

DELEGATED REPORT

Application No:	P/24/0112
Site Address:	The Yard Rear Of 1 Windsor Road Edwardsville Treharris CF46 5NR
Development:	Conversion of existing garages to provide additional residential accommodation ancillary to the flat
Case Officer:	Kate Glover
Site Visit:	21st May 2024
Application Expiry Date:	8th July 2024
Consultation reply date expired:	11th June 2024

APPLICATION SITE

The planning application site is an almost triangular parcel of land located within the settlement boundary. The site comprises a detached building and a walled yard.

The majority of the building is used as one residential unit. However, there are two garages integral to the building which can be used for residential parking but these spaces are not part of the larger dwelling. Details on the site history are provided below.

The external materials of the building are a mixture of natural stone and brick elevations, uPVC window and door frames and roof goods and a slate roof.

The rear elevation of the building forms the rear boundary, and the other two boundaries comprise of high stone walls. Vehicular and pedestrian access are via two double gates in west wall.

To the north of the site is an allotment, on all other sides are dwellings. The site can be accessed via back streets leading off Windsor Road and Edwardsville.

PROPOSED DEVELOPMENT

This application seeks full permission to convert the garages into additional residential living accommodation associated with the dwelling. The garages would be used as a bedroom and a study. A large, glazed area would be used in place of one of the garage doors. The other garage door would be made smaller, and a window provided.

The proposed external materials are uPVC window frames. No information has been provided on the external materials proposed for blocking up the garage door.

Revised parking plans illustrate that two parking spaces can be provided within the front yard area.

PLANNING HISTORY

The planning history of the site indicates that the building was used for stabling.

Planning application P/06/0370 granted planning permission for the conversion of the building into a first floor flat and four garages at ground floor level. The garages and flat were not part of the same dwelling unit.

Planning application P/21/0178 granted planning permission to incorporate two of the four garage spaces into residential living accommodation associated with the first floor flat.

P/06/0370 Change of use of building to private garages for storage of cars with residential accommodation above.
GRANTED 13.09.2006

P/21/0178 Change of use of ground floor garage to habitable room to be used ancillary to first floor flat.
GRANTED 21.06.2021

CONSULTATION

Head of Engineering and Highways	-	No objection, one of the proposed parking spaces do not meet the Wales Parking Guidelines.
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PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, site notices displayed on Windsor Road and Edwardsville.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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 12, February 2024) (PPW12).

Local Planning Policies

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

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to principle of development, visual impact, impact on the residential amenities of neighbours, highway safety and ecology.

Principle of Development

The development is within the settlement boundary. In addition, the majority of the building and the curtilage are used for residential purposes.

The Head of Engineering and Highways has not objected to the loss of the garage spaces.

It is considered that the proposal meets with the requirements of Policy SW4.

Visual impact

It is considered that the proposed change in the visual appearance of the building would not be unacceptable and respect the building's character and appearance. It is considered appropriate to include a condition that the external materials to be used for the development, match those on the existing building. As noted above the building is a mixture of natural stone and brick and it is considered either of these materials would be fitting.

Views of the site and the building are severely restricted by the high walls that surround the site. Therefore, there would be no impact on the character and appearance of the wider street scene.

It is considered that the proposal meets with the requirements of Policy SW11.

Residential amenity

It is noted that the proposal does not include and changes to the external facing elevations of the property, and the use of the building already residential. It is considered that there would not be any detriment to the residential amenities of neighbouring properties.

It is considered that the proposal meets with the requirements of Policy SW11.

Highway Safety

A block plan has been submitted in support of the application which demonstrates that at least 2 parking spaces can be provided on a hardstanding within the site to compensate for the loss of parking in the garages. It is acknowledged that the Head of Engineering and Highways has not raised any highway safety concerns with the proposal. Therefore the proposal complies with Policy SW11.

Ecology

The planning Ecologist has suggested that a Preliminary Roost Assessment (PRA) should be undertaken to assess potential adverse impacts on protected species and habitats. In this instance, it is noted that the site is located in an urban location and the garages are integral to the existing property. As such the request for a PRA, given the nature of the proposal, would not be proportionate or justified. However, an informative should be attached to any consent to inform the applicant of their responsibility when undertaking works in relation to European Protected Species and birds.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

It is considered that the proposal meets with the requirements of Policy EnW1.

CONCLUSION

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:

Drawing Title: Location Plan Indicating Car Parking and Amenity Areas, Received on 1 July 2024

Drawing Title: Proposed Front, Drawing Number 3 of 4, Received on 13 May 2024

Drawing Title: Proposed Ground, Drawing Number 4 of 4, Received on 13 May 2024

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. The materials to be used in the construction of the external surfaces of the development 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.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 05.07.2024