

DELEGATED REPORT

Application No:	P/23/0006
Site Address:	44 Chapel Banks Merthyr Tydfil CF48 1BP
Development:	Erection of single storey rear extension
Case Officer:	Rebecca Owens
Site Visit:	23rd January 2023
Application Expiry Date:	14th March 2023
Consultation reply date expired:	13th February 2023

APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, other dwelling on either side and undeveloped land to the rear designated as open space. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought for the demolition of a conservatory and the erection of a single storey rear extension. The proposed extension would be 6.065m in depth by 3.4m in width and would have a flat roof 2.5m in height. The roof would feature a large central lantern, 3m by 2.4m with a height of 0.525m above the roof. The extension would have windows in both side elevations and bi-folding doors in the rear elevation. The walls would be finished with brickwork to match the existing elevations of the dwelling.

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 the neighbouring 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 Development Framework

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

National Planning Policies

Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

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 proposed extension is considered to be of an acceptable design and scale. Whilst it is recognised that it is relatively long and features a flat roof, it would, be finished in matching brickwork and given that it is single storey, it is considered that it would represent a sympathetic addition which would not appear incongruous or harm the character of the dwelling. Given its siting to the rear of the property it would also not impinge on the character of the area in general which it is acknowledged forms part of Urban Character Area 8 (Georgetown and Ynysfach). As such the proposal is found to be acceptable in terms of design and impact on visual amenity and as such would comply with Policies SW11 and CW1 of the LDP.

Regard has also been had for the impact of the development on the residential amenities of the neighbouring occupants. In this respect it is noted that the site is bound on either side by other dwellings with 43 Chapel Bank to the north and 45 Chapel Banks to the south. The extension would be erected in close proximity to the southern boundary and would be approximately 1m longer than the existing conservatory which is would replace. However, given that it is set off the boundary and only has a modest height of 2.5m, it is not considered that it would have an overbearing impact or result in any harmful overshadowing or loss of light. Similarly, whilst two windows are proposed in the south facing elevation which would look directly towards the boundary with 43 Chapel Banks, views from these would be largely obscured by the existing boundary fence and would not be significantly greater than the those from the existing conservatory which has a largely glazed southern elevation.

Furthermore, given that the garage of the application site is positioned along the shared boundary with 43 Chapel Banks, the extension would not have any significant impact on this property. Whilst there is a gap where the garage is set back off the rear elevation, which would allow for views over the side gate towards the windows in the side elevation

of 43 Chapel Banks, it is not considered that the overlooking would be substantially greater than already experienced from the existing conservatory. Having regard to the above and noting that no objections were received following the publicity exercise, the proposal would not harm residential amenity and would accord with Policy SW11 of the LDP.

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/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:

Proposed elevations, floor plans, site plan and section, Drawing Number: CB44/001, Received on 17 January 2023

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.

3. 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



Director of Neighbourhood Services

DATE:

17/2/23