

DELEGATED REPORT

Application No:	P/23/0209
Site Address:	4 Penlan Street Pentrebach Merthyr Tydfil CF48 4DE
Development:	Rebuild ground floor extension and add first floor extension
Case Officer:	Rebecca Owens
Site Visit:	18th September 2023
Application Expiry Date:	1st November 2023
Consultation reply date expired:	9th October 2023

APPLICATION SITE

The application relates to a mid-terrace dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, dwellings on either side and vegetated land to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought to rebuild the ground floor which has recently been demolished and to erect a first floor extension above. The ground floor would span the full width of the rear elevation (4.53m) and would have an 'L' shaped footprint with a section 2.92m in depth from the rear elevation and a projecting section (2.319m in width) which would be 5.58m in depth. Above this longer projection it is proposed to erect a first floor which would also be 2.319m in width by 5.58m in depth. The two storey element of the proposal would have a pitched roof with a ridge height of 6.1m and the single storey element would have a mono-pitched roof with a height of 3.7m. The roofs of the extensions would be covered with Redland Double Roman roof tiles in a colour to match the main roof and the external walls would be finished with painted render.

PLANNING HISTORY

The relevant planning history is detailed below:

P/17/0051 First floor rear extension
 Granted planning permission subject to conditions on 5 April 2017

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 neighbouring properties and two site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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.

National Planning Policies

Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

Policy SW11: Sustainable design and place making 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

It is noted that planning permission has previously been granted for a similar development (Planning Ref: P/17/0051) which is no longer extant. That permission was for a first floor extension above an existing single storey annexe, which has since been demolished. This proposal seeks to rebuild the ground floor with the first extension above.

The proposal would be located to the rear of the application site where it would not be visible from the front streetscene or indeed public view. In addition, there are numerous additions visible to the rear of the properties in this street, which vary in terms of design and scale. Having regard to this, and noting the scale and design of the extension proposed, it is not considered that the development would impinge on the character of the dwelling itself or indeed the area in general and as such the proposal would comply with Policy SW11 of the LDP.

Regard has also been given to the potential impact of the scheme on the amenities of the neighbouring properties. In this respect, it is noted that the application site is bounded on both sides by other dwellings. The dwelling to the north-eastern side (5 Penlan Street) already benefits from a two storey rear extension which has been erected along the common boundary. The single storey ground floor element of the proposed would be adjacent to this with the first floor extension set back by over 2m. Given this arrangement, the proposal would not result in any overbearing impact, overshadowing or loss of light.

The dwelling to the south-western side (3 Penlan Street) has a single storey annexe projecting along the boundary with the application site. Whilst the two storey element of the proposal would be erected alongside this and would be visible from the first floor windows of the neighbouring property it is not considered that it would have any significant overbearing impact or result in any harmful loss of light or overshadowing. Similarly, as all the proposed windows in the extension would be within the rear elevations, they would not give rise to overlooking or a loss of privacy above that which is to be expected between terraced dwellings. Having noted that above and reiterating that no representations were received following the publicity exercise, the proposal is found to be acceptable in terms of residential amenity and in accord 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: Proposed Ground Floor Plans and Elevation, Drawing Number: 02, Received on 6 September 2023.

Drawing Title: Proposed First Floor Plan & Section, Drawing Number: 03, Received on 6 September 2023.

Drawing Title: Proposed Elevations, Drawing Number: 04 Rev. A, Amended Plan Received on 21 September 2023.

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

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. 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.

4. 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

DATE: 16.10.2023


PP Director of Neighbourhood Services