

DELEGATED REPORT

Application No:	P/23/0169
Site Address:	6 Milbourne Terrace Merthyr Tydfil CF47 0UG
Development:	Demolish existing single storey extension & construct new two storey extension to rear
Case Officer:	Rebecca Owens
Site Visit:	10th July 2023
Application Expiry Date:	28th August 2023
Consultation reply date expired:	31st July 2023

APPLICATION SITE

The application relates to an end of terrace dwelling located in a mainly residential area within the settlement boundary. The site is bound by highways to the front and south eastern side, a lane to the rear and other dwelling to the north west.

PROPOSED DEVELOPMENT

Full planning permission is sought to demolish and existing single storey extension and to construct a two storey rear extension.

The proposed extension would be 5m in depth by 6.18m in width and would have a pitched roof with a ridge height of 7.78m. The extension would feature a ground floor window and two first floor windows in its rear elevation and a further two first floor windows and bi-folding doors in its south eastern side elevation. A new window is also proposed in the main south eastern elevation. The external elevations would be finished with render and the roof would be covered with tiles.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

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 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) 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

Policies SW11: Sustainable design and place making and CW1: Historic Environment 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 which would represent a sympathetic addition to the dwelling. However, as no specific details have been provided of the finishes it is recommended that a condition is attached to any permission issued which requires these to match the existing dwelling. With the inclusion of this condition the proposal would not harm the character or visual amenities of the dwelling itself or indeed the area in general (which it is noted falls within Urban Character Area A (UCA 4).

Regard has also been had for the impact of the extension on the residential amenities of the neighbouring properties. In this respect it is noted that the application site is only bound by a dwelling to the north west known as 5 Milbourne Terrace. The proposed extension would be erected hard on the shared boundary with the property. However, as this dwelling benefits from a single storey rear annexe, the extension would not create an overbearing impact. In addition, whilst it is acknowledged that there may be some overshadowing and loss of light to first floor windows during the early part of the day, it is not considered that this would be to an extent that would be deemed unacceptable.

With respect to overlooking and loss of privacy, it is noted that the proposed extension would have first floor windows in both its rear and south eastern side elevations. The rear windows would result in views across neighbouring gardens but this would be typical of the overlooking that exists between terraced dwelling. Whilst there is no dwelling adjoining the south eastern boundary of the site, the proposed windows in this elevation would look towards the rear garden and side windows of the dwelling on the opposite side of the street (11 Milbourne Terrace). However, given the distance between the properties, and noting that no objections have been received following the publicity exercise, it is not considered that this would be harmful enough to warrant the refusal of the application.

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: Proposed Plans, Drawing Number: MT-03 Rev A, Received on 3 July 2023.

Drawing Title: Proposed Elevations, Drawing Number: MT-04 Rev A, Received on 3 July 2023.

Drawing Title: Site Plans, Drawing Number: MT-05 Rev A, Received on 3 July 2023.

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

3. The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.

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 Local Development Plan.

INFORMATIVES

1. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

2. 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.

3. 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.

4. 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



PP. Director of Neighbourhood Services

DATE: 14.08.2023