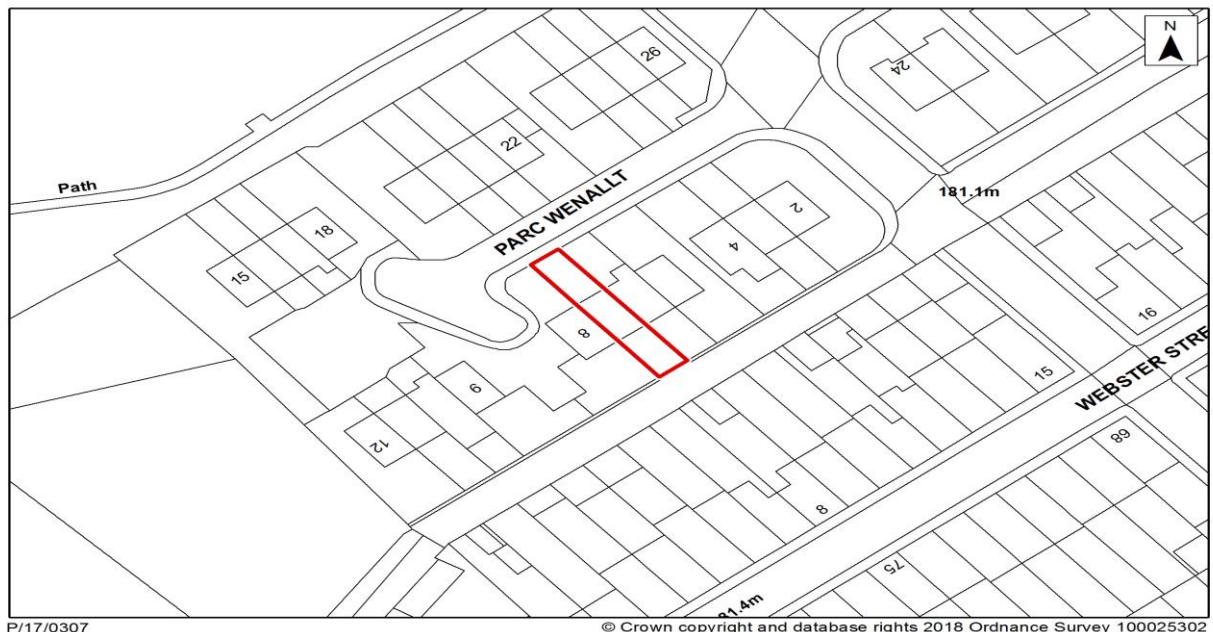


FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	07 th June 2018
REPORT AUTHOR	Judith Jones
CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	20 th June 2018

Application No. P/17/0307	Date 18.10.2017	Determining Authority MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Retrospective application for the erection of a canopy	7 Parc Wenallt Treharris CF46 5HX	Mr Mike Williams C/O JKA Drawing Services F.a.o. Mr J Arthur 211 Merthyr Road Pontypridd CF37 4DH



TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/D/18/3194654
DATE DECISION RECEIVED:	03.04.2018
DECISION:	DISMISSED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/03/18

gan **Joanne Burston BSc MA MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: **03/04/18**

Appeal Decision

Site visit made on 19/03/18

by **Joanne Burston BSc MA MRTPI**

an Inspector appointed by the Welsh Ministers

Date: **03/04/18**

Appeal Ref: APP/U6925/D/18/3194654

Site address: 7 Parc Wenallt, Treharris CF46 5HX

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Williams against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref P/17/0307, dated 10 October 2017, was refused by notice dated 29 November 2017.
 - The development proposed is the erection of an undercover hydrotherapy pool within the compounds of garden.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the dwelling and the surrounding area.

Reasons

4. The appeal property forms part of a terrace of 2-storey houses, located on a steeply sloping valley side. As such the modest rear gardens slope from north to south. Beyond these rear gardens is a service lane. A number of the properties hereabouts have been extended to the rear including conservatories and outbuildings.
 5. At the time of my visit, the development had been erected and consisted of a canopy attached to the rear elevation of the property constructed from Perspex, with a timber frame (approximately 3.75m wide x 7.1m deep x 3m high). At the rear of the garden, linked to the canopy, an outbuilding had been erected to house the hydrotherapy pool.
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This was formed of timber panels, with clear Perspex sheets to create windows and corrugated roof sheets (approximately 2m high). These structures fully encompass the rear garden area.

6. The development is a unique structure that dominates the rear of the dwelling. In particular the expanse of wood that forms the hydrotherapy pool enclosure may have the appearance of a fence and this is particularly evident from the rear service lane. However the mass and bulk of the structure, in tandem with the canopy has a distinctly different quality and overall it is an odd structure that sits uncomfortably in this prominent location.
7. There are structures within other nearby gardens but these are of a scale and type that one would expect. This structure bears no relationship either in design or materials to its surroundings, and subsumes the rear garden and dominates the rear elevation of No 7.
8. Overall the development is an incompatible addition to the appeal property that significantly undermines its character and appearance and that of the surrounding area. It is therefore contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan (LDP) which seeks to ensure, amongst other matters, that development be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing.
9. I am sympathetic to the appellant's needs however these do not outweigh the material harm that I have identified in this case. Consequently for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Joanne Burston

INSPECTOR