

DELEGATED REPORT

Application No:	P/22/0224
Site Address:	16 Manor Court Edwardsville Treharris CF46 5NZ
Development:	Erection of single-storey rear extension, the installation of solar panels to the dwelling's roof, and the re-profiling of the rear garden, with associated retaining walls
Case Officer:	David James
Site Visit:	3rd October 2022
Application Expiry Date:	26th October 2022
Consultation reply date expired:	27th September 2022

APPLICATION SITE

The application site relates to a detached dwelling situated within a modern residential development in Treharris. The property faces in a southwest direction onto the turning head of a cul-de-sac. It is bound by other dwellings to either side and another highway to the rear. The dwelling is at a significantly higher level than the highway to the front and a significantly lower level than the highway to the rear. The front and rear gardens have steep slopes from the highways to the dwelling.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single-storey rear extension with associated internal and external alterations. The application also includes significant regrading works to the rear garden, to create a larger flat area. The works would include two associated retaining walls, one measuring 2m in height and the other measuring 1m. Solar panels would be installed on the rear plane of the dwelling's roof.

The proposed extension would measure 9.5m wide (extending the full width of the property), 4m deep and a maximum of 3.5m high, incorporating a flat roof (2.9m high), with a glazed lantern feature. It would accommodate a kitchen/diner.

The extension would have glazed sliding doors in its rear elevation. The roof of the extension would be of edpm construction, with a glazed lantern feature, the walls would be brickwork, and the doors would be upvc. These materials would match the dwelling.

PLANNING HISTORY

P/15/0219 Erection of elevated decking area within the rear garden
Approved 19/08/15

CONSULTATION

Engineering and Highways Manager No objection

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 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

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 proposed 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 considered to be of an acceptable design and its scale would not appear out of proportion with the main dwelling. The submitted plans indicate that the external finishing materials of the extension would mainly match the dwelling. Similarly, the regrading works, retaining walls and solar panels would be located at the rear of the dwelling and would be typical of these residential features and additions. Taking this in account, the proposal accords 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 extension would result in a development in close proximity to the shared boundary with 14 Manor Court (at least 1m to a maximum of 2m away), for a depth of 4m, with a maximum height of 3.5m and an eaves height of 2.9m. It is acknowledged that this could result in a degree of overbearing and loss of light to number 14. However, given the limited depth of the extension, and its flat roof, this impact would be somewhat mitigated. As such, it is not considered that the proposal would result in a harmful degree of overbearing impact or loss of light to this adjoining dwelling.

Given the single-storey nature of the development, and the fact that there would be no windows or doors facing number 14, it is not considered that it would have a harmful impact, in terms of overlooking or loss of privacy.

The extension would be set-back from the shared boundary with 18 Manor Court by at least 3.5m. Given this set-back, along with the limited height of the extension and that no windows or doors would face number 18, it is not considered that the proposal would result in a harmful degree of overbearing impact, loss of light, or loss of privacy to this adjoining dwelling.

Given the single-storey nature of the proposal, and the set back from the shared boundary, it is not considered that it would result in a harmful degree of overbearing impact, loss of light, or loss of privacy to the adjoining dwelling of 15 Treharne Terrace.

Given that the levels of the rear garden are to be lowered, it is not considered that the proposed regrading works would have any harmful impact on the adjoining dwellings in terms of overbearing impact, loss of light, or loss of privacy.

The Engineering and Highways Manager has recommended that a condition be added, to any permission granted, requiring details of the proposed retaining walls be submitted to and approved by the LPA, before the development commences.

Overall, while there is some concern that the development may lead to some limited impacts, between the application property and the adjoining dwelling, 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:

02 Rev A (Proposed Block Plan) received 30th August 2022

04 Rev A (Proposed Plans and Elevations) received 30th August 2022

05 (Proposed Site Section) received 24th August 2022

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

3. **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. 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.

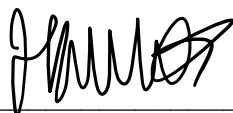
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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



Director of Neighbourhood Services

DATE:

21/10/22