

DELEGATED REPORT

Application No: P/21/0297

Site Address: 8 The Birchway
Trefechan
Merthyr Tydfil
CF48 2HA

Development: Single storey rear extension to provide disabled facilities

Case Officer: Rebecca Owens

Site Visit: 31st August 2021

Application Expiry Date: 13th October 2021

Consultation reply date expired: 28th September 2021

APPLICATION SITE

The application relates to a semi-detached dwelling located in a mainly residential area and within the settlement boundary. The site is bound by a highway to the front and other dwellings to the sides and rear. The application dwelling occupies a lower level than the rear garden.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a single storey rear extension to provide disabled facilities for the occupant in the form of a ground floor bedroom and wet room. The proposed extension would be 5.75m in width and would have a stepped rear elevation with a maximum depth of 3.625m from the main rear elevation of the dwelling and minimum depth of 3.325m. It would have a mono-pitched roof with a ridge height of 3.4m. The extension roof would be covered with brown concrete tiles and the walls would be finished in render. It would feature a window in its west facing side elevation which would serve the wet room and a glazed door and window in the rear elevation serving the bedroom. A ramp would be formed outside of this door to provide external access and due to the profile of the rear garden, new garden walls and steps would be required. The walls would have a maximum retaining height of 0.9m.

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

Policy SW11: Sustainable design and place making 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 is considered to be of an acceptable design and scale which would represent a sympathetic addition to the property. The material finishes to the roof and walls would also be complementary to the dwelling which would ensure the extension does not appear out of place or incongruous. Similarly, no concerns are raised with respect to the visual impact of the retaining works. As such the proposal would not adversely impact on the character of the dwelling or indeed the area in general and would accord with Policy SW11 of the LDP.

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 almost hard on the boundary with 6 The Birchway. However, this property already benefits from a rear annexe which has been erected along the shared boundary and as such it is not considered that the extension would have any overbearing impact on this property or result in any overshadowing or loss of light. Similarly, as the extension would occupy a lower level than the dwelling to the other side known as 10 The Birchway, it would not have any significant impact on this property in respect to the above. With respect to overlooking and loss of privacy, it is noted that the extension would feature a window in its western elevation and a window and doors in its rear elevation. However, due to the lower level of the extension to the dwelling to the western side and those to the rear, these windows would not have any harmful impact. Similarly, the retaining works would not have any notable impact. As such the proposal is found to be acceptable in

terms of its impact on residential amenity and would again 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:**

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: 8, The Birchway, Trefechan, Merthyr Tydfil, CF48 2HA, Drawing Number: 2816 DFG, Received on 18 August 2021

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

3. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance 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.

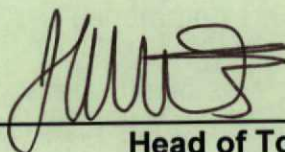
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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:

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29/9/21