

DELEGATED REPORT

Application No:	P/22/0130
Site Address:	107 Heolgerrig Heolgerrig Merthyr Tydfil CF48 1TD
Development:	Construction of garage with accommodation in roof. Proposal to include front balcony and relocation of existing side porch
Case Officer:	Caroline Pulley
Site Visit:	30th May 2022
Application Expiry Date:	22nd March 2023
Consultation reply date expired:	8th March 2023

APPLICATION SITE

The application site relates to a recently built dwelling, 107, Heolgerrig Road, Heolgerrig. The detached property lies within a spacious plot and sits on the flattest part of the site. The garden area to the north and west of the dwelling is terraced in height and rises towards to the boundary. The property benefits from on-site parking and is accessed off a private lane leading off Heolgerrig Road.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a garage with accommodation above. The garage extension would measure 8.8m wide at the front and 7.6m in depth and would accommodate a first-floor games room, which would have access to a first-floor front balcony. The extension would be located on a driveway area and would be attached to the western side of the existing property. A porch currently located along this side of the property would be relocated to the western side of the proposed extension. The line of gabion basket retaining walls located to the side and rear of the driveway would also be changed to accommodate the footprint of the proposed extension.

The submitted plans show that the extension would be set back 5.5m from the main front elevation of the property and would project 3.6m beyond its rear elevation. Its roof would be pitched and would measure 3.9m in height to the eaves and 7m in height to the ridge. The front of the garage would be orientated to face a southerly direction onto the lane and would contain two garage doors. At first floor, the extension would feature three sets of skylight balcony windows with bottom side hung doors opening out onto an 8.8m wide by 1m deep first-floor balcony enclosed by a 1.1m high glass balustrade. The rear elevation of the garage would feature two ground floor windows and the western side elevation

would comprise a 1.35m wide first floor Juliet balcony. A small window opening would also be provided within the ground floor eastern return wall of the extension. The external walls of the extension are to be completed in render and the roof would be covered in slate.

As mentioned above, to facilitate the proposed extension, the submitted plans detail the re-positioning of a retaining wall to the side and rear of the proposed extension and porch. The submitted plans note that the newly formed part of the gabion retaining wall would have a maximum height of a metre.

PLANNING HISTORY

The planning history relating to the property is as follows:

P/19/0273 – Engineering works to rear and side garden to include the erection of gabion baskets. New Juliette balcony to gable and side elevation – Approved: 4th December 2019

P/14/0108 - Proposed detached dwelling with off road parking and new road junction at Heolgerrig Road – Approved: 9th June 2014

P/13/0134 - Detached dwelling with integral garage and new road junction at Heolgerrig Road – Approved: 8th January 2014

CONSULTATION

Head of Engineering and Highways:

No objection subject to a condition requiring details of retaining walls above 1m in height. Following receipt of amended plans, no further comments were received.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within 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 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

Supplementary Planning Guidance (SPG) Note No. 6 – A Design Guide for Householder Development

It is noted in the SPG that *‘...any extension or alteration to your property should be sympathetic to its surroundings in terms of its scale, siting and appearance, to ensure it complements neighbouring properties and the wider street scene...’*

‘...the size, shape and siting of an extension to your house must be of an appropriate height and form that is in keeping and subservient to the existing building and its setting...’

More specifically with regards to side extensions, it states that *“...side extensions are often visually prominent and have the potential to greatly impact on the character of the building and the wider street scene. Therefore, a side extension requires a sensitive approach to its design to ensure it integrates well with the surrounding area and respects the character and appearance of the house...”*

‘...In most cases, where a side extension is greater than 50% of the total width of the front elevation of the house, it will increasingly appear less subservient...’

PLANNING CONSIDERATIONS

The main issues to consider when assessing this application relate to whether the proposed development, by virtue of its design, size and siting would have an acceptable impact on the character and appearance of the existing property and wider street scene. The impact of the development on the amenity of neighbouring residents is also an important consideration.

Visually, the street scene surrounding the application property comprises various designed properties and buildings. There is little consistency in terms of design and the application property itself is located within a reasonable sized plot, which is well landscaped. There is some concern that the extension due to its size and two-storey height, would unbalance what is currently a well-proportioned dwelling. However, considering that it would be well set back from the front of the property and its roof would be set down from the ridge of the main dwelling, the extension would retain some level of subservience. Also, in its proposed position, towards to the rear of the garden and to the side of the dwelling, it would appear overly dominant from the road or the surrounding area. Therefore, on balance, taking into the account the size of the extension and where it is going, it is not considered that it would represent an incongruous feature on the dwelling itself or indeed within the street scene. The alterations proposed to the retaining walls at the property would also have a limited impact on the character and appearance of the property and the surrounding area.

In terms of residential amenity, the extension would project beyond the rear building line of the existing property. The neighbouring properties to the north of the proposed extension are at a higher level to the application property. Taking into account the differences in level between these properties and the application dwelling, the proposed extension would not be overly visible from these neighbouring properties. Moreover, a separation distance of approximately 7-8m would be maintained between the rear of the extension and the dividing boundary and there are no first windows proposed in the rear elevation of the proposed extension. As such, there would be no overlooking impact arising to the detached properties to the rear of the application property.

The western side elevation of the extension, which would contain a Juliet balcony, would be offset from the boundary of 110 Heolgerrig to the west by a minimum distance of 15m. As such, the development would not have any significant impact on this property or the large, detached building which is located to the south east of this property (on the opposite side of the lane). The greatest impact from this development would be the potential overlooking to the neighbouring dwelling located to the south known as 'The Croft'. While it is appreciated that the development would have some overlooking impact to this property, the front balcony would be set back and the views to the Croft would be somewhat obscured by their outbuildings. It is also noted that the Croft is raised slightly above the floor level of the application dwelling and a degree of overlooking occurs between this property and the patio areas within the applicant's garden at present. With no objections being received to the application, it is considered that the development would have an acceptable impact on the amenities and privacy of this property and the surrounding dwellings.

Turning to the potential impact of the development on highway safety and parking, no objections have been raised by the Head of Engineering and Highways and an appropriate level of off-street parking would be maintained at the property.

Finally, 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 2b of 2 received on 15.02.2023

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:

10/3/23