

DELEGATED REPORT

Application No:	P/21/0306
Site Address:	60 The Oaks Quakers Yard Treharris CF46 5HQ
Development:	Erection of single storey rear extension
Case Officer:	David James
Site Visit:	8th September 2021
Application Expiry Date:	18th October 2021
Consultation reply date expired:	11th October 2021

APPLICATION SITE

The application site relates to a detached bungalow located in a culs-de-sac in the residential development of Ty Llwyd Parc, Quakers Yard. The property faces in a southerly direction onto the street, and is bound by other dwellings to either side, and land containing a telecommunications mast to the rear.

The application site lies within the settlement boundary as designated in the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to erect a single-storey extension on the rear elevation of the property.

The extension would measure 7.1m wide, 5m deep, and a maximum of 4.7m in height, with a pitched roof. It would accommodate a study, a bedroom with ensuite bathroom, and an enlarged kitchen & dining area. It would have two windows in its rear elevations and bi-folding doors in its east side elevation. Three window openings would be inserted into the west side elevation of the existing bungalow, to serve the new internal layout, and one existing window opening would be bricked up. Its walls would be finished in face brickwork, its roof would be covered in tiles, and the windows and doors would be upvc to match the existing bungalow.

PLANNING HISTORY

There is no planning history relevant to the determination of this application.

CONSULTATION

Consultations were not carried out under this application.

PUBLICITY

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

No letters of representation were received as a result of this publicity exercise

POLICY CONTEXT

National Development Framework

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

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

Policy EnW1 – Nature Conservation and Ecosystem Resilience

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

Policy EnW4 – Environmental Protection

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG 4 - Sustainable Design

SPG 5 - Nature and Development

SPG 6 – Householder Design

PLANNING CONSIDERATIONS

The issues to consider in the assessment of this application relate to whether the proposed extension, in terms of its siting, scale and design, would be an acceptable form of development with regards to its impact upon the character and appearance of the dwelling, and its impact on the residential amenity of surrounding dwellings.

In terms of visual amenity, the proposed extension would be located to the rear of the dwelling and would not be visible within the front street scene. Therefore it would not have an adverse impact on the appearance of the dwelling when viewed from the highway. While it is acknowledged that the roof of the extension would be at the same height as that of the dwelling, it is considered that the extension is of an appropriate scale. Additionally, its design would complement the dwelling, and the external finishes would match those of the dwelling. As such, it is of an acceptable design and its scale would not appear out of proportion. Taking this into account, the proposal is found to be in accord with Policy SW11 of the LDP.

Regard has also been given to the impact of the proposal on the residential amenities of the surrounding occupants. In this respect, it is noted that the extension would be sited in close proximity to the shared boundary with the adjoining dwelling of 61, The Oaks to the west. This would result in a 5m long structure measuring a maximum of 4.7m (and an eaves height of 2.4m), being located a minimum of 1m (increasing to 1.5m), from the shared boundary. It is acknowledged that this would result in a degree of overbearing impact and a loss of light to this adjoining dwelling.

However, the roof of the extension would be pitched away from number 61, which would serve to reduce its bulk and mass, and somewhat mitigate the potential impacts. Additionally, it is noted that the eaves height of the extension would be 2.4m, which is less than that of a structure that could be built in a similar location, without the need to apply for planning permission. Moreover, the extension would be located to the east of number 61, which would result in a loss of light for only part of the day. As such, while the proposal would result in a degree of overbearing impact and loss of light, it is not considered that this would be to a harmful degree and would not be to an extent that would warrant the refusal of the application. It should also be noted that no letters of representation have been received from the owner/occupier of number 61 in respect of the proposed development.

The proposed bi-folding doors and windows of the extension would not face toward number 61. However, the proposed new window openings in the west side elevation of the bungalow would face toward it. Two of these opening would serve bathrooms and would likely be fitted with obscured glazing and be largely non-openable (a suitably worded condition, attached to any permission granted, could ensure this). The third opening would serve a study. However, it would be at ground floor level, and the boundary fencing between the two dwellings would negate any impact in terms of overlooking or loss of privacy.

The proposed siting of the extension is on the west side of the rear garden area, and would be located at least 9.3m away from the shared boundary with 59, The Oaks, to the east. As such, it is not considered that it would result in any harmful impact on the residential amenity of this adjoining dwelling, in terms of the loss of light, overlooking, or overbearing impact.

Thus, the relationship between the existing neighbouring properties and the proposed development would therefore be considered acceptable and accord with LDP Policy SW11.

CONCLUSION

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

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:**

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:

Sheet 1 of 4: Existing Property

Sheet 2 of 4: Proposed Extension

Sheet 3 of 4: Existing & Proposed Elevations

Sheet 4 of 4: Section & Notes

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: 13/10/2021