

DELEGATED REPORT

Application No: P/21/0308

Site Address: 42 Kidwelly Grove
Castle Park
Swansea Road
Merthyr Tydfil
CF48 1JN

Development: Construct extension to the side and rear of the property (demolish garage)

Case Officer: Nia Chard

Application Expiry Date: 21st October 2021

Consultation reply date expired: 29th September 2021

APPLICATION SITE

This application site relates to a detached dwelling with a generous curtilage, located within the Castle Park area of Merthyr. The site occupies a corner plot and thus is bounded by highways to the north and west and other residential dwellings on the remaining sides. The profile of the site is relatively flat although it is elevated above the property to the east.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a single storey side and rear extension. An existing garage would need to be demolished to allow the erection of the proposed extension (which would be located on the eastern elevation of the dwelling).

The proposed extension would be set back from the main front elevation by 0.85m and would be 7.3 m in width and 16m in depth and a maximum height of 5.2m. The front elevation of the extension would feature two windows, with three windows and a doorway proposed on the side elevation and a large window proposed on the rear elevation. The roof of the extension would be tiled, with facing brickwork on the elevations and upvc windows. These materials would mainly match the dwelling.

It is proposed that the extension would accommodate a bedroom, therapy room, hydrotherapy room as well as carers accommodation, office and a lounge area.

PLANNING HISTORY

There is no planning history relevant to the determination of this application.

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 and a site notice was displayed within the vicinity of the site. Representations were received from one neighbouring property. The concerns raised were as following –

- It is not clear whether the rainfall would be directed to a main sewer drain or to a soakaway
- There are privacy/noise concerns with 3 windows and an entrance door close to the boundary
- Concerns with the siting of the extension in close proximity to the neighbours living accommodation.
- The development could result in the removal of the existing boundary fence

Local Ward Members were advised of the objection received to this application. However, it has not been requested that the application be presents to the Planning Committee. As such, the application is to be determined by the Chief Officer Planning and Neighbourhood Services.

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

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

The issues considered in the assessment of this application relate to whether the proposal, in terms of its siting, design and scale, would have an acceptable impact on the character and appearance of the dwelling and the wider area. The impact on the amenity of neighbouring residents is also an important consideration.

The application site is located in a residential street, where there is a variety of house types. The dwelling currently benefit from a single storey garage, which would be demolished in order for the single storey extension to be erected. In terms of design and scale of the proposed extension would be 7.3m in width, which is wider than 50% of the main front elevation of the dwelling. Having regard to the scale and appearance of the existing garage, the proposed extension would harm the character of the dwelling or the visual amenities of the area in general. As such, the proposal is acceptable in terms of its design and impact on visual amenities and does not conflict with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the amenity of the surrounding neighbours. In this respect it is noted that the proposed extension would have the greatest impact on the occupants of the dwelling to the east known as 39 Kidwelly Grove.

It is noted that the proposed single storey extension would be located in close proximity to the eastern boundary line, which is shared with 39 Kidwelly Grove. This dwelling is at a lower level than the application site and as such, any extension would appear at a greater height when viewed from their rear garden. It is also acknowledge that at a length of 16m, the extension is relatively large. However, the neighbouring property has a single storey rear extension and a shed within the rear garden located along the boundary with the application site, which would reduce the overall impact of the extension. Having regard to this arrangement the extension would not have an overbearing impact and whilst there would be some overshadowing to part of the rear garden, this would not be to an unacceptable degree. Amended plans have been submitted following concerns raised by the occupants of 39 Kidwelly Grove regarding the windows on the east elevation of the extension. The windows that overlooked the rear garden of the neighbouring property have been removed and the other window is now smaller and positioned at a higher level. Following these changes there would be no overlooking or loss of privacy to the occupants of 39 Kidwelly Grove. Having considered the above, the development is deemed to be acceptable with respect to residential amenity and thus in compliance with Policy SW11 of the LDP.

It is noted that the occupants of this dwelling have also raised concerns regarding the removal of the boundary fence. There is no indication on the submitted plans that the existing boundary fencing would be removed and the agent has confirmed that the fence

would be retained. Any dispute in regards to who owns the boundary fence would not be a material planning issue and would be a civil issue to be resolved between the land owners. The concerns regarding surface water drainage would be a matter that is appropriate controlled under the building regulations.

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:

Revised Proposed Elevation Sections, Drawing No. 336/18-08A Received 4 February 2022

Revised Proposed Plans, Drawing No. 336/18-03B Received 4 February 2022

Proposed Elevation Sections sheet 02 Drawing No. 336/18-09A Received 23 December 2021

Existing and Proposed Block Plans, Drawing No 781-16-07 Received 12 October 2021

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



Head of Town Planning

P.P.

DATE: 18.02.2022