

DELEGATED REPORT

Application No:	P/22/0101
Site Address:	26 Briarmead Penydarren Merthyr Tydfil CF47 9BZ
Development:	Erection of a single-storey rear extension and single-storey side extension
Case Officer:	David James
Site Visit:	25th May 2022
Application Expiry Date:	22nd June 2022
Consultation reply date expired:	19th May 2022

APPLICATION SITE

The application site relates to a semi-detached dwelling situated on a relatively modern development within the residential area of Penydarren. The site is bound by a highway to the front (west), a wooded area to the rear, and other dwellings on either side.

The application site lies within the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan 2016 – 2031.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single-storey side extension, which would be sited on the dwelling's north side elevation, and a single-storey rear extension.

The proposed side extension would measure 2.3m wide, and 4.7m deep, and a maximum of 2.9m high, incorporating a mono-pitched roof with an eaves height of 2.4m. It would have a roller shutter in its front elevation and patio doors in its rear elevation. The roof of the extension would be tiled, the walls would have a brickwork finish, and the windows would be white upvc. These materials would match the dwelling.

The proposed rear extension would measure 3.2m wide, and 3m deep, and a maximum of 4.5m high, incorporating a flat roof measuring 2.8m high. The roof would have a glazed lantern feature measuring a maximum of 3.7m high. It would have glazed panels in its north side elevation, and bi-folding doors in its rear elevation. The roof of the extension would have a rubberised finish, the walls would have a brickwork finish, and the windows and doors would be white upvc. These materials would mainly match the dwelling.

PLANNING HISTORY

The relevant planning history is summarised below:

- P/22/0079 Certificate of lawfulness for the erection of a single-storey rear extension and single-storey side extension
Refused on 27/04/22
- P/98/0132 Residential development - 36 dwellings, consisting of 30 houses and 6 flats(Re-submission following refusal of P/97/0201)
Refused planning permission on 29/05/98
- Appeal U6925/A/98/511972
 Granted planning permission on appeal on 14/08/98
- P/97/0201 Residential development of 31 No. dwellings comprising 27 houses and 4 flats
Refused planning permission on 24/10/97
- Appeal U6925/A/98/511582
 Granted planning permission on appeal on 14/08/98

CONSULTATION

None undertaken.

PUBLICITY

In accordance with the Town and 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

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) 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 TAN to this application is 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:

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy CW1 – Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG 4 - Sustainable Design

SPG 5 - Nature and Development

SPG 6 – Householder Design

PLANNING CONSIDERATIONS

It is noted that the extensions as proposed would normally constitute permitted development. However, the original planning permission (outlined above) relating to this development included a condition which removed these rights and thus necessitates an application for such developments to be fully considered.

The main issues to consider when assessing this application relate to whether the proposal would have an acceptable impact on the character and appearance of the existing property and wider street scene. The impact on the amenity of neighbouring residents is also an important consideration.

In terms of visual amenity, the side extension would be located on the north side of the dwelling, and so would be visible from the highway to the front of the dwelling. However, it would be set back at least 7m from the front highway, which would somewhat mitigate this. Additionally, the extension has been sympathetically designed, and would be finished in materials that match the dwelling. Furthermore, its scale is appropriate, and would not appear out of proportion with the main dwelling. In this respect, the proposal is found to be in accord with Policy SW11 of the LDP.

The rear extension would be located to the rear of the dwelling, away from the street frontage. As such, it would not be visible from the front street scene and would therefore not have an adverse impact on the appearance of the dwelling when viewed from the highway. Additionally, the extension is of a design which is typical of such an addition and would be finished in materials that match the dwelling. Furthermore, its scale is appropriate, and would not appear out of proportion with the main dwelling. In this respect, the proposal is found to be in accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding occupants. In this respect, it is noted that the side extension would be sited in close proximity to the shared boundary with the adjoining dwelling of 27 Briarmead to the north. However, given the topography of the site, number 27 is at a higher level than the application site, with a retaining wall and fence (measuring approximately 2m high) separating them. As such, it is not considered that there would be any harmful impact from the side extension, in terms of overbearing, loss of light, overlooking or loss of privacy, on number 27.

The rear extension would be sited at least 3m from the shared boundary with number 27. As such, and given its single-storey nature, it is not considered that there would be any harmful impact from the rear extension, in terms of overbearing, loss of light, overlooking or loss of privacy, on number 27.

It is also noted that the rear extension would be sited on the shared boundary with the adjoining dwelling of 25 Briarmead to the south. It is acknowledged that this would result in a degree of overbearing and loss of light to this adjoining dwelling. However, given its single-storey nature, flat-roofed design and limited depth (3m), it is not considered that this would be to a harmful degree. No windows or doors would be installed in the extensions south side elevation and, combined with the relatively high boundary fence separating the dwellings, it is not considered that the development would result in a harmful degree of overlooking or loss of privacy to number 25.

The side extension would have no harmful impact on number 25, being sited on the north side of the existing dwelling.

Overall, having considered the above and without any objections following the publicity exercise, the development is deemed to be acceptable with respect to residential amenity and thus in compliance 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:

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:

BM-02 Proposed Plans received 27th April 2022

BM-03 Proposed Elevations received 27th April 2022
BM-04 Site Plans received 27th April 2022
BM-05 Illustrations received 27th April 2022

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

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

25/5/22

