

DELEGATED REPORT

Application No: P/25/0129

Site Address: 11 Heather Court
Quakers Yard
Treharris
CF46 5RP

Development: Two storey rear extension

Case Officer: Kate Glover

Site Visit: 21st May 2025

Application Expiry Date: 30th July 2025

Consultation reply date expired: 11th June 2025

APPLICATION SITE

The application site comprises a detached dwelling which is located within a larger residential estate. The site is in a prominent position as it is located on the corner of the road and the property has the benefit of front, side and rear gardens, a driveway and garage and the external materials of the dwelling are red brick elevations with a decorative mid-level cornice comprising of yellow bricks, uPVC window and door frames and concrete tile roof.

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 construct a new two storey rear extension which would measure approximately 8.58m wide, 3.41m deep, 4.99m to eaves level and 7.15m to ridge height. The extension would have a gable roof and the external materials would mainly match those used on the external but the decorative cornice would not be replicated.

PLANNING HISTORY

P/00/0100 Residential development of 55 Houses (Revised Scheme)
Granted 02 Aug 2000

P/05/0285 Section 73 application to vary the time implementation condition deemed to be imposed on planning permission P/00/0100
Granted 19 Aug 2005

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining 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) (Future Wales) 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) (PPW12).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4 - Sustainable Design
- Note 6 - A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, impact upon the character and appearance of the property and the street scene, impact upon the residential amenity of neighbours and ecology.

The proposal would be an extension to an existing dwelling which is located within the settlement boundary. The principle of development is acceptable and meets with the requirements of policy SW4.

It is considered that the character and appearance of the extension and the proposed external materials are appropriate to the character and appearance of the existing dwelling and would not be detrimental to the visual qualities of the property or wider street scene.

Turning to matters of residential amenities in relation to overbearing, loss of light and loss of privacy, the properties No's 12 and 10 Heather Court are directly adjacent to the application site and would be most affected by the proposal. As the application site occupies a corner plot, the principal elevations of No. 12 and the application site (No.11) face the same direction, whereas No.10 is located around the corner and the principal elevation of this property faces 90 degrees to No's 12 and 11.

In respect of No.12 (southwest), the proposed extension would be approximately 1.0m from the boundary and protrude from the rear elevation by 3.41m and, at first floor level, a bathroom window would be inserted into the elevation which faces No.12. It is noted that the bathroom window would be inserted into the existing elevation and would be permitted development, subject to restrictions regarding obscure glazing and opening. Given the distance, depth and height of the proposed extension the development would not cause any significant issues in relation to overbearing, loss of light or loss of privacy to this property.

Turning to No.10, the side elevation of this neighbour property's garage is hard on the boundary with the application site and, the side of the neighbour's dwelling which also contains a first-floor window, is approximately 12.5m from the rear elevation of the application property. It is noted that the rear elevation of the application property has first floor windows which serve bedrooms and the proposed plans show that windows to be inserted into the rear elevation would also serve bedrooms. The proposed extension would reduce the distance between the window to approximately 8.9m. Given the existing relationship between the dwellings the decrease in the distance between the properties would not be substantially different than the current situation and as such the development would not cause any significant issues in relation to overbearing, loss of light or loss of privacy to this property.

It should also be noted that neighbouring properties were consulted, and no letters of representation were received.

The planning Ecologist has suggested that a Preliminary Roost Assessment (PRA) should be undertaken to assess potential adverse impacts on protected species and habitats. However, it is noted that the property is in an urban location and the property could be subject of significant alteration without the benefit of planning permission, and this could include a replacement roof. It is considered in this instance that given the location and nature of the proposed works it is not proportionate or necessary to require the applicant carryout a PRA. However, an informative should be attached to any consent to inform the applicant of their responsibility when undertaking works in relation to European Protected Species and birds.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, 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.

CONCLUSION

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 plan:

Drawing Title: Proposed plans and elevations, Drawing No: GA 002, Rev C, Received on 03 July 2025

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 window in the southwest side elevation shall be fitted with obscured glazing and no part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. 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.

4. **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 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. The materials to be used in the construction of the external surface of the rear extension shall match those used on the existing dwelling.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests

of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

INFORMATIVES

1. 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.

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.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 04.07.2025