

DELEGATED REPORT

Application No:	P/24/0029
Site Address:	38 Aberfan Road Aberfan Merthyr Tydfil CF48 4QL
Development:	Provision of bay windows to the front elevation. Extend and convert existing garage to provide granny annex. Extend ground floor patio area to include new retaining wall. Provision of first floor Juliet balcony.
Case Officer:	Marlene Ferreira
Site Visit:	21st February 2024
Application Expiry Date:	2nd July 2024
Consultation reply date expired:	24th May 2024

APPLICATION SITE

The application site relates to an end of terrace dwelling, 38 Aberfan Road, located in the area of Aberfan. The property lies on a corner plot and appears to have been extended to the rear by means of two gable additions. The rear garden is set over three levels, since the property follows the topography of the street and rises from the east to the west. It comprises a narrow courtyard area at ground level, an elevated paved garden area above, and a raised paved patio area beyond, which combined, contain a shed, a large outbuilding and a garage.

The property lies in a street of terraced and semi-detached properties, many of which have also been extended to the rear by means of rear additions, outbuildings and/or garages. The front of these properties, including the application site, are largely modest traditional dwellings, some of which comprise front entrance canopies and bay windows.

PROPOSED DEVELOPMENT

This application seeks planning permission to provide bay windows to the ground floor of the front elevation, increase the area of the low-level courtyard, extend and convert the existing garage to provide a granny annex and install a new patio door with Juliet balcony to the rear first floor elevation.

The existing ground floor windows at the front elevation would be removed and two larger windows forming part of a bay projection would be erected. Each bay window would

measure 3.2m wide by 2.6m deep, with a 0.4m projection and would be finished with rendered walls, concrete tiles and UPVc windows.

The narrow courtyard at ground level would be enlarged by removing the existing retaining wall and small blockwork shed, excavating part of the elevated paved garden and constructing a new wall set back further from the rear of the property. The new wall measuring 1.6 metres in height, with 1.2 metre high railings above, would continue to retain the elevated paved garden. The proposed courtyard would have a minimum depth of 1.1 metres and a maximum depth of 3.1 metres and new steps would be provided to enable access from the enlarged courtyard to the elevated paved garden area above. A new section of retaining wall, measuring 1.67m wide and 2.17m in height, would also be constructed between the application site and the neighbouring property and act as the dividing boundary between the two dwellings.

The existing outbuilding would be removed and the existing garage would be extended to provide a granny annex. It would measure 7.95m wide, 5.7m deep and 3.6m in height and would be finished with rendered elevations, black rubber EPDM roof and UPVc windows. The granny annex would be served by one bedroom, one bathroom and a kitchen/living/dining area.

A single patio door with Juliet balcony would be provided at first floor to serve the rear bedroom. This would be enclosed with a 0.8m high steel and glass balustrade.

It is noted that the plans also include the provision of a hot tub within the enlarged courtyard area at ground level, as well as internal alterations to the property. However, these works would not require planning permission, and as such, have not been considered in the assessment of this application.

PLANNING HISTORY

The following planning history is relevant to this site:

P/00/0027 – Detached garage – Approved: 21st March 2000

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. No letters of representations have been received as a result of this exercise.

POLICY CONTEXT

National Development Framework

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

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG)

SPG Note No. 6 – A Design Guide for Householder Development (September 2015)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed works, in terms of their siting, scale and design, would comprise an acceptable form of development with regards to their impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed development, as described above, includes a variety of alterations. With regards to the provision of new ground floor bay windows, these would be provided to the front elevation of the property. As such, it would amount to a prominent alteration which would be clearly visible within the wider street scene. However, the bay windows would be of the same size and design, would sit directly below the first floor windows and would be evenly spaced out. As such, they would therefore frame the entrance into the property and add interest to its primary frontage. Furthermore, the UPVc bay windows would be finished with rendered walls and concrete tiles to match the existing dwelling. It should be noted that there are other properties within the street which already comprise ground floor bay windows. The provision of new bay windows would therefore be acceptable in this context.

With regards to the enlargement of the courtyard area at ground level, this seeks to provide a larger useable area at the same level as the ground floor of the dwelling. This alteration would involve the erection of a new retaining wall, finished in render, with railings above, with a total height of 2.8m and would therefore be of the same height as the existing retaining wall to be removed. A new section of retaining wall, measuring 2.17m in height, would also be constructed along the dividing boundary with the neighbouring property. The walls, in terms of their height and render finishes would be acceptable in this context. Furthermore, it should be noted that since the site rises from the east to the west and due to the height of the garden's boundary wall, these alterations, including the new retaining walls, would not be visible from within the front or side street scenes. The proposed enlargement of the courtyard would therefore be acceptable.

The proposed enlargement of the garage seeks to provide a granny annex to accommodate a family member. The existing shed and large outbuilding would be removed to accommodate the proposed granny annex. The height of the annex would remain as a single storey structure and its material finishes comprising of rendered elevations, rubber roof and upvc windows would match those of the existing dwelling. As such, proposed garage extension and conversion, which would be conditioned to be used in association with the main dwelling only, would amount to a proportionate and appropriate addition and would therefore be acceptable.

A new patio door with Juliet balcony would be added, at first floor, to the existing blank elevation of the rear gable projection. This would serve an existing first floor bedroom. It would comprise a UPVC door to match the existing UPVC windows and a glass and steel balustrade enclosure. This alteration, including its materials finishes would therefore be considered sympathetic to the appearance of the dwelling. Indeed, the addition of an opening to the existing blank elevation would be considered to improve the visual appearance of the gable extension when viewed within the rear/side street scene.

The proposed development would therefore not be considered to have a detrimental impact on the character and appearance of the dwelling or that of the wider street scene and would therefore accord with LDP Policy SW11.

Residential Amenity

The existing property adjoins the boundary with 39 Aberfan Road. This is the neighbouring property most likely to be affected by these proposals.

The proposed introduction of bay windows to the ground floor of the front elevation, given their scale and siting, would not have any adverse impact on the amenities of these adjoining occupiers. Likewise, the proposed first floor Juliet balcony at the rear of the property would not cause any loss of privacy to these occupiers. Indeed, the patio door and Juliet balcony would not allow for any additional overlooking opportunities since a rear first floor window, sited closer to this neighbouring dwelling, is already existing on the property's rear gable extension.

With regards to the proposed enlargement of the courtyard, it is noted that this would result in the reduction of the elevated paved garden area and enable the creation of a larger ground level courtyard area. The enlarged courtyard would be retained by a new 1.6m high retaining wall with railings above. It would also be enclosed from the neighbouring property by a new section of retaining boundary wall, measuring 2.17m in height. The new retaining wall to retain the reduced elevated garden area would therefore not have any adverse impact on this neighbouring dwelling. The new section of retaining boundary wall would act as the dividing boundary between the properties and its height would meet that of the existing boundary wall already in place. Thus, it would not appear excessive in height when viewed from the neighbouring rear garden and would continue to safeguard the private amenities of these adjoining properties. Furthermore, the elevated paved garden area, given its reduction in area, would reduce overlooking opportunities down into the neighbour's rear garden (a large part of which is located at ground level). The proposed enlargement of the courtyard would therefore be considered acceptable.

The proposed garage extension and conversion has also been considered in respect of its impact on these neighbouring occupiers. It is noted that the garage, would remain an existing single storey building, but would increase in depth and as such, would be

constructed alongside the boundary with this neighbouring property. However, the extension to the garage would include the demolition of the existing large outbuilding which currently runs alongside the boundary with this neighbour. As such, the overbearing impact from the extended garage upon this neighbouring dwelling would be very similar to the overbearing impact caused by the existing garage and existing outbuilding. The proposed garage extension would therefore not be considered any more harmful to the amenities of this neighbouring property. With regards to the use of the extended garage, it is noted that this would be used as a granny annex and cater for a family member. As such, it would continue to be used in association with the existing dwelling, as opposed to an independent property and would therefore, not give rise to additional noise and disturbance which may otherwise detract from the amenities of the neighbouring occupiers. The proposed garage extension and conversion would therefore be considered acceptable.

The proposed works and their relationship with adjoining occupiers would therefore comply with LDP Policy SW11. Indeed, no letters of representation have been received in respect to this development.

Ecology

In respect of ecology, the Council's Ecologist has not requested any survey work in respect of this proposal.

Whilst it is noted, as discussed in chapter 6 of Planning Policy Wales (edition 12), that all applications should be supported by Green Infrastructure Statements (GIS), given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area and therefore contribute to the wider green infrastructure objectives. The proposed development would therefore accord with LDP Policy EnW1.

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:

- Information Drawing Number 974.09 (proposed material finishes), received: 16th August 2024
- Proposed Ground and First Floor Drawing no 974.05, received: 6th August 2024
- Proposed Elevations Drawing No 947.07, received: 22nd July 2024;
- Elevations Drawing no 974.06, received: 26th June 2024;
- Block Drawing Number 974.10, received: 7th May 2024;
- Section Drawing Number 974.08, received: 7th May 2024;

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

3. **Prior to the commencement of development**, a scheme for biodiversity enhancement, to include 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 - In the interest of biodiversity to accord with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan .

5. The granny annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 38 Aberfan Road, Aberfan.

Reason - To protect the character of the local area and safeguard the amenities of nearby occupiers in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council 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.

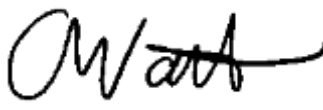
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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

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Director of Neighbourhood Services

DATE: 16th August 2024