

DELEGATED REPORT

Application No:	P/23/0249
Site Address:	26 Rocky Road Penydarren Merthyr Tydfil CF47 9JL
Development:	Two storey side extension
Case Officer:	Rebecca Owens
Application Expiry Date:	13th December 2023
Consultation reply date expired:	13th November 2023

APPLICATION SITE

The application relates to a semi-detached dwelling located in mainly residential area within the settlement boundary. The site is bound by a highway to the front and other dwellings to the sides and rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for a two storey side extension. The proposed extension would be set back from the front elevation of the property by 0.5m. It would be 3.6m in width by 6.35m in depth and would have a hipped roof with a ridge height of 6.85m. The extension would feature a set of French doors and first floor windows in its front and rear elevations. The roof would be covered with concrete tiles and the external walls would be finished with render.

PLANNING HISTORY

The relevant planning history is detailed below:

P/23/0177	Two storey side extension Refused planning permission on 6 September 2023 for the following reason: <i>"The proposal, by virtue of its poor and inappropriate design, siting and size, would result in a dominant and unsympathetic development that would be detrimental to the character and appearance of the existing dwelling. It would also unbalance the pair of semi-detached properties and result in an incongruous development that would harm the character and appearance of street scene. As such the proposal is contrary to Policy SW11 of the Merthyr Tydfil Borough Council Replacement Local Development Plan".</i>
P10/0104	Erection of single storey side extension Granted planning permission on 15 th June 2010

P/04/0602 Garage (attached to side of house)
Granted planning permission subject to conditions on 5th January 2005

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 neighbouring properties.

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

The application relates to one of a pair of semi-detached dwellings located on a street characterised by similar pairs of dwellings, which are all fairly uniform in their appearance and the spacing between them. Whilst the proposal would introduce a two storey extension to the side of the dwelling, which would be a highly visible addition to the principal elevation, the extension would be set back from the main front elevation with a lower ride height. This would create a visual break and gives the extension a subservient appearance. This in turn would help to retain some of the symmetry between the front elevations of this pair of semi-detached dwellings. In addition, the proportion of the extension is deemed to be acceptable. Whilst French doors in the front elevation are not ideal, it is recognised that there is another example in the street and thus on balance it is not considered that it would be justifiable to refuse the application just on the impact of this feature, particularly as the first floor window is deemed to be acceptable. Thus, having regard to the above, the proposal is found to be acceptable in terms of its visual impact and would not harm the character and visual amenities of the dwelling, the pair of semi

detached properties or indeed the area in general. As such, the proposal would be comply to Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring residents. In this respect, the dwelling is bound on three sides by other dwellings with the extension being erected in close proximity to the shared boundary with 27 Rocky Road. However, the extension would be set off this boundary by approximately 1m and would have an eaves height of just over 5m. As such, it is not considered that it would have an overbearing impact to the extent that would warrant the refusal of the application on such grounds. Whilst it is noted that the flank elevation of 27 Rocky Road contains some windows, being located to the north-west of the site it would not experience any harmful overshadowing or loss of light. It is also noted that no objections have been received following the publicity exercise. The proposed extension would only have a window in its front and rear elevations and the first floor rear window would serve an ensuite and therefore a non-habitable room. As such, no concerns are raised with respect to overlooking or loss of privacy. The proposal is therefore acceptable in terms of residential amenity and in accord with Policy SW11.

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:

Proposed Block Plan, Drawing Number: 1 of 5, Received on 18 October 2023.

Proposed Elevation, Drawing Number: 2 of 5, Received on 18 October 2023.

Proposed Ground Floor, Drawing Number: 4 of 5, Received on 18 October 2023.

Proposed First Floor, Drawing Number: 5 of 5, Received on 18 October 2023.

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. 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.

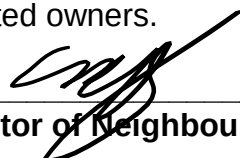
Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. 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.

RECOMMENDATION ENDORSED

DATE: 17.11.2023


Director of Neighbourhood Services

