

DELEGATED REPORT

Application No:	P/23/0007
Site Address:	17 Mitchell Crescent Penydarren Merthyr Tydfil CF47 9JB
Development:	Rear two storey extension and retaining works to garden
Case Officer:	Marlene Ferreira
Site Visit:	23rd February 2023
Application Expiry Date:	19th June 2023
Consultation reply date expired:	17th May 2023

APPLICATION SITE

The application site relates to a terraced dwelling, 17 Mitchell Crescent, in the area of Penydarren. The property lies in a street of terraced properties, some of which appear to have been extended to the rear. The properties, including the application site, are raised above the front highway and their rear gardens are set over varying ground levels, since the site rises from the front (east) to the rear (west) where it meets the rear lane. On-site parking is provided off the rear lane onto a raised hardstanding area within the elevated part of the rear garden. On street parking provision is also available along the front highway, Mitchell Crescent.

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

PROPOSED DEVELOPMENT

This application seeks planning permission to reduce the size of the raised deck area at the rear of the property and construct a two-storey extension.

The proposed gabled rear extension would measure 4.2 metres wide by 5.54 metres deep with a 6.85 metre ridge height. It would provide a dining area at ground floor and an additional en-suite bedroom at first floor. The decked area would be reduced in depth by approximately 4 metres and a 1.85 metre high wall would be constructed to retain the remaining elevated deck area. The plans indicate that the extension would be finished with a tiled roof, rendered elevations and UPVc windows.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

CONSULTATION

Head of Engineering and Highways - No objection.

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 publicity exercise.

POLICY CONTEXT

National Development Framework

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

National Planning Policies

- Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

- Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

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 development, in terms of its siting, design and scale, would be an acceptable form of development with regards to its impact upon the character and appearance of the property and the street scene. The impact upon residential amenity is also an important consideration.

Character and Appearance

The proposed two storey extension would be sited to the rear of the dwelling. As such, the proposed development would not be viewed from the dwelling's primary frontage and would therefore not disturb the character and appearance of the terraced street scene.

The extension, which would be finished in matching materials and finishes to the existing dwelling, would not extend to the full width of the rear elevation and would project a total of

5.54 metres in depth. It's ridge height would also be significantly lower than the main ridge height of the original dwelling and its eaves height would not exceed 5.14 metres. As such, the scale and mass of the proposal would be acceptable and of a sympathetic form, which would not detract from the character or appearance of the existing dwelling or its rear street scene. Furthermore, given the siting and height of the proposed retaining wall, these works would also be acceptable. The proposed development would therefore accord with LDP Policy SW11.

Residential Amenity

The application site adjoins the boundary with 15 and 19 Mitchell Crescent and these are the properties most likely to be impacted by the proposed development.

In respect of 15 Mitchell Crescent (to the north), the proposed two-storey extension would be located 3.95 metres from the dividing boundary. As such, it would not have an overbearing impact on this adjoining property. Due to the orientation of the dwellings, some loss of light would result from this proposal, however, the distance of the extension from the dividing boundary combined with its 5.14 metre eaves height would ensure that this impact is not significant. It is also noted that a first floor side facing window would serve the first floor en-suite. However, a condition to ensure an obscured glazed window is installed would be appropriate to prevent any direct overlooking opportunities.

In respect of 19 Mitchell Crescent (to the south), the proposed extension would be located 1.65 metres from the dividing boundary. The proposed extension would therefore have a closer relationship with this adjoining dwelling. Whilst its height would be 6.85 metre to the ridge, its eaves height of 5.14 metres together with the pitched roof, which slopes away from this neighbouring dwelling would help to reduce any impacts. Given its combined depth, height and its setback from the dividing boundary, the proposal would not be deemed significantly overbearing on this neighbouring dwelling to warrant the refusal of the application. Furthermore, the extension would not result in a significant loss of light to the adjacent garden, since the property is situated to the south of the application site. Furthermore, no side facing windows are proposed at first floor, which may otherwise give rise to any overlooking concerns.

It is acknowledged that no objections were received from the neighbouring properties as a result of the publicity exercise. Therefore, the proposed development, including the erection of the retaining wall, would have an acceptable relationship with the adjoining dwellings and would accord with LDP Policy SW11.

CONCLUSION

The development, for the reasons noted above, is 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:

- Drawing number: MC-02, received: 24th April 2023;
- Drawing number: MC-03, received: 24th April 2023;
- Drawing number: MC-04, received: 24th April 2023;

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

3. Before the development hereby permitted is brought into use, the first floor en-suite window shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord 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



Director of Neighbourhood Services

P.P.

DATE: 20.06.2023