

DELEGATED REPORT

Application No:	P/22/0221
Site Address:	25 Dan-y-parc View Incline Top Merthyr Tydfil CF47 0GF
Development:	Demolition of conservatory and erection of single storey rear extension
Case Officer:	Rebecca Owens
Site Visit:	1st September 2022
Application Expiry Date:	18th October 2022
Consultation reply date expired:	14th September 2022

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, lane to the rear and other dwellings on either side.

PROPOSED DEVELOPMENT

Full planning permission is sought for the demolition of an existing conservatory and for the erection of a single storey rear extension which would be erected off the main rear elevation of the dwelling. The extension would have a rectangular footprint with a maximum width of 3.682m and a maximum depth of 4m. It would have a pitched roof with a ridge height of 3.412m and an eaves height of 2.8m. The extension would feature windows in its north western side and rear elevations which would serve a sunroom. The roof would feature two roof lights and would be covered with Cambrian slate tiles and the external walls would be finished with brickwork (cavendish antique).

PLANNING HISTORY

The relevant planning history is summarised below:

P/05/0148	Conservatory Granted planning permission on 11 May 2005
P/01/0270	174 plot residential development (with plot for retail shop development) (reserved matters) Granted reserved matters approval subject to conditions on 3 October 2001. Condition 4 of the decision notice states:

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted (including the erection of a detached garage) without prior grant of planning permission) in that respect”.

P/01/0072 Residential development (outline)
Granted outline planning permission subject to conditions on 9 May 2001

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

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

It is noted that the proposed extension would normally constitute permitted development but that a condition on the original planning permission for the dwelling and wider housing estate removed these permitted development rights to safeguard the amenities of the area. As such a planning application has been submitted for consideration.

The proposed extension is considered to be of an acceptable design and scale which would be proportionate and sympathetic to the existing dwelling. Consequently, it would not represent a discordant addition and would not have a detrimental impact on the

character and appearance of the dwelling itself or the area in general. In addition, there would be no adverse impact upon Urban Character Area 2 (Thomastown and Penyard). As such, it complies with Policies SW11 and CW1 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring properties. In this respect it, it is only likely to impact on the dwelling known as 26 Dan-y-parc, which adjoins the southern boundary of the site. The extension would be erected in close proximity to the shared boundary between these two properties, but it would replace an existing conservatory, in the same location, which is also of a similar scale (being of the same depth). The impact of the extension would be marginally greater as a result of the change in the roof design (from a hipped roof to a gable roof) and slightly higher eaves and ridge height, but it is not considered that this would, give rise to any objectionable impact. Indeed, the extension would not result in any overbearing impact or create any unacceptable overshadowing or loss of light. In addition, there would be no windows within the southern elevation and as such no concerns are raised with respect to overlooking or loss of privacy. It is also noted that no representations were received following the publicity exercise. The proposal is therefore deemed to be acceptable in terms on its impact on residential amenity and would 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:**

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 and Elevations, Drawing Number: DP-02, Rev. A,
Received on 23 August 2022

Drawing Title: Site Plans and Elevations, Drawing Number: DP-03, Rev. A,
Received on 23 August 2022

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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

26/9/22

