

DELEGATED REPORT

Application No: P/25/0079

Site Address: 39 Anthony Hill Court
Pentrebach
Merthyr Tydfil
CF48 4AZ

Development: Demolish conservatory and construct single storey rear extension

Case Officer: Kate Glover

Site Visit: 3rd April 2025

Application Expiry Date: 14th May 2025

Consultation reply date expired: 16th April 2025

APPLICATION SITE

The application site relates to a detached dwelling located in a residential area. The property has the benefit of a rear conservatory extension which is constructed on the northwest side of the rear elevation. The site is bound by the neighbouring dwellings on the east and west and a footpath to the north. The ground level of the site is relatively flat.

PROPOSED DEVELOPMENT

This application seeks full permission to construct a single storey in the location of the existing conservatory.

The proposed extension would be flat roof in design, incorporate a large roof lantern, windows would be provided in the rear elevation and French doors provided in the east elevation. The proposed extension would measure approximately 3.32m wide, 4.48m long and 2.90m high. The proposed external materials would match the dwelling where possible.

Details of biodiversity enhancement have been provided, and a bat box and a sparrow terrace would be positioned under the eaves on the west elevation of the property.

PLANNING HISTORY

The relevant planning history is summarised below:

P/03/0480	Residential development (Outline - 40 dwellings with associated car parking, garages and infrastructure) Granted outline planning permission subject to conditions on 3 June 2004
P/04/0259	48 No. dwellings (Reserved matters application) Granted reserved matters approval on 12 July 2004

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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 12, February 2024).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 5, Nature and Development
- Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed extension would be an acceptable form of development with regards to its impact upon the character and appearance of the property and impact upon residential amenity.

In terms of visual amenity, the proposal would be located to the rear of the dwelling and away from the street and a 2m high fence is located on the boundary which is adjacent to the footpath at the rear of the site. Therefore, the proposal is hidden from public view

points. The proposed extension would be of a design and scale which would not adversely impact on the character or visual amenities of the dwelling.

Turning to the potential impact of the proposal on the residential amenities. The proposal would be some 0.6m from the neighbouring boundary (west). Given the size and scale of the extension, the proposal would not result in an unacceptable degree of overshadowing.

In respect of loss of privacy and overlooking. The proposed extension would have no windows in the elevation which faces the boundary of the neighbouring dwelling (west). The windows in the rear elevation and the French doors in the side elevation (east) are at ground floor level and views into the neighbouring gardens are restricted by the 2m high fences which are erected around the rear boundaries of the properties.

In respect of ecology, chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). However, due to the scale and nature of the development, which does not impact on any green infrastructure, the submission of a GIS is deemed to be disproportionate and unreasonable in this instance. Notwithstanding this, it is noted that ecological enhancements are proposed and these can be controlled by condition, thus providing additional habitats in the local area, and contribute to the wider green infrastructure objectives.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 document:

Drawing Title: Proposed Plans, Drawing No: AHC-02, Rev A, Received on 19 March 2025.

Drawing Title: Proposed Elevations, Drawing No: AHC-03, Rev A, Received on 19 March 2025.

Drawing Title: Site Plans, Drawing No: AHC-04, Rev A, Received on 19 March 2025.

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

3. **Prior to the commencement of development** the bat box and sparrow terrace shall be provided in accordance with approved plan Drawing Title: Proposed Elevations, Drawing No: AHC-03, Rev A. The bat box and sparrow terrace shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. 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. 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

A handwritten signature in black ink, appearing to be 'M. J. [unclear]', written over a horizontal line.

Director of Neighbourhood Services

pp

DATE: 29.04.2025