

DELEGATED REPORT

Application No: P/22/0172

Site Address: Ty Belli Glas
Winchfawr
Heolgerrig
CF48 1RD

Development: Suspended deck area to rear and side of property

Case Officer: Caroline Pulley

Site Visit: 19th July 2022

Application Expiry Date: 10th October 2022

Consultation reply date expired: 26th July 2022

APPLICATION SITE

The application site relates to a detached dwelling located off Winchfawr Road. The property is located in a semi-rural location situated between the residential areas of Heolgerrig and Twyncarmel. It is set back from the highway to the south by approximately 42m and is served by a large parking area to the front. Due to the ground levels, the property appears as a two-storey dwelling to the front and a three-storey dwelling to the rear. The garden levels to the side of the property are level with the ground floor of the house. At the rear, the levels drop a storey in height and a steel frame has been erected in preparation for the proposed deck. The closest neighbouring property is situated to the south-west of the site and is separated from the front of the application property by a distance of approximately 29m. The land to the rear of the property appears to be used as horsiculture and is understood to be in the ownership of the applicant.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a raised deck area at the rear of the property. As highlighted above, work has already commenced at the property and therefore, this application is made partly in retrospect. When completed, the decking would extend across the back wall of the property and would protrude 11m beyond the western side elevation of the house. It would measure 24m wide by a maximum of 7.5m in depth and would be raised 2.7m above ground level. The sides and rear of the deck would be enclosed by a 1m high glass balustrade. As part of the works, the ground floor rear windows have been changed for a single bi-folding door and the garage doors on the lower ground floor rear elevation would be changed to patio doors. A wall measuring a maximum of 2.6m in height has also been erected along the western edge of the proposed

deck area. The submitted plans highlight that the wall would be finished with natural stone inlays.

PLANNING HISTORY

The most recent history relating to the property is as follows:

- P/09/0263 - Erection of 3 dwellings (outline)
Refused – 18.08.2011
- P/04/0607 - Erection of dwellinghouse
Approved – 17.01.2005
- P/04/0228 - Erection of two storey dwellings
Approved – 09.07.2004

CONSULTATION

None undertaken with this type of application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Supplementary Planning Guidance (SPG) Note No. 6 –A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are the effect of the decking on the amenities of nearby residents, particularly with regard to overlooking and loss of privacy, and its impact on the character and appearance of the existing dwelling and the surrounding area in general.

The decking is located to the rear of the property and is not highly visible from the highway to the south. Whilst it is substantial in terms of its scale, it would be of a comparable level to the ground located to the western side of the property. From the rear, the decking would also be viewed in association with the backdrop of the house and would not be seen as incongruous or overly dominant addition to the dwelling. As such, it would not have a harmful impact on the character of the property or the surrounding area in general. Also, given that the closest neighbouring property is situated more than 29m away from the house, there would be no adverse overlooking, overbearing or overshadowing impact arising from this development. Moreover, the neighbouring properties to the east and west of the application property have both been consulted and there have been no letters of objection or representation received as result of this exercise.

Finally, 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:

1. The development shall be carried out in accordance with the following approved plans and documents:

Drawing 807.10 received on 15.08.2022

Drawing 807.13 received on 15.08.2022

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

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



Head of Town Planning

DATE:

18/08/22

