

DELEGATED REPORT

Application No: P/22/0282

Site Address: 3 Pandy Cottages
Trelewis
Treharris
CF46 6BU

Development: Two storey rear extension

Case Officer: Rebecca Owens

Site Visit: 3rd November 2022

Application Expiry Date: 31st July 2023

Consultation reply date expired: 28th March 2023

APPLICATION SITE

The application relates to an end of terrace dwelling located outside of the settlement boundary. The site is bound by vacant land to the front, dwellings on either side and a river to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the demolition of a modest single storey rear annexe and for the erection of a two storey rear extension. The proposed extension would span almost the full width of the rear elevation and would have an almost rectangular footprint, with the exception of the north western corner which would be chamfered to follow the angle of the boundary. Given the difference in level from the application site to the neighbouring property to the north this chamfered corner would be erected on the lower ground level with part of the existing dry stone wall removed to accommodate it. The extension would have a maximum width of 7.3m, a maximum depth of 5.2m and a pitched roof with a ridge height to match that of the main roof (reaching 6.43m from the rear garden level). The rear elevation of the extension would feature two first floor windows serving two new bedrooms and a further window and door at ground floor serving a new larger kitchen. There would also be a door in the extension's northern side elevation. The roof of the extension would be covered in slate and the external elevations would be finished in render.

PLANNING HISTORY

There is no relevant planning history, which needs to be taken into consideration when determining this application.

CONSULTATION

The following bodies were consulted and their responses are presented below:

Natural Resources Wales	No objection
Planning Division's Ecologist	No objection
Bedlinog and Treharris Community Council	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties and a site notices was 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

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4: Settlement boundaries
- SW11: Sustainable design and Placemaking
- EnW5: Landscape Protection
- EcW10: Sustainably Supplying Materials
- EcW13: Minerals Safeguarding

In addition, the application will be determined having regard to the advice contained within Supplementary Planning Guidance (SPG) Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The proposed extension is considered to be of an appropriate design and scale which would represent a sympathetic and proportionate addition to the dwelling. Whilst the proposed external wall finish would differ from that of the main dwelling, render is considered to be an appropriate and complementary alternative. Accordingly, the visual

impact of the extension on the dwelling and indeed rear streetscene is deemed to be acceptable.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupants. In this respect, it is noted that the extension would be located in close proximity to the adjoining dwelling known as 2 Pandy Cottages. This neighbouring property does not benefit from any rear annexes and it is acknowledged that it is flanked to the other side by an existing two storey extension to the rear of 1 Pandy Cottages. As such, the proposed extension would result in this dwelling being located between two, two storey extensions. Whilst there would be some impact on this dwelling it is not considered that the extension would have such an overbearing impact as to warrant the refusal of the application. Furthermore, it is noted that this neighbouring property only has one small first floor window located close to its southern boundary and as such there would not be any significant loss of light to this. Furthermore, as 2 Pandy Cottages is located to the south of the application site it is not considered that there would be overshadowing to an extent that would be deemed unacceptable. Similarly, the extension would be erected, in part, hard on the boundary with the dwelling to the north, which occupies a lower level than the application site. However, there are a number of outbuildings belonging to this neighbouring property in situ along the boundary which would lessen the overall impact of the proposal. Having regard to this, it is not considered that it would result in any significant overbearing impact or unacceptable loss of light or overshadowing. Finally as the only windows in the extension would be in its rear elevation there would not be any detrimental overlooking or loss of privacy. Having regard to the above and noting that no objection has been received following the publicity exercise, the proposal is found to be acceptable in terms of residential amenity and therefore in accordance with Policy SW11.

The application is accompanied by a Potential Roost Assessment and Bat Presence Absence Survey. The Planning Division's Ecologist has found this to be acceptable and raises no object to the application subject to compliance with its recommendations and enhancements. This can be dealt with via condition.

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: Block Plan - Proposed, Drawing Number: SL.01, Received on 25 October 2022

Drawing Title: Proposed Plan and Elevations, Drawing Number: 02 Rev. D, Amended Plan Received on 9 March 2023

Potential Roost Assessment and Bat Presence Absence Survey 2023 and Enhancements, Revision V1.1, Produced by East Ecology, Received on 12 June 2023.

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

3. **Prior to works commencing on site** details of the bat and bird boxes recommended within the Potential Roost Assessment and Bat Presence Absence Survey 2023 and Enhancements, along with their exact siting, shall be submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be erected before the development, hereby approved, is brought into beneficial use and shall be retained in perpetuity thereafter.

Reason - To protect biodiversity in accordance with Policies EnW1 and EnW2 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. 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.

5. Natural Resources Wales have advised that during the construction phase the developer should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and PPG 6 at the following link:
<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

RECOMMENDATION ENDORSED



Director of Neighbourhood Services
PP.

DATE: 28.06.2023