

DELEGATED REPORT

Application No:	P/22/0257
Site Address:	11 Anthony Hill Court Pentrebach Merthyr Tydfil CF48 4AZ
Development:	Removal of existing garage and erection of two storey side extension
Case Officer:	Rebecca Owens
Site Visit:	24th October 2022
Application Expiry Date:	17th November 2022
Consultation reply date expired:	19th October 2022

APPLICATION SITE

The application relates to a detached dwelling located in a residential estate within the settlement boundary. The site is bound by highways to the front and rear and dwellings on either side.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of two storey side extension. This would require the demolition of the properties garage which is attached to the garage of the adjoining dwelling known as 12 Anthony Hill Court.

The proposed extension would be set back from the main front elevation by 0.5m. It would be 4.916m in depth by 3.063m in width and would have a pitched roof with a ridge height of 6.94m. The extension would feature ground and first floor windows in its front elevation which would serve a sensory room and bedroom respectively and similarly ground and first floor windows are proposed within its rear elevation which would serve a wet room and ensuite respectively. The roof of the extension would be covered with interlocking roof tiles to match the main roof and the external elevations would be finished with facing brickwork to match the existing walls.

It is noted that the former dividing wall between the dwelling's garage and that of the neighbour's (which would be exposed though the proposed demolition of the garage on this site), would be finished with render.

PLANNING HISTORY

The relevant planning history is summarised below:

- P/04/0259 48 No. dwellings (Reserved matters application)
Reserved Matters approval granted subject to conditions on 12 July 2004
- P/03/0480 Residential development (Outline - 40 dwellings with associated car parking,
garages and infrastructure).
Outline planning permission granted subject to conditions on 3 June 2004

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering and Highways No objection

Welsh Government Highways No objection

PUBLICITY

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

No letters of objection were received following this publicity exercise. However, it is noted that a letter was received from the adjoining occupier noting that although they had no objections to the proposal they had concerns with respect to structural damage to their garage following demolition of the garage on the application site (which is attached to this). The neighbour was seeking reassurances that any problems or damage incurred by the building work would be repaired by the applicant and the existing separating wall would remain/reinforced.

The neighbour has been advised that any structural damage caused to their garage as a result of the proposed works would be a private matter between themselves and the applicant and would not be a material planning consideration of this application. Notwithstanding this, the submitted plans indicate that the separating wall would remain and would be given a rendered finish.

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

Policy SW11: Sustainable design and place making 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. The set back of the extension and lower ridge height ensure that it would be a subservient addition to the dwelling while its material finishes and fenestration would ensure that it is in keeping with the character of the property. As such, the proposal would be acceptable in terms of its impact on the character of the dwelling itself and indeed the wider area. It is therefore in accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of neighbouring occupants. In this respect it is noted that the extension would only impact on the adjoining dwelling to the south east known as 12 Anthony Hill Court. The extension would be erected approximately 0.9m from the shared boundary with this dwelling and would be 6.94m in height. However, given that it would be set off the boundary and would be erected alongside the garage of this neighbouring dwelling, it is not considered that it would have an overbearing impact. The siting of the extension in relation to this neighbouring property would also alleviate any significant overshadowing or harmful loss of light. Whilst it is recognised that the extension would feature a first floor window that would be in closer proximity to the boundary with 12 Anthony Holl Court, it is not considered that this would give rise to a level of overlooking above that which is typically found between residential properties. Notwithstanding this, it is also noted that this window would serve an ensuite and thus a non-habitable room. As such no concerns are raised with respect to overlooking or loss of privacy. Having regard to the above and noting that no objections have been received following the publicity exercise, the proposal is found to be acceptable in terms of residential amenity and in accord with Policy SW11 of the LDP.

In terms of parking and highway safety, it is noted that the dwelling currently benefits from three bedrooms. Wales Parking Standards 2008, requires one space per bedroom (up to a maximum of three spaces). Therefore, the dwelling current has an off-street parking requirement of three spaces. However, as the garage does not meet the minimum clear internal dimensions set out in the Wales Parking Standards 2008, it cannot be considered as providing an off-street parking space. As such, the dwelling currently benefits from one space provided on the drive. Whilst the proposal would add a bedroom to the dwelling, resulting in a total of four bedroom, the property's off street parking requirement would remain the same (3 spaces) and the demolition of the garage would not result in the loss of a parking space given that it does not meet the required standards. As such, the property's off street parking requirement and provision will remain unchanged and on this basis no objection is raised in regard to parking from the Head of Engineering and Highways.

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:

Drawing Title: Proposed Ground Floor Plan, Drawing Number: 3A, Amended Plan Received on 7 October 2022

Drawing Title: Proposed First Floor Plan, Drawing Number: 4, Received on 22 September 2022

Drawing Title: Proposed Elevations, Drawing Number: 6A, Amended Plan Received on 7 October 2022

Drawing Title: Construction Detail, Drawing Number: 7A, Amended Plan Received on 25 October 2022

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

INFORMATIVES

1. 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.

2. 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.

3. 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



Director of Neighbourhood Services

DATE:

26/10/22