

DELEGATED REPORT

Application No: P/20/0112

Site Address: 61 Yew Street
Troedyrhiw
Merthyr Tydfil
CF48 4EB

Development: First floor rear extension

Case Officer: Rebecca Owens

Application Expiry Date: 9th July 2020

Consultation reply date expired: 25th June 2020

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 other dwelling on either side, a highway to the front and a railway line to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a first floor extension above an existing single storey rear annexe which has an irregular footprint but which is almost rectangular. The extension would be 6.337m in depth and would have a maximum width of 3.35m. It would have a pitched roof with a ridge height of 6.125m and a new lead valley would be formed between this roof and the existing roof of the adjoining property's two storey annexe (59 Yew Street). The extension would feature a first floor window in its rear elevation serving a bedroom and a window in southeast facing side elevation serving a bathroom.

PLANNING HISTORY

There is no relevant planning history that 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 dwellings.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

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 proposed extension is generally considered to be of an acceptable design and scale. It is noted that it would be erected to the rear of a mid-terrace dwelling and within the rear street scene of this terrace there are a variety of annexes and extensions visible. These are of varying designs and scales. Thus despite projecting over 6m from the main rear elevation of the dwelling, taking this context into account, the first floor extension would not appear out of place and thus would not have a harmful impact on the character of the dwelling itself or the area in general. Notwithstanding this, as no specific details have been provided concerning the external finishes of the extension, a condition is recommended which would require these to match the existing dwelling. This would ensure that the extension appears in keeping with the property. With the inclusion of this condition, the extension would be in accord with Policy SW11 of the LDP and the relevant SPG for householder development.

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 directly adjoined on either side by other dwellings (numbers 59 and 63 Yew Street). It is noted that the extension would be erected almost hard on the shared boundary with the dwelling to the north-west known as 59 Yew Street (and would in fact create a shared valley with this property's existing two-storey extension). However, 59 Yew Street already features a two storey and single storey extension almost hard on the boundary. These project out the same distance as the existing single storey annexe of the application site and thus the same depth as the first floor extension proposed, with the first floor extension being about 1.55m longer than the first floor element of the adjoining extensions. Given this arrangement, it is not considered that the proposal would have an overbearing impact on this property and would not result in any significant overshadowing or loss of light. Similarly, whilst there is a window in the rear elevation of the extension this would not give rise to any unacceptable overlooking or loss of privacy.

The dwelling to the southeast known as 63 Yew Street features a single storey annexe set off the shared boundary line by a similar distance as the annexe of the application site and is of a similar design and scale. This annexe contains windows in its side elevation that face directly towards the application side and the main rear elevation of this neighbouring property also contains two first floor windows and a ground floor window that is positioned between its annexe and the boundary with the application site. It is also noted that 63 Yew Street is flanked on the other side by an existing two-storey annexe. It is acknowledged that the proposal would result in a two-storey annexe being created on the other side of this property, which would span a depth of 6.337m, and that this would have an impact. However, given that the first floor extension would be set back from the shared boundary by about 2.3m and would have an eaves height of just over 5m, it is not considered that it would have an unacceptable overbearing impact or result in an insupportable degree of overshadowing or loss of light. In this respect, it is noted that no

representations were received from the neighbouring occupants following the publicity exercise. Whilst the proposed window in the rear elevation of the extension would not give rise to any objectionable overlooking or loss of privacy, it is noted that the proposal also includes a first floor window in its south-eastern side elevation which would face directly towards the application side. Whilst this window would serve a bathroom and thus a non-habitable room and would only give angled views to the neighbouring dwelling's windows, given its close proximity it is considered that it could result in undesirable views leading to an unacceptable loss of privacy, in addition to a feeling of perceived overlooking. It is therefore recommended that a condition be attached to any planning permission that requires this window to be obscure glazed and only openable 1.7m above the floor level of the room it serves. Having made the above assessments and with the lack of any objections from neighbouring occupants following the publicity exercise, the proposal is on balance found to be acceptable in terms of its impact on residential amenity (subject to the side window being conditioned) and thus would it would comply 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:**

CONDITIONS/REASONS:

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: Plans and Elevations, Drawing Number: 01 Rev. A, Received on 14 May 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.

4. Before the development hereby permitted is brought into use, the first floor window in the south eastern side elevation serving the bathroom shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential 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.

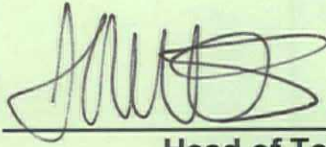
3. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should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

A handwritten signature in dark ink, consisting of several loops and a final horizontal stroke.

Head of Town Planning

DATE:

29/6/20