

DELEGATED REPORT

Application No: P/21/0323

Site Address: 17 Blaenau'r Cwm
Penyard
Merthyr Tydfil
CF47 0JD

Development: Timber framed rear extension

Case Officer: David James

Site Visit: 24th September 2021

Application Expiry Date: 11th November 2021

Consultation reply date expired: 11th October 2021

APPLICATION SITE

The application relates to a detached dwelling located in the relatively new housing development of Blaenau'r Cwm Penyard. The property faces in a southwesterly direction and is bound by other dwellings to the front and rear, undeveloped vegetated land to the west, and a shared private drive and another dwelling to the east.

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 extension, with associated internal and external alterations, on the rear elevation of the dwelling.

The proposed extension would measure 5.4m wide, 3m deep and 3m high, incorporating a flat roof. It would have bi-folding doors in its rear and side elevations. The roof of the extension would be finished in black rubber and glazing, the walls would be covered in cedar cladding, and the doors would be grey aluminium.

PLANNING HISTORY

P/06/0170 Residential development comprising 228 residential units
Granted planning permission subject to conditions on 23 August 2006.
Condition 6 of this permission states:

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) Article 3, Schedule 2, Part 1 Class A (no ENLARGEMENTS, IMPROVEMENTS OR OTHER ALTERATIONS), Class B (no ADDITION ALTERATION TO THE ROOF), Class D (no ERECTION OR CONSTRUCTION OF A PORCH), Class E (no GARAGES AND ENCLOSURES), Class F (no HARDSTANDINGS) to the dwelling house shall be erected or provided without the prior submission of a planning application for the consideration of the LPA.

Reason - Having regard to the restricted nature of the site and the need to assess the potential effect of any future development on the residential amenity of occupiers of neighbouring properties”.

P/06/0077 Mixed use scheme of 39 acres to include residential and education uses
Granted planning permission subject to conditions on 16 June 2006.

P/03/0076 Earthworks/recontouring of land (including landscaping)
Granted planning permission subject to conditions on 3 April 2003

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 and a notice was displayed in the vicinity of the site.

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

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 acknowledged that the proposed extension would normally constitute permitted development. However, as detailed above, the original planning permission relating to this housing development included a condition which removed such rights. As such a planning application is required to fully assess the impact of the proposal.

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 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. While the external finishing materials of the extension would not match the existing dwelling, it is considered to be of an acceptable form (being typical of a contemporary rear addition), and its modest scale 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 rear garden of the application site is at a lower level than the adjoining dwellings of 13 and 14 Blaenau'r Cwm, to the rear. As such, and given its single-storey nature, the extension would not have any harmful impact on these dwellings. It would be sited on the west side of the rear

garden area and, as such, would be a minimum of 2.5 away from the shared boundary with 16 Blaenau'r Cwm to the east. Given this set back, and the limited height and flat roof of the extension, it is not considered that it would have any harmful impact on this dwelling.

Overall, having considered the above, it is not considered that the extension would have any harmful impact on the adjoining dwellings, in terms of overbearing, overshadowing, loss of privacy, or loss of light impacts. Therefore, the development is deemed to be acceptable with respect to residential amenity and thus in compliance with Policy SW11 of the LDP. Furthermore, no objections were received following the publicity exercise,

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:

Existing and Proposed Plans received 27th September 2021

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: 25/10/21