

# DELEGATED REPORT

Application No: P/20/0085

Site Address: 11 Tyllwyd Street  
Penydarren  
Merthyr Tydfil  
CF47 9LE

Development: First floor rear extension

Case Officer: Rebecca Owens

Site Visit: 18th May 2020

Application Expiry Date: 21st July 2020

Consultation reply date expired: 18th June 2020

## APPLICATION SITE

The application relates to a mid-terraced 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 erection of a first floor extension over an existing single storey rear annexe. The proposed extension would be the same depth and width as the ground floor annexe (4m by 4.9m) and would have a pitched roof with a ridge height of 7.1m. The extension would feature two windows in its rear elevation which would serve a bedroom. The southern eastern roof plane would also incorporate a roof light to serve a first floor bedroom and a further roof light would be inserted into the rear roof plane of the main roof to serve the first floor bathroom.

## PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

## 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 neighbouring properties.

No letters of objection were received following this publicity exercise.

## POLICY CONTEXT

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

The rear street scene is characterised with rear annexes and extensions of varying designs and scales including other two storey extensions. The proposed extension is considered to be of an acceptable design and scale which would appear subservient to the existing dwelling and in keeping with the character of the area. However, it is noted that the material finishes of the extension have not been provided and as such it is recommended that a condition is included on any planning permission specifying that these must match those of the dwelling. This will ensure that the extension is sympathetic in appearance. With the inclusion of this condition the scheme is considered to be acceptable in terms of its impact on the character and visual amenities of the dwelling itself and the area in general and thus is in accord with Policy SW11 of the LDP. In addition, it would not affect Urban Character Area 7 (Penydarren).

Regard has also been had for the impact of the development on the residential amenities of the surrounding occupants and it is noted that the application site is bound on both sides by other dwellings. The south eastern boundary is shared with the dwelling known as 12 Tyllwyd Street which is at a lower level than the application site and it is noted that the proposed extension would be erected partially over this boundary line (as the existing annexe over which it would be constructed is partially within the curtilage of this property). The extension would also be almost hard on the boundary with the property to the north west known as 10 Tyllwyd Street. However, both of these properties currently have single storey annexes with the annexe at 10 Tyllwyd Street the same depth as the proposed extension and the annexe at 12 Tyllwyd Street only about 0.7m shorter. As such the overall impact of the first floor extension would be lessened and it is not considered that it would be overbearing of either of these neighbouring dwellings (even with the difference in level that exists with 12 Tyllwyd Street).

It is recognised that the extension would be erected almost immediately adjacent to the first floor window of 12 Tyllwyd Street, which would result in a flank wall of 4m in depth directly alongside this window. However, the roof of the existing single storey annexe belonging to the application property is already at a height that takes it about half way up this first floor window. Thus on balance, it is not considered that the impact of the extension would be significantly greater, and whilst there may be some additional loss of light, this would not be harmful enough to warrant the refusal of the application. It is also noted that this neighbouring property is an end-of terrace located to the southeast and as such the window would still receive light and would only be overshadowed during part of the day. The extension would also be in relatively close proximity to a first floor window in 10 Tyllwyd Street. However, it is not considered that the loss of light and overshadowing which would occur during part of the day would be to an unacceptable degree.

Similarly, no concerns are raised in terms of overlooking or loss of privacy. In this respect it is noted that the proposal would introduce first floor windows which would look towards the dwellings on the opposite side of the rear lane (Tynycoed Terrace). However, it is not

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.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

3. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

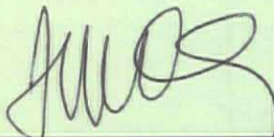
Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

4. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-
  - i) work on an existing wall shared with another property;
  - ii) new building on the boundary with a neighbouring property; or
  - iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

25/6/20

considered that these would give rise to any significant overlooking to the rear gardens of these properties. In addition, there would be a sufficient distance from these windows to the first floor windows in the dwelling opposite as to avoid any unacceptable views into their rooms. Having regard to the above considerations and the lack of any objections, the proposed development is found to be acceptable in terms of its impact on residential amenity and as such it is in accord with Policy SW11 of the LDP and the aforementioned SPG.

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.

**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, Elevations and Section Details, Drawing Number: TYLLWYD 11 01B, Amended Plan Received on 19 June 2020.

**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. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.