

DELEGATED REPORT

Application No: P/22/0065

Site Address: 42 Llwyn-yr-eos Grove
Incline Top
Merthyr Tydfil
CF47 0GD

Development: Proposed single storey rear extension

Case Officer: Nia Chard

Application Expiry Date: 12th May 2022

Consultation reply date expired: 11th April 2022

APPLICATION SITE

This application relates to a detached dwelling known as 42 Llwyn yr Eos Grove. The site is located in a mainly residential area and is within the settlement boundary. The property is located within a small cul-de-sac and is bound by dwellings on either side and to the rear. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a single storey rear extension. The proposed extension would be 3.6m wide and 4.2m deep, with a flat roof height of 2.3m (and 3m to the top central roof lantern). It would be finished with brickwork elevations and white Upvc doors and roof lantern.

PLANNING HISTORY

There is no relevant planning history that needs to be considered when determining this planning 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.

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 EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

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

PLANNING CONSIDERATIONS

The application site relates to a residential dwelling located in a mainly residential area within the settlement boundaries. Accordingly the principal of development is considered to be acceptable subject to compliance with other planning policies and material planning considerations.

The proposed extension, as a result of its siting to the rear of the property, its single storey height and its modest scale would amount to a proportionate and sympathetic addition to the property. Furthermore, the external finishing materials would match the existing house, as such the proposal is found to be in accordance with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupants. The neighbouring dwelling of 36 Llwyn yr Eos Grove is

located to the north west of the application site and is sited at a 90 degree angle from the application dwelling. The extension would be sited approximately 11m from this dwelling, as such the extension would not result in an overbearing form of development which would adversely impact on the amenities of the occupiers. In addition, no openings are proposed in the elevation which faces towards this neighbouring property and as such, there would not be any overlooking or loss of privacy.

The extension would be positioned approximately 6m from the boundary with the dwelling to the other side known as 44 Llwyn yr Eos Grove and as such would not result in overshadowing or an overbearing impact on this property. It is recognised that the extension would feature a patio door on the elevation facing towards this property but as this is at ground floor level, views would be suitably obscured by the existing boundary fence. Whilst there is a window proposed in the rear elevation, this would face towards the detached garage of 34 Llwyn yr Eos Grove (which bounds the rear boundary). As such, it is not considered that this would have any detrimental impact.

Thus, having considered the above and with the lack of any representations following the public exercise, the proposal is found to be acceptable in respect to residential amenity and thus would comply 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 Elevations, Floor plans, Block Plan and Site Location Plan Drawing No 2022-001-Llwyn, Received 17 March 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



Head of Town Planning

DATE:

28/4/22