

DELEGATED REPORT

Application No: P/20/0299

Site Address: 20 Gellifaelog Terrace
Penydarren
Merthyr Tydfil
CF47 9HL

Development: First floor rear extension

Case Officer: Rebecca Owens

Site Visit: 14th December 2020

Application Expiry Date: 26th January 2021

Consultation reply date expired: 29th December 2020

APPLICATION SITE

The application relates to an end of terrace dwelling located in a mainly residential area within the settlement boundary. The site has a split curtilage with a walkway running through it. It is bound by a highway to the west (rear), a walkway and steps to the south, a landscaped embankment to the east and another dwelling to the north. The highway to the rear of the site is elevated above the rear garden area.

PROPOSED DEVELOPMENT

Full planning permission is sought for a first floor rear extension above an existing single storey rear annexe. The proposed extension would be 3.58m in width by 4.38m in depth and would have a pitched roof with a ridge height of 6.56m. It would feature a window in its rear elevation serving a bedroom and a window in the south facing side elevation serving a bathroom.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

In accordance with the Town & 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

Policies SW11: Sustainable design and place making and CW1: The historic environment 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 rear streetscene is characterised by a number of additions of differing designs and scale including other two storey annexes. The proposed extension is considered to be of an acceptable design and scale and would not appear out of place within this context. Notwithstanding this, it is noted that no external finishes have been provided and as such, a condition relating to this is recommended to ensure the development complements the existing dwelling. With the inclusion of such a condition, the proposal would not harm the character or visual amenities of the dwelling itself or the wider area and would not impinge on Urban Character Area 7 (Penydarren).

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 application site is only directly adjoined by one other dwelling which is located to the north (21 Gellifaelog Terrace) and that the first floor extension would be erected hard on the shared boundary line. However, this neighbouring property already has a two storey rear extension. As the proposed first floor extension would be erected immediately alongside this two storey annexe and would be of the same depth, it would not have any overshadowing or overbearing impact. It is acknowledged that the proposal would include a first floor window in the rear elevation, which would allow a level of overlooking into the small rear garden of 21 Gellifaelog Terrace. Whilst this part of the garden is not currently overlooked, it mainly serves the steps providing access to the adjacent highway. Furthermore, views into this garden would not be any more significant than is often the case between terraced dwellings, and thus would not be harmful enough to warrant the refusal of the application on such grounds.

It is also noted that there is a dwelling located to the south of the application which is separated from the southern boundary by a pedestrian walkway (19 Gellifaelog Terrace). It is acknowledged that despite being separated from the application site by a walkway, this dwelling is located in close proximity to the southern boundary. However, this neighbouring dwelling already has a two storey extension hard on its northern boundary and as such the proposal would not have any notable impact on this property or its occupants. In this respect it is noted that whilst the proposed first floor extension would feature a window in its southern elevation, which would serve a bathroom (and thus a non-habitable room), this would look directly onto the blank flank elevation of the opposite two storey extension. Whilst it is acknowledged that this neighbouring dwelling does feature a first floor side window in its main northern side elevation, the set back of the proposed first floor extension off the southern boundary of the site would prevent any view to this. As such, the proposed side window would not lead to any objectionable overlooking or loss of privacy.

Finally, it is noted that the proposal would feature a first floor bedroom within its rear elevation which would face towards the dwellings on the opposite side of the street. These properties occupy a higher level than the adjacent highway (to which the application site is set at a lower level). Whilst there would only be a distance of about 15m between the first floor windows and the front windows of the dwellings opposite, due to the differences in levels, views from the bedroom window would be mainly towards the front boundary wall and ground floor window. It is not considered that the level of overlooking from the proposed window would be significant enough to warrant the refusal of the application on such grounds, particularly as these neighbouring ground floor windows can to a degree already be overlooked from the adjacent highway.

Having made the above assessment, and with the lack of any representations following the publicity exercise, the proposed is found to be acceptable in terms of its impact on both visual and residential amenity and thus would be in accordance 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:

Drawing Title: Existing & Proposed Plans, Elevations and Section Details, Drawing Number: GELLI 20 01, Received on 1 December 2020.

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

3. The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

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.

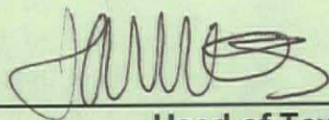
3. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

6/1/21