

DELEGATED REPORT

Application No: P/21/0212

Site Address: 33 Trevithick Gardens
Merthyr Tydfil
CF47 0RP

Development: First floor extension

Case Officer: Rebecca Owens

Site Visit: 28th June 2021

Application Expiry Date: 23rd September 2021

Consultation reply date expired: 16th August 2021

APPLICATION SITE

The application relates to an end of link dwelling (attached to its neighbouring property's garage by its own garage). It is 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 first floor side extension which would be erected above the existing side garage and previously erected side and rear extension. The proposed extension would be set back off the main front elevation of the dwelling by 0.3m and from the front elevation of the garage by 1.5m. It would be 9.98m in depth and would project off the main rear elevation of the dwelling by 2.48m. Due to a slight overlap of the extension with the rear elevation of the dwelling, it would be wider at the rear with the front elevation being 2.745m and the rear elevation being 3.05m. The extension would have hipped roofs. The roof over the section of the extension adjacent to the side of the dwelling would have a ridge height of 7.1m, and the rear projecting section of the extension would have a ridge height of 6.2m. It would feature windows in its front and rear elevations which would serve a bedroom and bathroom respectively. The walls of the extension would be finished with painted render and the roof would be covered with concrete tiles to match the existing roof.

PLANNING HISTORY

The relevant planning history is summarised below:

P/08/0384 Erection of two storey and first floor side extension
Granted planning permission subject to condition on 14 November 2008

P/01/0322 Erection of single storey side and rear extension and conservatory
Granted planning permission subject to condition on 19 September 2001

P/99/0208 Single storey white pvcu Victorian style conservatory
Granted planning permission on 30 July 1999

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 representations 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

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 32 Trevithick Gardens, for the erection of a two storey rear extension, single storey rear extension and first floor side extension. The single storey rear extension and first floor extension would be erected directly alongside the shared boundary with the application site (Planning Reference: P/21/0193). 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 extension and additions including other first floor extensions to the sides of properties. The proposed first floor side extension is generally considered to be of an acceptable design and scale which would represent a

sympathetic addition to the property and one which would not appear incongruous within the area. Whilst it is noted that the extension would be almost 10m in depth, it would be set back off the main front elevation with much of it located to the side of the existing dwelling and only a modest projection of just under 2.5m to the rear. As such it is not considered that it would appear out of proportion with the dwelling. In addition, whilst the extension would be visible within the front streetscene and would be a perceptible addition to the link of properties of which it is a part, it would be set back off the main front elevation, which would give it a subservient appearance. Thus it is not considered that it would represent a discordant feature or harm the character and visual amenities of the area.

As outlined above, there is a current application under consideration for a first floor extension above the garage of the neighbouring property. Whilst the two first floor extensions would not be erected in line with one another, with the first floor extension at 32 Trevithick Gardens set forward of the first floor extension proposed under this application, it is not considered that either in isolation or together, it would harm the appearance of the link or the area in general. As such the scheme is considered to be acceptable in terms of design and its impact of 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 extension would be erected almost hard on the boundary with the adjoining property known as 32 Trevithick Gardens and would result in a two storey projection of almost 10m along this. However, some of this would be alongside the garage of this neighbouring property with approximately 5.7m of the extension projecting beyond its rear elevation. Thus on balance and given that no objections have been received from the occupants of 32 Trevithick Gardens, it is not considered that it would result in a degree of overshadowing/loss of light or overbearing impact that would be sufficiently harmful as to warrant the refusal of the application on such grounds. It is also noted that there is a current application relating to 32 Trevithick Gardens which seeks permission for a single store rear extension and first floor side extension which would be erected adjacent to the shared boundary with the application site. If these are subsequently granted permission and erected, the impact of the proposal on that property would be lessened.

With respect to overlooking and loss of privacy, it is noted that the first floor window in the rear elevation of extension would look directly towards the flank elevations and rear garden of number 30 Trevithick Gardens, which adjoins the rear boundary. However, the window would serve an en-suite and thus a non-habitable room and thus it is not considered that there would be harmful overlooking to the extent that would warrant the refusal of the application. In addition, views to the rear gardens of the neighbouring dwellings on either side would not be excessive or above that which would be expected between neighbouring properties. Finally, the first floor window in the front elevation would look across the front driveway and adjacent highway and thus no concerns are raised in respect to this.

As such, having regard to the above considerations and with the lack of any objections following the publicity exercise, the proposal is found to be acceptable in terms of its impact on residential amenity and accords 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: Existing & Proposed Plans, Elevations, Amended Plan Received on 26 August 2021

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

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.

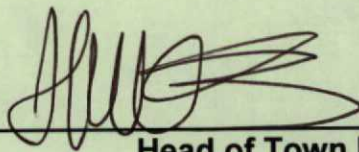
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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