

DELEGATED REPORT

Application No: P/22/0209

Site Address: 141 Heolgerrig
Heolgerrig
Merthyr Tydfil
CF48 1RE

Development: Two storey rear extension

Case Officer: Caroline Pulley

Site Visit: 23rd August 2022

Application Expiry Date: 10th October 2022

Consultation reply date expired: 13th September 2022

APPLICATION SITE

The application site relates to a two-storey end of terrace dwelling located within the residential area of Heolgerrig. The property fronts a northerly direction onto the highway of Heolgerrig Road and is set back from the pavement by a small courtyard. Its side elevation fronts onto a narrow access lane, beyond which is the front garden of a large detached dwelling known as the Gables. The rear elevation of the property faces onto a garage and an undeveloped parcel of land. The property has been altered over time and is now dominated by a flat roof two-storey rear extension which sits just below the ridge of the main roof plane.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a two-storey rear extension. The proposed extension would be attached to the back wall of an existing two-storey rear extension. It would measure 6.9m wide, 2.6m deep and 5.3m high with a flat roof. As a result of the proposal, the existing two-storey would be increased from 3.9m to 6.5m in length. The extension would allow for a utility room and for the existing kitchen to be extended at ground floor. At first floor, the existing bedrooms would be extended and a w.c. and wardrobe room would be provided within the footprint of the existing extension. The external walls of the extension would be finished in white sand-cement render and the roof would be covered in fibreglass. The windows and doors would be constructed from anthracite grey uPVC.

PLANNING HISTORY

There is no recent planning history relating to the property.

CONSULTATION

None undertaken with this type of application.

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.

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 SW11 – Sustainable design and Placemaking

Supplementary Planning Guidance (SPG) Note No. 6 – A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The main issues to consider when assessing this application relate to whether the proposal would have an acceptable impact on the character and appearance of the existing property and wider street scene. The impact on the amenity of neighbouring residents is also an important consideration.

In terms of visual amenity, the proposed two-storey extension would be attached to an existing two-storey flat roof extension located to the rear of the dwelling. While it is noted that it would be visible from the side access lane and to a degree, from Heolgerrig Road to the front, its design reflects the character and appearance of the existing extension. As such, while its flat roof design does not strictly accord with the SPG – A Design Guide for Householder Development, the extension is not considered to be of a scale or design would adversely impact on the character and appearance of the existing dwelling or the surrounding area.

With regard to the impact of the development on the amenities of nearby occupiers, the property is bound by 142 Heolgerrig to the south west, an access lane to the north-east and a garage and an area of undeveloped land to the rear. On the opposite side of the access lane is a detached property known as The Gables. The submitted plans illustrate the proposed extension extending out from the back wall of the existing two-storey extension by 2.6m. A small part of the development would be constructed on an area of land owned by the adjacent residential property, 142 Heolgerrig. Whilst this is noted, the applicant has confirmed that the relevant notice has been served on the owner of 142 Heolgerrig and accordingly, he has complied with the procedural requirements for this application. Notwithstanding this, the applicant would need to gain the formal permission of the landowner before works start. This is a legal matter that falls outside the remit of this planning application.

In terms of the potential impact of the development upon the adjacent property, it is acknowledged that the two-storey extension would be sited in close proximity to the single storey belonging to 142 Heolgerrig. Also, the extension would project a further 2.6m into the garden and as such, it is acknowledged that there would be some impact to this property. However, due to the layout of the two properties, the proposed extension would be offset from the first floor windows located in the rear of the neighbour's two-storey extension. Taking this into account, the extension would not have an overbearing impact on this property or result in any unacceptable loss of light or overshadowing impact. Additionally, the rear gardens have a southerly facing aspect and this further limits any potential overshadowing impact arising from the development.

In terms of the potential loss of privacy, it is acknowledged that the proposed extension would feature first floor bedroom windows. However, these would not give rise to a significantly greater level of overlooking into the rear gardens of the adjoining properties on either side or indeed the land and garage situated to the rear of the property. Importantly, no windows are proposed in the eastern side elevation of the extension which would face onto the front garden of the other property known as The Gables. The proposed development would therefore be acceptable in respect of its impact on the privacy and amenities of nearby residents and 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 Floor Plans and Elevations received on 15.08.2022

Proposed block plan received on 15.08.2022

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.

3. 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.

4. 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

7/10/22