

DELEGATED REPORT

Application No: P/20/0206

Site Address: 43 Cwrt Bevan
Merthyr Tydfil
CF47 0AQ

Development: Single storey rear extension

Case Officer: Rebecca Owens

Site Visit: 14th September 2020

Application Expiry Date: 27th October 2020

Consultation reply date expired: 28th September 2020

APPLICATION SITE

The application relates to a detached dwelling located in a 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. The rear garden of the site is terraced with the ground floor of the dwelling at the same height as the upper terrace and steps down to a lower terrace. The site also occupies a higher level than the property to the south east and a significantly higher level than the dwellings to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a single storey rear extension. The proposed extension would be 4.25m in depth by 9.35m in width and would have a mono-pitched roof with a maximum height of 3.58m. The extension would feature a bi-folding door and two windows in its rear elevation which would serve the kitchen/dining/living space (however, it is noted that one of these windows is omitted from the proposed floor plans). There would also be two roof lights within the roof plane. The external walls of the extension would be finished with cedar cladding and the roof would be covered with tiles to match the existing roof.

PLANNING HISTORY

The relevant planning history is detailed below:

P/11/0007 Application under Section 73 of the Town and Country Planning Act 1990 to extend the time for a further 3 years in which to submit an application for reserved matters, and to allow for a further five years in which to commence development (or a further 2 years from approval of reserved matters, whichever is the later) from the date of permission, in respect of planning consent 05/0157 (Residential development comprising the erection of

houses and garages, demolition of No's 7-10 Milbourne Terrace and all associated engineering and building operations)
Granted permission subject to conditions on 7 September 2011

P/07/0292 Demolition of Nos 7 - 10 Milbourne Terrace and erection of 73 dwellings and associated access road
Granted planning permission subject to conditions on 27 September 2007

P/05/0157 Residential development comprising the erection of houses and garages, demolition of no's 7-10 Milbourne Terrace and associated engineering and building operations
Granted planning permission subject to conditions on 4 August 2006

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 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 proposed extension is generally considered to be of an acceptable design and scale which would be in proportion with the dwelling. It is acknowledged that the proposed external finish would comprise of cedar cladding which would not match the existing materials of this dwelling or indeed the wider housing estate. However, it is considered that cedar cladding would complement the existing brickwork and the extension is proposed to the rear of the property where it would not be readily visible from public view. As such, it is not considered that it would appear incongruous or adversely impact on the character and visual amenity of the dwelling or the area in general. Furthermore, it would not harm Urban Character Area 4 (South of Town Centre: Plymouth Street Area). As such the proposal is found to be in accord with Policies SW11 and CW1 of the LDP.

Regard has also been had for the impact of the scheme on the residential amenities of the neighbouring occupants. In this respect, it is noted that the proposed extension would be erected hard on the boundary with 42 Cwrt Bevan which is at a lower level than the application site. As such, the extension would be higher when viewed from this adjoining property. Notwithstanding this, the neighbouring dwelling's rear elevation is set in front of the rear elevation of the application dwelling resulting in the proposed extension being positioned alongside the flank elevation of 42 Cwrt Bevan and is it also single storey in

height. With this in mind, the extension would not have an overbearing impact. It is noted however that there are two narrow first floor windows in the side elevation of 42 Cwrt Bevan which would lose some light as a result of the proposal. Whilst it is recognised that there would be an impact on these windows, it is also noted that an extension could be erected at the same height as that proposed (just 0.25m shorter in depth) without the benefit of planning permission under permitted development rights. As such, it is not considered justified to refuse the application on such grounds and no objections have been received from the occupants of this neighbouring property. The extension would also be in close proximity to the adjoining dwelling on the other side known as 44 Cwrt Bevan (approximately 1m from the shared boundary line). However, as with 42 Cwrt Bevan, the rear elevation of the application dwelling is set behind the rear elevation of this neighbouring dwelling with the proposed extension projecting out to a similar depth. As such, it would be positioned alongside the flank elevation of number 44 Cwrt Bevan, reducing its overall impact. Consequently, it would not have an unacceptable overbearing or overshadowing impact. Furthermore, as the windows and doors would be located in the rear facing elevation and at ground floor level they would not give rise to any significant overlooking or loss of privacy to the dwellings on either side of the application site. Notwithstanding this, it is noted that the windows and doors would face directly towards the first floor windows of the dwellings adjoining the rear boundary line (numbers 50-52 Cwrt Bevan) as these are at a lower level than the application site but not obscured by the existing boundary treatment. Furthermore, given the modest rear garden sizes there would be approximately 16.45m between the neighbours' windows and those in the extension. It is acknowledge that this is a relatively short distance between windows of opposite dwellings but it is also recognised that there is an existing annexe with rear facing windows, which are approximately 18m from the dwelling directly opposite. Moreover, it is noted that under the householder's permitted development rights, a rear extension could be erected just 0.25m shorter in depth without the need for planning permission, which would have an almost comparable impact on the dwellings to the rear. On this basis and given that no objections have been received following the publicity exercise, it is not considered that the impact of the extension on residential amenities would be great enough to warrant the refusal of the application on such grounds.

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: Proposed Plans, Drawing Number: 713.05, Received on 1 September 2020.

Drawing Title: Proposed Plans, Drawing Number: 713.06, Received on 1 September 2020.

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.

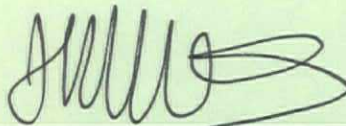
3. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should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

Head of Town Planning

DATE:

6/10/20