the highway and the creation of two off road parking spaces within the front curtilage. The new parking area would have a slight fall in level and would be 5m in depth by 5.2m in width. Due the difference in level between the highway and the front garden, the land would need to be re-profiled and the parking area retained with walls which would have a maximum height of 1.9m from the original ground level. As the car parking area is elevated it would be enclosed with 1.25m high safety rails to the eastern side and 1.7m high closed boarded timber fencing to the western side and rear.

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 subject to condition

It is noted that Wales and West Utilities also made a presentation highlighting the presence of their apparatus within the area. The applicant can be made aware of this via an informative on any planning permission.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties.

One letter of objection was received following the initial publicity exercise. The main issue highlighted within this letter relates to overlooking and loss of privacy. The objector is concerned that by increasing the level of the front garden to create a hard standing area, anyone standing or parking on that higher level would then be able to see over the existing boundary fence into their garden and rear windows. Glare from headlights into the rear windows has also been raised.

Following receipt of this objection, the concerns were raised with the applicant and the plans were subsequently amended to include a 1.7m high solid timber fence on two sides of the hardstanding to overcome such issues. A further publicity exercise was then undertaken and no further representations were received.

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

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 application site is located within a residential street where the majority of properties have no off street parking and thus on street parking is prevalent. The profile of the site, with the highway occupying a higher level than the dwelling and sloping front garden, has the effect of making off street parking more complicated as retaining works are required to create an elevated hardstanding which can be accessed off the highway. As a result, the proposed hard standing area would be elevated above the level of the dwelling, and as it is located to the front of the property, it would be forward to the principal elevation. Consequently, the proposed hardstanding would be clearly visible and relatively dominant in relation to the dwelling and within the street scene. It's visual presence is further exaggerated by the 1.7m high close board fencing proposed to the rear. However, it is noted that the hardstanding would be erected adjacent to an existing hardstanding belonging to the property known as 47 Brecon Rise (although this is not visible behind the high gates which enclose it) and would be sited alongside the relatively high boundary fence which already exists between the two properties and thus would be viewed against this. Furthermore, whilst it would be to the front of the principal elevation, it would be located to the side of the house and thus would only slightly obscure views of the front elevation of the dwelling. The close board fencing would also be set back and viewed

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: BREC RISE 70 01A, Amended Plan Received on 21 April 2020.

Drawing Title: Existing & Proposed Plans, Elevations & Sections, Drawing Number: BREC RISE 70 02A, Amended Plan Received on 21 April 2020

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

3. Before the hard standing hereby approved is brought into use, the close boarded timber fence shall be erected in accordance with approved drawings BREC RISE 70 01A and BREC RISE 70 02A and 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.

4. **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 .

INFORMATIVES

1. Wales and West Utilities has pipes in the area. Their apparatus may be affected and at risk from the development. As such they require the developer to contact them directly to discuss their requirements in detail before any works commence on site. Should any diversion works be required, these will be fully chargeable.
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.

against the existing timber fence between the application site and the adjacent property and thus would not be incongruous. Having considered this arrangement, it is not considered that the proposal would significantly harm the character or visual amenities of the dwelling or indeed the area in general and thus is found to be acceptable in this respect.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding occupants. With regard to the adjoining property to the south east known as 71 Brecon Rise, the proposed hardstanding would be erected at an adequate distance from the shared boundary to prevent any overbearing impact or overshadowing. Notwithstanding this, it is acknowledged that the elevated hardstanding would allow for views towards the front windows of this neighbouring dwelling. However, these would be at an acute angle and would be no greater than views from the adjacent highway which occupies a higher level than these properties.

The proposal would result in an elevated hardstanding, hard on the shared boundary with 47 Brecon Rise which adjoins the opposite side of the application side (north west). However, given that this property already benefits from a hardstanding area adjacent to the proposed development and that the proposed 1.7m high boundary fence along the shared boundary would be almost entirely below the existing boundary fence, it is not considered that the development would have an overbearing impact or result in any unacceptable overshadowing. Furthermore, it is noted that the amended scheme includes a further section of 1.7m high timber fencing along the rear of the proposed hardstanding which would prevent any overlooking from this higher level into the rear gardens or windows of either 47 Brecon Rise or 48 Brecon Rise (sited the rear). It would also prevent any disturbance to these properties from the headlights of cars using the parking area. However, to ensure that these fences are erected and retained it is recommended that any planning permission includes a suitably worded condition. With the inclusion of such a condition it is not considered that the proposal would have any significant impact on residential amenity. Thus whilst a letter of objection was received to the original proposal, it is considered that the amended scheme (with the inclusion of 1.7m high close board timber fencing) would overcome the concerns of the objector and it is reiterated that no additional representations were received following a further publicity exercise of the amended scheme.

The proposed hardstanding would be accessed off the adjacent adopted highway and reversing manoeuvres would be required to either gain access to this or egress it. However, the Engineering and Traffic Group Leader has considered the proposal and raised no objections.

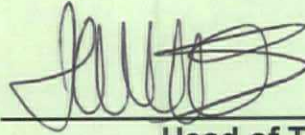
The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. 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:

3. 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.
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.

RECOMMENDATION ENDORSED

A handwritten signature in dark ink, consisting of several loops and a final horizontal stroke, positioned above a horizontal line.

Head of Town Planning

DATE:

28/5/20