

DELEGATED REPORT

Application No: P/22/0264

Site Address: 11 Japonica Drive
Dowlais
Merthyr Tydfil
CF48 3HG

Development: Two storey rear extension

Case Officer: Nia Chard

Application Expiry Date: 28th November 2022

Consultation reply date expired: 25th October 2022

APPLICATION SITE

This application site relates to a detached dwelling located in a cul-de-sac street in Japonica Drive, Dowlais. The site is bound by a highway to the front and other residential dwellings on either side. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a two storey rear extension. This would be 3m in depth by 6.76m in width and would have a hipped roof with a maximum height of 7.7m. In the rear elevation of the extension there would be two first floor windows serving a bedroom and a bathroom, at ground floor level there would be patio doors, a rear door and a window in the rear elevation and a small window on the west elevation at ground floor. All external material would match the existing dwelling.

PLANNING HISTORY

P/07/0259 Conversion of garage into an additional living room
Granted Subject to Condition on 22 August 2007

CONSULTATION

None Undertaken

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties. No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries
Policy SW11 – Sustainable design and Placemaking
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 6 – Household Design Guide

PLANNING CONSIDERATIONS

The proposed extension is considered to be an acceptable design and scale which would be in proportion with the dwelling and sympathetic to its character and appearance. As such the proposal would not impinge on the character or visual amenities of the dwelling itself or the area in general. The proposed development is therefore in accord with Policy SW11 of the LDP.

Regard has also been had for the potential impact of the proposed extension on the residential amenities of the surrounding occupiers. In this respect it is noted that the rear elevation of the extension would be positioned at a minimum distance of 6.7m from the common boundary with 10 Calluna Close and 14.5m from the rear elevation of this dwelling. One of the new first floor rear windows would be for a bathroom and would be fitted with obscure glazed glass. The other first floor window could result in overlooking to the rear garden and rear elevation of this dwelling. However, it is noted that the host

dwelling has an outbuilding built hard on the common boundary with this dwelling. It is considered that the outbuilding would somewhat restrict the views into the rear garden. Given that the occupants of this dwelling have not objected to the application, on balance, it is not considered the overlooking issues would warrant the refusal of the application.

With regard to the dwelling adjoining the south-eastern boundary known as 13 Japonica Drive, it is noted that this dwelling is angled away from the application site and that the extension would be set back from the shared boundary line by 2m. As such it would not have any overbearing impact or result in loss of light or overshadowing to this property. It is also not considered that the proposal would have any significant impact on the dwelling to the west known as 9 Japonica Close as the extension would be sited adjacent to the driveway located to the front of this dwelling.

Having regard to the above considerations and the lack of any representations from neighbouring occupants following the publicity occupants following the public exercise, it is on balance considered that the impact on the proposed extension on residential amenities would not great enough to warrant the refusal of the application and such the proposal accords with Policy SW11 of the LDP.

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:

Proposed Floor Plans, Elevations, and Block Plan, Drawing No. JAP 11 01A,
Received 3 October 2022
Site plan, Received 3 October 2022

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

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:

10/11/22