

DELEGATED REPORT

Application No: P/21/0346

Site Address: 26 Chestnut Way
Gurnos
Merthyr Tydfil
CF47 9SB

Development: Erection of single storey rear extension to provide disabled facilities

Case Officer: David James

Site Visit: 11th November 2021

Application Expiry Date: 23rd November 2021

Consultation reply date expired: 27th October 2021

APPLICATION SITE

The application site relates to a two-storey, end-of-terrace dwelling situated within the residential area of Gurnos. The property faces in a northwesterly direction onto the highway. It is bound by other dwellings to the northeast and to the rear, and a lane to the southwest.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single-storey rear extension with associated internal and external alterations.

The proposed extension would measure 4.2m wide, 6m deep and a maximum of 3.1m high, incorporating a pitched roof (with eaves at a height of 2.5m). The extension would accommodate a bedroom and shower room for use by a disabled person.

The extension would have a window in its rear elevation, a French doors in its southwest side elevation.

PLANNING HISTORY

There is no recent planning history relating to the application site.

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 SW11 – Sustainable design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG 4 - Sustainable Design

SPG 5 - Nature and Development

SPG 6 – Householder Design

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 extension would be located to the rear of the dwelling, away from the street frontage. As such, it would not be visible from the front street scene and would therefore not have an adverse impact on the appearance of the dwelling when viewed from the highway. Additionally, it is considered to be of an acceptable design and its scale would not appear out of proportion with the main dwelling. The submitted plans indicate that the external finishing materials of the walls, roof, windows and doors of the extension would match those of the existing dwelling. Taking this in account, the proposal accords with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding occupants. In this respect, it is noted that the extension would result in a development in close proximity to the shared boundary with 28, Chestnut Way, for a depth of 6m, with a maximum height of 3.1m and an eaves height of 2.5m. While it is acknowledged that this would result in a degree of overbearing to number 28, it is noted that the eaves height of the proposed extension would be lower than that of an extension that could be constructed under permitted development rights (3m), with the depth of the extension being the reason a planning application is required. Moreover, the eaves would be only 0.5m higher than a boundary wall or fence that could be erected under permitted development rights. As such, it is not considered that the proposal would result in a harmful degree of overbearing impact.

Given the single-storey nature of the development, its relatively low maximum height, and the relatively high boundary fence between the properties, it is not considered that it would have a harmful impact on number 28, in terms of overshadowing or loss of light. Similarly, and given that the proposed windows and doors of the extension do not face toward number 28, the extension would not result in any harmful degree of overlooking or loss of privacy.

Overall, while there is some concern that the development may lead to some limited impacts, between the application property and the adjoining dwelling, having considered the above and without any objections following the publicity exercise, the development is deemed to be acceptable with respect to residential amenity and thus in compliance 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:

2824 DFG (Existing and Proposed Plans) received on 28th September 2021

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.

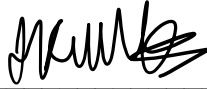
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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:

11/11/21