

DELEGATED REPORT

Application No: P/24/0119

Site Address: 19 Worcester Close
Heolgerrig
Merthyr Tydfil
CF48 1SP

Development: Change roof of garage from pitched to flat

Case Officer: Kate Glover

Site Visit: 21st May 2024

Application Expiry Date: 11th July 2024

Consultation reply date expired: 11th June 2024

APPLICATION SITE

The application site relates to a dwelling located on the corner of Shirley Drive and Worcester Close. The property has the benefit of front and rear gardens, a large parking area and a garage. The garage can accommodate one car and is located hard on the northwest/southwest boundary of the dwelling's residential curtilage. The dwelling is part of a large residential estate.

The garage is located in the corner of the application site. Thus, 1 Chester Close is located to the northwest and 18 Worcester Close is located to the southwest.

The topography of the area is such that the ground level slopes downwards from the northwest to the southeast. The ground levels of 19 and 18 Worcester Close are the same. Whereas, the eaves level of 19 Worcester Close's garage is set at approximately the same level as 1 Chester Close's rear amenity area. It is noted that 1 Chester Close also has the benefit of a garage and this is located directly adjacent to the garage which is the subject of this application.

PROPOSED DEVELOPMENT

This application seeks planning permission to alter the eaves level of the garage and replace the pitched roof with a flat roof.

Plans indicate that the eaves level of the existing garage are some 2.6m high and the ridge 4m high.

The finished height of the proposed garage would be 3.9m.

The external walls of the garage would be rendered and the garage door will be increased in size. No details on the proposed roofing materials have been submitted.

It is noted that the plans illustrate that the proposed garage could accommodate a large van.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

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 and a site notice was displayed within the vicinity of the site.

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) (PPW12).

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 4, Sustainable Design
- Note 5, Nature and Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to principle of development, visual impact, impact on the residential amenities of neighbours and ecology.

Principle of Development

The development is within the settlement boundary and the residential curtilage of 19 Worcester Close.

As noted above the garage would be able to accommodate a large van. Further to this, it has not been indicated otherwise that the alterations are intended to support a potential change in the use of the garage for commercial purposes. This applications has been considered on the basis that the garage will remain in use for domestic purpose in association with the dwelling. It is also reasonable for occupants to park work vehicles at their domestic premises when not at work.

It is considered that the proposal meets with the requirements of Policy SW4.

Visual impact

It is considered that the increase in the eaves level and provision of a flat roof would not be an unacceptable alteration due to the character and appearance of the area and wider street scene. It is noted that the increased eaves height of the garage will be seen in the context of 18 Worcester Close, also 1 Chester Close, which is elevated above the application site. As such the visual impact of the altered garage will be assimilated into the wider urban landscape.

It is considered that the proposal meets with the requirements of Policy SW11.

Residential amenity

In respect of potential impact on 18 Worcester Close. It is noted that the proposal will result in an additional 1.20m² of wall each side of the existing pitched roof. It is considered that the extent of this alteration would not represent a significant detriment to the residential amenities of 18 Worcester Close.

Turning to 1 Chester Close. It is noted that the proposal would not increase the height of the existing garage and the rear amenity area of 1 Chester Close is not directly adjacent to the application site due to a garage. It is considered that the distance between the rear amenity area and the increased height of the garage would not result in a significant detriment to the residential amenities of 1 Chester Close.

Furthermore, it is acknowledged that there were no concerns raised by the neighbouring occupiers as a result of the publicity exercise. It is considered that the proposal meets with the requirements of Policy SW11.

Ecology

In respect of ecology, the Council's Ecologist has concluded that survey work in the form of a brief Preliminary Roost Assessment (PRA) would be required in respect of this proposal. However, it is noted that the garage is in an urban location and the garage could be subject of significant alteration without the benefit of planning permission, and this could include a replacement roof. It is considered in this instance that given the location and nature of the proposed works it is not proportionate or necessary to require the applicant carryout a PRA. Instead, it is considered that a suitably worded informative

should be attached to any consent informing the applicants of their responsibility when undertaking works in relation to European Protected Species.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

The Local Planning Authority has a duty to take action towards securing the maintenance and enhancement of ecology and to provide a net benefit in relation to biodiversity, as no enhancement has been proposed it is considered necessary to attach a condition that a suitable enhancement will be submitted to the LPA for approval prior to the commencement of development.

It is considered that the proposal meets with the requirements of Policy EnW1.

CONCLUSION

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:

Drawing Title: Proposed Roof Extension Development, Drawing Number 593-001, Received on 16 May 2024.

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil 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


Director of Neighbourhood Services

DATE: 02.07.2024