

DELEGATED REPORT

Application No:	P/24/0001
Site Address:	Trevethick Bungalow Beechgrove Gardens Rock Lane Troedyrhiw Merthyr Tydfil
Development:	Erection of first floor office above existing garden store and creation of external balcony
Case Officer:	Rebecca Owens
Site Visit:	15th January 2024
Application Expiry Date:	27th February 2024
Consultation reply date expired:	31st January 2024

APPLICATION SITE

The application relates to a detached dwelling with a generous curtilage which is located within the settlement boundary. The site is bound by other dwellings on either side and highways to the front and rear. The profile of the site varies quite significantly, generally sloping upwards from the south west to the north west, with the dwelling occupying an elevation position above the A4054 (Cardiff Road)

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a first floor office above an existing garden store and for the creation of an external balcony.

The proposed development would provide a main office area with a kitchen and wc/shower room. It would have a footprint of 7.83m by 4.8m and a pitched roof with a ridge height of 6.1m. The roof of the office extension would be covered with concrete tiles to match the existing roof pitched roof and the external wall would be finished with timber cladding. The building would feature windows in its north, east, western elevation and French doors in its southern elevation opening out into an external balcony.

The balcony would be 1.2m in depth by 2.3m in width and 1.94m in height. It would feature a glazed balustrade 1.1m high.

PLANNING HISTORY

The relevant planning history is detailed below:

P/07/0095 Erection of front and rear dormers

Granted planning permission subject to conditions on 22 May 2007

P/06/0107 Front and rear dormer roof extensions
Granted planning permission subject to conditions on 24 April 2006

P/05/0544 Erection of front and rear dormer windows
Refused planning permission on 23 November 2005

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.

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 12, February 2024)

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 application site has a sloping profile with the dwelling and existing outbuildings occupying a higher level than the main road to the south west (Cardiff Road). It also features elevated platforms and balconies. When viewed within this context, it is not considered that the first floor office extension would appear incongruous. In addition, its general design and appearance is deemed to be acceptable. It is recognised that it would be more prominent from the lane that runs along the north of the site, being erected hard on the northern boundary and with a maximum height of 7.3m above the level of this highway. However, the lane features the existing garage serving the property and a large outbuilding belonging to the adjoining property, which are also in close proximity to the road and of a significant size. Moreover, the main public vantage point would be from

Cardiff Road. As such, on balance it would not harm the character or appearance of the dwelling or immediate area to an unacceptable extent. It would therefore accord with Policy SW11 in this respect.

Regard has also been had for the impact of the development on the residential amenities of the neighbouring occupants. Given that the office would be close in the north western corner of the site it is only likely to impact on the property located to the west known as 2 Fair View. Whilst it would result in a two storey structure in close proximity to the boundary with this dwelling, the development would be set back approximately 0.8m back, extending to a distance of approximately 5m due to the splay in the boundary line. In addition, it is noted that there is already a large outbuilding relating to this neighbouring property which is positioned adjacent to the boundary along with some vegetation. Having regard to this arrangement, the development would not have an overbearing impact or result in any harmful overshadowing or loss of light. It is noted that the office would be served by two windows in its western elevation which would look towards 2 Fair View, but these would largely overlook the outbuilding and driveway, with only obscure views to the remaining grounds and windows of the dwelling. As such it is not considered that they would give rise to any harmful loss of privacy. In addition, the proposal includes a small balcony off the southern elevation with the main views being in this direction. However, it would also allow for views to the west and thus towards 2 Fair View. Views directly to the west would again be largely over the existing outbuilding but those angled to the south west would look towards the side elevation and garden of this dwelling. However, having regard to the angle of sight and the increasing distance of this boundary from the balcony, it is not considered that views would be to an unacceptable degree. It is also noted that there is already a raised hardstanding/garden just to the east of the proposed patio which allows for raised views and some level of overlooking. Having regard to the above and noting that no objections were received following the publicity exercise, the impact of the proposal on residential amenity is deemed to be acceptable and as such would comply with Policy SW11.

Finally, it is noted that the development would raise the height of the existing store building elevation which is directly adjacent to the lane, resulting in it having a maximum height of 7.3m which would then also be attached to the existing garage which is also erected along the northern boundary. This would have an impact on users of the lane but it is not considered that it would be overbearing to an extent that would warrant the refusal of the application on such grounds.

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:

Drawing Title: Existing and Proposed Plans, Elevations, Sections & OS Plan,
Drawing Number: Trevithick 01A, Received on 2 January 2024.

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2021) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil 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




Director of Neighbourhood Services

DATE: 26.02.2024