

DELEGATED REPORT

Application No: P/20/0166

Site Address: Pantycelyn
Cherry Tree Way
Trelewis
Treharris
CF46 6AT

Development: Construction of granny annexe adjacent to existing garage

Case Officer: Caroline Pulley

Site Visit: 30th July 2020

Application Expiry Date: 17th September 2020

Consultation reply date expired: 20th August 2020

APPLICATION SITE

Pant y Celyn is a large detached property which forms part of a small private housing development located at Cherry Tree Way, Trelewis. The property is set back from the highway of Cherry Tree Way and is bound by a bungalow (Cefn y Grug) along its southern boundary and a similar scale detached property to the north. Its rear boundary straddles across the rear garden of a large detached dwelling (Stoneleigh Way) and the railway line. The application site however, specifically relates to an enclosed triangular parcel of land which is sandwiched between the boundary of Pant y Celyn and Cefn y Grug.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a granny annexe to the side of the applicant's existing garage. The granny annexe would be attached to the southern end elevation of the garage and would be constructed with its front elevation facing west. It would have a pitched gable roof, rendered elevations and a tiled roof to match the existing building. It would be sited within a triangular parcel of land that currently sits outside the garden curtilage of the property and would be accessed from the garden area of the existing property.

The annexe would measure 6.7m wide, 10m deep and 4.4m in height. Its front elevation would protrude 3m beyond the front elevation of the existing garage and would contain a patio door. It would be laid out to provide an open plan lounge, diner and kitchen with a bedroom and bathroom being provided to the rear of the property.

The existing boundary enclosures to the rear of the site would remain in situ. However, the hit and miss timber fence located along the boundary with Cefn y Grug would be replaced with a 900mm high brick wall and a 900mm high fence. A new dedicated

pedestrian access would also be formed through the introduction of a small gate within the brick wall which is located to the side of the existing dwelling.

No additional off-road parking provision is proposed as part of the application.

PLANNING HISTORY

P/16/0257	Fell Ash tree subject to Tree Preservation Order (TPO) No. 22 1989 Coed Ceirios Approved – 20.09.2016
P/06/0321	Double garage and car port Approved – 22.08.2006

CONSULTATION

Engineering and Traffic Group Leader:	No objection.
Planning Division's Landscape Architect:	Advises that in 2016, consent was given for the felling of an Ash Tree on the plot which forms part of this development. As part of this permission, a replacement TPO tree was proposed and this tree would be covered by the order.
Environmental Health Manager:	No objection.
Bedlinog Community Council:	No objection.
Welsh Water:	No objection.
Planning Division's Ecologist:	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within the vicinity of the site

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) 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 TANs to this application are 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.

Paragraph 2.6 of TAN12 states that 'Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities'.

Paragraph 4.3 of TAN12 points out 'Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process.'

Local Policy

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

Policy SW4 – Settlement boundaries

Policy SW9 – Planning Obligations

Policy SW11 – Sustainable design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG2 – Planning Obligations, March 2012

SPG4 - Sustainable Design, July 2013.

SPG5 - Nature and Development, May 2015

PLANNING CONSIDERATIONS

The issues to be considered in the assessment of this application relate to whether the proposed development would be acceptable in this location and whether it would be acceptable in respect of its impact on the character and appearance of the area, on the amenities of the nearby occupiers and upon parking provision and highway safety.

Principle of Development

The application site lies within the settlement boundary where new development is supported provided it complies with the relevant policies and any other planning consideration. It is also located within a predominately residential area. As such, the principle of the development is acceptable.

Character and Appearance

While it is noted that the existing garage would be extended in length and the new building would be quite dominant in terms of its scale and roof design, the proposed granny annexe would be set back to the rear of the existing dwelling and would not be an overly prominent structure from the road. The scale and height of the resulting building would also remain subservient to the main dwelling and the proposed finishing materials would reflect the existing property. Whilst there is some concern regarding the design of the building, it would be of a limited height and as such, its impact on the character and appearance of the area would be limited. The proposed boundary treatments are also considered acceptable. As such, in this regard, the development is in accordance with Policy SW11 of the LDP.

Residential Amenity

As the triangular parcel of land is adjoined by the railway line along its rear boundary, the proposal would have the greatest potential to impact upon the amenities and privacy of the residents residing at Cefn y Grug which is to the south of the site. No objections have been received from the occupiers of this property following the publicity exercise and it is noted that the front of the building would be angled in such a way that the potential overlooking and overshadowing impact upon the neighbouring dwelling would be limited. It is acknowledged that a kitchen window is proposed within the elevation which would face the garden area of Cefn y Grug. However, the proposed building would be single storey in height and a replacement 1.8m boundary wall and fence would be erected between the two properties. This would ensure that there is no adverse overlooking between the two properties. It is also noted that the land is relatively flat and the granny annexe would be offset from the dividing boundary by a minimum distance of 4m. Therefore, the proposal would not result in any significant overbearing impact. As such, the proposal accords with Policy SW11 of the LDP.

Highway Safety

The existing parking is located to the front of the property and provides for approximately four cars. This is considered acceptable to serve the needs of the occupiers of the existing property and the proposed granny annexe. Furthermore, the Engineering and Traffic Manager has not raised any objections to this scheme. Notwithstanding this, it is pertinent to impose a condition to ensure that the granny annexe remains ancillary to the existing house in the future due to the access arrangements being shared between the two properties.

Other matters

Protected Trees

The Council's Landscape Architect has pointed out that consent was given in 2016 (Ref: P/16/0257) for the felling of an Ash tree located within the curtilage of the existing property. As part of this permission, a condition was imposed requiring details of a replacement tree to be submitted before any works commenced. The Council's Landscape Architect advises that this matter should be considered as part of this development and a tree protection plan should be submitted for any trees that may be affected. While the advice that has been provided is acknowledged, this matter lies outside the remit of this application. It was clear from the site visit that the Ash Tree has

been felled and was located outside of the application site. As such, it would not be reasonable or necessary to control this matter under this scope of this application.

Ecology

An Ecological Impact Assessment Report has been submitted as part of this application so that the ecological impacts associated within the proposed development can be established. This report has been considered by the Council's Ecologist who raises no objection to the scheme subject to the proposed ecological enhancements set out in the report being controlled by way of a condition. As such, the development is considered to be acceptable in this regard.

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

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 no. GA2A General Arrangement Plan received on 28.09.2020

Drawing no. 3 Proposed floor plan received on 23.07.2020

Drawing no.2 Proposed floor plan and Elevations received on 23.07.2020

Block plan received on 23.07.2020

Ecological Impact Assessment Report undertaken by Wildwood Ecology

DOCUMENT REF: WWE20302 PEA REV B

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

3. The Granny Annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Pantycelyn, Cherry Tree Way, Trelewis.

Reason - To avoid the creation of a separate unit of accommodation in the interests of highway safety and residential amenity in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

4. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

5. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

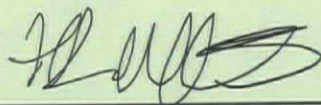
INFORMATIVES

1. The developer is advised to ensure that the foundations of the development are adequately designed to take account of any differential settlement resulting from underground mine workings.
2. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

3. The applicant/developer's attention is drawn to the comments received from Welsh Water during the application process.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

29/09/20