

DELEGATED REPORT

Application No: P/21/0294

Site Address: 6 Commercial Street
Bedlinog
Treharris
CF46 6RE

Development: Demolition of existing single storey rear extension and construction of three storey extension. Retention of garage and stable

Case Officer: Caroline Pulley

Site Visit: 23rd August 2021

Application Expiry Date: 12th October 2021

Consultation reply date expired: 17th September 2021

APPLICATION SITE

The application site relates to a split level (two storey to front, three storey to rear) terraced dwelling situated within Cwmfelin Conservation Area in Bedlinog. The property is bound by neighbouring properties on both sides and is served by a private access lane to the rear. Although being located in a terraced street, it forms part of a short row of three dwellings. The neighbouring property to the north-west is set apart from the application property by a side access path. Its ridge is also set below that of number 6 but its rear elevation, which is two-storey in height, is set above the garden level of number 6. The adjoining property on the other side is located on a similar ground level to the application property. It has a similar scale single storey extension along its back wall which projects out slightly further than the applicant's existing extension. Its upper windows, which are at road level and first floor level, are set in from the boundary. The garage/stable building which is included within the application is located at the end of the rear garden. From its condition, it is clear that it has been in place for a considerable length of time.

PROPOSED DEVELOPMENT

This application seeks planning permission for the construction of a three-storey extension across the back wall of the property. The proposed extension would measure 5.3m wide by 4.5m deep. It would have a pitched roof with a maximum height of 9.8m from garden level. It would provide a lounge at basement level, a kitchen and bathroom on the ground floor (road level) and two bedrooms at first floor. The walls of the extension would be finished in render and the roof would be covered in slates.

PLANNING HISTORY

There is no recent planning history relating to the property. However, the applicant has provided a copy of a decision notice for the 'erection of a lower ground floor bathroom, conversion of basement into kitchen and erection of a garage'. This application was approved under application reference: P/79/0691.

CONSULTATION

Bedlinog Community Council: No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and two site notices were 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.

Section 6.1.14 states 'There should be a general presumption in favour of the preservation or enhancement of the character and appearance of conservation areas or their settings'.

Section 6.1.15 advises that there is a strong presumption against the granting of planning permission for developments which damage the character or appearance of a conservation area or its setting to an unacceptable level.

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.

TAN 24 - The Historic Environment (May 2017) - Paragraph 1.25 states '*The setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape.*'

Paragraph 1.28 explains that there will be cases where a proposal will enhance the setting of a historic asset and this will be treated as a benefit resulting from the development'.

Local Policy

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

Policy SW11 – Sustainable design and Placemaking

Policy CW1 - Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG)

- Note No. 6 – A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The proposed extension is considered to be of an acceptable design and scale which would appear in proportion with the dwelling and which would represent a sympathetic addition, which would preserve the character and appearance of the conservation area. It is also noted that there is a very similar three storey extension visible within the rear street scene and as such the proposed three storey extension would not appear incongruous or out of place. Therefore, the development would accord with Policies SW11 and CW1 of the LDP and the aforementioned SPG.

In terms of the impact of the extension on the amenities of neighbouring properties, it should be noted that the extension would be set in on both sides, thereby reducing any potential overshadowing, overlooking and overbearing impact on the adjoining properties. In respect of the property to the south-east, the extension would be set in from the dividing boundary by 0.9m. This property benefits from a single storey extension but this does not project out as far as the proposed extension, which would result in a 4.5m long, three-storey extension. However, it is not considered that the development would have an unacceptable overbearing or overshadowing impact. The window openings in the rear wall of the neighbouring extension may experience some overshadowing during the late afternoon. However, this impact is not considered to be significantly greater than the level of overshadowing impact that would be experienced from the boundary fence. The upper windows are also set away from the dividing boundary and as such, the extension would not have a significant impact on these openings. The extension would be set in from the dividing boundary with number 7 Commercial Street to the north-west by approximately 1.5m. While it is acknowledged that the extension would result in some loss of light to this property, it is not considered that the impact would be significantly harmful, particularly as the extension would be set in slightly from the edge of the application property and the overshadowing impact would be limited to the morning.

In terms of overlooking, while the extension would increase the number of windows in the back wall and this may result in additional overlooking into rear gardens, this is an arrangement which is commonly found between terraced properties. Moreover, by setting

the extension in from the dividing boundary, the potential overlooking impact to neighbouring properties would be to a lesser degree. On this basis and given that no objections have been received from the neighbouring properties, it is considered that on balance the impact would not be harmful enough to warrant the refusal of the application on such grounds.

Turning to the garage/stable building, it is clear on site that this building has been in situ for more than 10 years. As such, it would now be immune from any enforcement action from the Council. Nonetheless, its scale and design is acceptable and the building does not raise any significant amenity issues.

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 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 1 of 2 received on 07.08.2021

Drawing 2 of 2 received on 07.08.2021

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>.

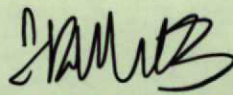
If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately. Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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



Head of Town Planning

DATE:

20/9/21