

DELEGATED REPORT

Application No:	P/25/0007
Site Address:	21 Chapel Banks Merthyr Tydfil CF48 1BP
Development:	Construct two-storey side extension and single storey rear extension
Case Officer:	Marlene Ferreira
Site Visit:	23rd January 2025
Application Expiry Date:	6th March 2025
Consultation reply date expired:	6th February 2025

APPLICATION SITE

The application site relates to a detached dwelling, 21 Chapel Banks, located in a cul-de-sac street in the area of Georgetown. The property, which appears to remain unaltered since it was originally constructed, is served by a front driveway and benefits from a small front open garden and a large private garden area to the side and rear of the dwelling. There is a detached garage at the end of the applicant's driveway. Whilst this is not currently owned by the applicant, the relevant documentation is currently being undertaken so that it is transferred into their ownership.

The dwelling lies in a street of detached dwellings of varying scales, design and materials, including brickwork, render, and/or mock tudor finish. The application site lies at a significantly lower level to Cyfartha Road, which runs along its southwestern side boundary. Its rear boundary adjoins undeveloped land to the northwest, also located at a significantly higher level. Its northern side boundary adjoins the neighbouring property, 22 Chapel Banks and its front eastern boundary adjoins the front adopted highway.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a two-storey side extension and a single storey rear extension.

The two-storey side extension, which would measure 3m wide, 6.2m deep with a 7.3m ridge height, would comprise a study and utility room at ground floor and a bedroom, with en-suite and dressing room at first floor. It would be finished with brickwork elevations, concrete roof tiles and UPVC windows.

The ground floor flat roof rear extension, which would measure 5.2m wide, 5m deep and 2.7m in height (3.2m including roof lantern), would comprise an enlarged kitchen/dining area and would be finished with brickwork elevations, a grey rubber roof and UPVc windows.

PLANNING HISTORY

There is no other relevant or recent planning history relating to this property.

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

- Supplementary Planning Guidance (SPG)

SPG Note No. 6 – A Design Guide for Householder Development (September 2015)

In relation to two-storey side extensions, the SPG advises '*In most cases, where a side extension is greater than 50% of the total width of the front elevation of the house, it will increasingly appear less subservient*'.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed extensions, in terms of their siting, scale and design, would comprise an acceptable form of development with regards to their impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed two storey side extension would be located to the south western (side) of the property. In addition, it would be set back 0.5m from the dwellings front elevation and would be set 0.6m below the dwelling's original ridge height. Its scale combined with its relatively discrete siting, would ensure that the extension does not appear out of place or overly dominant when viewed in association with the existing property and the wider street scene. Thus, while it is acknowledged that the two-storey extension does not strictly accord with the guidance set out in the Council's aforementioned SPG, the proposed addition would still appear subservient to the existing dwelling and combined with its matching material finishes, would therefore be considered an acceptable development which would not detract from the character or appearance of the existing property or the surrounding area. Indeed, this form of development is one which is commonly found within residential estates such as this.

The proposed single storey flat roof extension to the rear of the property, which would only be partially visible from the gardens/windows of neighbouring properties, would result in an addition, which in terms of its scale, design and finishes, would also be considered acceptable. As such, the proposed development would accord with LDP Policy SW11.

Residential Amenity

Regard has been had to the proposed development and its impact on the nearest residential properties.

In respect of the two-storey extension, this would be angled away and located over 5 metres from the neighbouring dwelling 20 Chapel Banks. This distance and positioning would ensure that the proposal would not result in an overbearing form of development. In addition, it would not generate any loss of light. The orientation of the first floor windows would also ensure that there is no direct overlooking into the rear garden of these adjoining occupiers and thus, prevent any loss of privacy to these adjoining occupiers.

With regards to the single storey extension, this would sit immediately adjacent to the dividing boundary with 22 Chapel Banks. However, given its single storey flat roof height, which would not exceed 2.7m, the proposal would not result in an overbearing form of development. Furthermore, the lack of any proposed side facing windows and existing boundary fence would prevent any direct overlooking into the neighbouring garden and serve to safeguard the private amenities of these adjoining occupiers.

The relationship of the proposed extensions with the neighbouring properties, as explained above, is therefore considered acceptable and would comply with LDP Policy SW11.

Ecology

The proposed development was considered by the Council's Ecologist and it was requested that a Preliminary Roost Assessment (PRA) for bats and nesting birds be submitted in support of the application. Given that the works are proposed on a residential property, where many developments can be undertaken without planning permission, the request for a PRA would be considered unreasonable in this instance. However, enhancement works in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' would be requested by a suitably worded condition, which could be added to any planning permission granted.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). However, due to the scale and nature of the development, the submission of a GIS would be deemed disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided (secured by condition) which would contribute to the wider green infrastructure objectives. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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:

- Existing & Proposed Plans, Elevations & Section Details Drawing No. FP 21 01, received: 9th January 2025;
- Existing & Proposed Plans, Elevations & Section Details Drawing No. FP 21 02, received: 9th January 2025.

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, to include 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.

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: 07.02.2025