

DELEGATED REPORT

Application No: P/21/0184

Site Address: 27 Wallhead Road
Twynnyrobyn
Merthyr Tydfil
CF47 0SS

Development: Single storey extension to side and rear

Case Officer: Rebecca Owens

Site Visit: 27th May 2021

Application Expiry Date: 16th July 2021

Consultation reply date expired: 15th June 2021

APPLICATION SITE

The application relates to a dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, other dwellings on either side and open land to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a single storey extension to the side and rear of the dwelling. The extension would have an irregular footprint with a narrower front elevation measuring 2m in width and a splayed side elevation which projects a maximum width of 2.55m from the side elevation. The extension then steps back in by 0.8m and projects out from the main rear elevation of the dwelling by 3.348m and has a rear elevation 2.64m in width. The extension would have a flat roof with a height of 2.7m.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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 11, February 2021)

Local Planning Policies

Policies SW11: Sustainable design and place making and CW1: The historic environment of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 is relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The proposed extension would introduce a flat roofed side and rear extension to the property. Whilst flat roofs are not generally favoured, it is acknowledged that this extension would replace an existing side annexe/shed, which already features a flat roof and is in fact characteristic of the properties in the area. The proposed extension would not be set as far back within the site as this existing annexe but it would be 1.25m back from the main front elevation and over 8.5m from the front boundary of the site. As well as the roof design, the proposal has an unusual footprint with a narrower front elevation and splayed side elevation which follows the boundary of the site and then cuts back in before projecting out to the rear. Despite its atypical footprint, given the modest scale of the development and the set back from the front elevation it is not considered that it would harm the character of the property or indeed the visual amenities of the wider area.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupants. In this respect it is noted that the extension would be erected in closest proximity to the boundary with 29 Wallhead Road, with a section of the extension hard on the shared boundary line. This property also occupies a lower level than the application site. The rear section of the extension would be set in off the boundary a similar distance to the existing annexe and would be of the same height and thus would not have any greater impact on 29 Wallhead Road. However, the front section would be erected hard on the boundary with this property, largely alongside the dwelling's side elevation, which features a ground floor door and first floor window. Whilst the extension would have some effect on this property, given its relatively modest height, it is not considered that it would have an overbearing impact, even when taking into account the difference in levels. In addition, while there maybe some loss of light to the ground floor door and window of the annexe, it is not considered that this would be to an unacceptable degree, particularly, as this property is located to the south of the site. No concerns are raised in terms of overlooking or loss of privacy as no windows are proposed in the southern elevations of the extension.

With regard to the dwelling to the north, known as 25 Wallhead Road, Given its distance from the northern boundary the proposal would not have any overbearing or overshadowing impact on this property. Whilst it is acknowledged that it would feature a window and a door in its northern facing elevation, which would look towards this neighbouring dwelling, these would be at ground floor level and as such, views from them would be suitably obscured by the existing boundary fence. It is also noted that no representations were received following the publicity exercise. The proposal is therefore found to be acceptable in terms of residential amenity and in accord 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:**

CONDITIONS/REASONS:

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 Title: Proposed Plans & Elevations, Drawing Number: WR-02, Received on 21 May 2021

Drawing Title: Site Plans, Drawing Number: WR-03, Received on 21 May 2021

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

3. The materials to be used in the construction of the external wall 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. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

2. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property; or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

3. 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.

4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

5. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

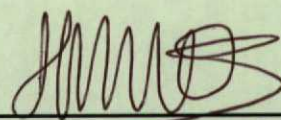
Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

17/6/21