

DELEGATED REPORT

Application No:	P/21/0274
Site Address:	29 Upper Row Dowlais Merthyr Tydfil CF48 3NU
Development:	Single storey rear extension
Case Officer:	Rebecca Owens
Site Visit:	9th August 2021
Application Expiry Date:	5th October 2021
Consultation reply date expired:	17th August 2021

APPLICATION SITE

The application relates to a mid-terraced dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front and other dwellings on all other sides. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought for a single storey rear extension. This would be erected off the existing single storey annex to create a new rear annexe which would project off the main rear elevation by 4.65m and which would be 6.15m in width. A new mono-pitched roof would be erected which would have a maximum height of 4.7m. The extension would feature a door and windows in its rear elevation which would serve a kitchen and bathroom. The roof of the extension would be covered with concrete roof tiles and the walls would be finished with render.

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

It is noted that there are a number of examples of rear additions visible in the rear street scene which vary in their scale and appearance. The proposed extension is considered to be of an acceptable design and sympathetic scale which would be in keeping with the proportions of the dwelling and which would not appear incongruous within the rear street scene. As such it would not harm the character or visual amenities of the dwelling itself or the wider area. It would therefore be in accord with Policy SW11 of the LDP and the aforementioned SPG.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring properties. In this respect it is noted that the proposed extension would be erected adjacent to the existing rear annexes of the dwellings on either side (28 and 30 Upper Row). Given the modest increase in the depth of the proposed extension in comparison to the existing annexe and the presence of the neighbouring annexes, it is not deemed that the extension would have a significant effect on these properties. It would not have an overbearing impact or result in any harmful overshadowing or loss of light. It is recognised that the extension would feature windows and a door in its rear elevation. These would look directly towards the properties that adjoin the rear boundary, which are at a lower level than the application site. As such, the proposed windows would face towards their first floor windows. However, the extension would only be just over a metre closer than the existing annexe and the windows and door would serve a kitchen and shower room which are classed as non-habitable rooms. As such, it is not considered that the impact in terms of overlooking and loss of privacy would be significantly greater and thus would not warrant the refusal of the application on such grounds. It is also noted that no representations were received following the publicity notice. The proposal is therefore found to be acceptable in terms of residential amenity and would 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: Existing & Proposed Plans, Elevations & Sections, Drawing Number: UPPER ROW 29 04, Received on 26th 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 roof surfaces of the extension 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.

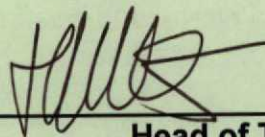
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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:

6/9/21