

DELEGATED REPORT

Application No: P/21/0193

Site Address: 32 Trevithick Gardens
Merthyr Tydfil
CF47 0RP

Development: Two storey rear extension, single storey rear extension and first floor side extension

Case Officer: Rebecca Owens

Site Visit: 14th June 2021

Application Expiry Date: 21st September 2021

Consultation reply date expired: 16th August 2021

APPLICATION SITE

The application relates to a mid-terrace dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front and dwellings on both sides and to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a two storey rear extension, single storey rear extension and first floor side extension.

The proposed two storey extension would be erected off the main rear elevation of the dwelling. It would be 4.88m in width by 5m in depth and would have a pitched roof with a ridge height of 6.5m. The rear elevation of the extension would feature large glazed doors at ground floor level and a projecting first floor window which would protrude out by 0.45m.

To the side of the above two storey extension and off the rear elevation of the integral garage, it is proposed to erect a single storey rear extension. This would be 2.75m in width by 3.58m in depth and would have a mono-pitched roof with a height of 3.4m. The rear elevation would feature a door.

Finally a first floor extension is sought above the existing single storey side garage. This would be set back off the front elevation of the garage by 0.6m. It would be 2.75m in width by 6.65m in depth and would have a hipped roof with a ridge height of 6.3m. This extension would feature a window in its front elevation.

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.

One representation was received following this publicity exercise from the occupant of the neighbouring property, 33 Trevithick Gardens. This highlights the neighbour's desire to remain "detached" and not to be turned into a link/terrace as this would impact on their property value and aesthetic. As such, they have indicated that they have verbally spoken to the neighbours to express their wish that they build inside of the party wall to ensure they remain "detached".

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: 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

It is noted that a planning application has also been submitted for the neighbouring property known as 33 Trevithick Gardens, for the erection of a first floor side extension, which would be erected directly alongside the shared boundary with the application site (Planning Reference: P/21/0212). This neighbouring proposal has been considered when assessing this application.

The application site is located in a relatively recent housing estate in which there are a variety of house types and examples of other rear and first floor extensions. The proposed rear extensions are considered to be of an acceptable design and scale which would represent a sympathetic addition to the property. Whilst it is noted that the fenestration within the two storey extension would be of a more modern design, featuring a large glazed projecting window and large glazed sliding doors, these are discretely located to the rear where they would not be readily visible from public view. The proposed first floor

side extension would be erected above the side garage, forming a perceptible addition to the property itself and indeed within the link of properties (of which it is a part) and would be visible within the front streetscene. Unlike the application dwelling, this would feature a hipped roof rather than a pitched roof. However, this would have a substantial set back from the main front elevation of dwelling and would be read alongside the neighbouring, attached property which is also set back within the link and features a hipped roof. Given this set back and the presence of hipped roof within this row, it is not considered that the extension would represent an incongruous feature or that it would harm the character and visual amenities of the area. Indeed, as outlined above, there is a current application under consideration for a first floor extension above the garage of this neighbouring property which would also feature a hipped roof. As such, the scheme is considered to be acceptable in terms of design and its impact on character and visual amenities and consequently would accord with Policy SW11 of the LDP. There would also be no adverse impact upon Urban Character Area 1 (Policy CW1).

Regard has also been had for the impact of the proposal on the residential amenity of the neighbouring properties. In this respect, it is noted that the extensions would be erected almost hard on the boundaries with the adjoining properties on either side (31 and 33 Trevithick Gardens). The two storey extension would be sited adjacent to 31 Trevithick Gardens and would result in two storey development running for 5m along the shared boundary line. However, this neighbouring property has an existing single storey rear annexe which appears to be hard on the boundary. As such, it is not considered that the proposal would have an overbearing impact upon it or result in any significant overshadowing to the rear garden. It is acknowledged that it may result in some loss of light to its first floor windows but this would only be for part of the day and it is not deemed that the impact would be harmful enough to warrant the refusal of the application on such grounds.

The single storey rear extension and first floor side extension would be erected adjacent to 33 Trevithick Gardens. This property also has an existing single storey annexe which has been built along the boundary line and as outlined above, there is a current planning application being considered to build above this. Given the presence of this existing annexe, the proposal would not have any overbearing impact or result in any significant overshadowing to the neighbour's rear garden. Moreover, given the distance of the two storey extension from this property, it would not result in any harmful loss of light to any of the neighbouring windows. It is noted that 33 Trevithick Gardens has a first floor window in its side elevation. However, it is not considered that this would be significantly impacted upon by the first floor side extension and it is noted that it serves a landing and thus not a habitable room. In addition, any impact from the proposal subject to this application would be reduced if the proposed development at this neighbouring site is granted and completed.

With respect to overlooking and loss of privacy, it is noted that the first floor window in the rear elevation of the two storey extension would look directly towards the flank elevation of number 30 Trevithick Gardens, which adjoins the rear boundary. Whilst this side elevation also features a small first floor window, it is obscure glazed and likely serves a non-habitable room. Thus on balance, it is not considered that the proposal would result in any harmful loss of privacy. In addition, views to the rear garden of the property and the neighbouring dwellings on either side would not be excessive or above that which would be expected between neighbouring properties. In addition, the first floor window in the side extension would be installed within the front elevation and thus would look across the front driveway and adjacent highway.

It is noted that one representation was received following the publicity exercise indicating the neighbouring occupant's desire that the proposal is built inside of the party wall. However, this is not a material planning consideration and would be matter for the parties concerned. However, this neighbour has not objected to the application. As such, the proposal is found to be acceptable in terms of its impact on 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 Ground Floor Layout, Drawing Number: 763.001,
Amended Plan Received on 27 July 2021

Drawing Title: Proposed First Floor Layout, Drawing Number: 763.002, Amended
Plan Received on 27 July 2021

Drawing Title: Proposed Rear Elevation, Drawing Number: 763.003 Rev. B,
Amended Plan Received on 27 July 2021

Drawing Title: Proposed Front Elevation, Drawing Number: 763.004 Rev. B,
Amended Plan Received on 27 July 2021

Drawing Title: Proposed Side Elevation, Drawing Number: 763.005 Rev. B,
Amended Plan Received on 27 July 2021

Drawing Title: Side Elevation and Section A-A, Drawing Number: 763.006,
Amended Plan Received on 27 July 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 surfaces of the extensions 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. 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.

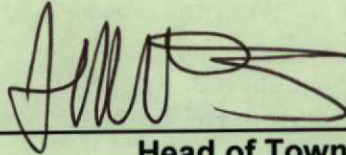
4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

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:

13/9/21