

DELEGATED REPORT

Application No: P/22/0035

Site Address: 12 Nibloe Terrace
Gwaunfarren Road
Penydarren
Merthyr Tydfil
CF47 9RX

Development: Two storey side extension with new retaining wall

Case Officer: Nia Chard

Application Expiry Date: 11th April 2022

Consultation reply date expired: 10th March 2022

APPLICATION SITE

The application site relates to a two storey, semi detached dwelling located on a corner plot located within the Penydarren area. The site is bounded by highways to the south and west, and dwellings to the north and east. The profile of the site is such that the side and rear garden slope upwards and occupy a higher level than the dwelling itself.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of the two storey side extension and associated retaining works.

The proposed extension would be set back from the main front elevation of the dwelling by 3.4m. It would be 3.3m in width by 4.5m in depth and would have a pitched roof with the ridge set below the main ridge line by 1.2m. The rear elevation of the extension would feature two small windows at ground floor level. The side elevation would contain a window at first floor level, and the front elevation would contain a window at first floor level and a door on the ground floor. The external walls of the extension would be finished in render and the roof would be covered with concrete tiles, all to match the existing.

Due to the profile of the ground, retaining works would be required to facilitate the extension and support the higher garden level. This would be located 0.75m off the side elevation of the extension and would be 1.92m in height.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

The following was consulted and the response is below:

Head of Engineering: No objection subject to condition.

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

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the impact of the proposal on the character and visual amenities of the area and the impact of the extension on the residential amenities of surrounding residents.

The dwelling is a semi-detached two-storey dwelling. The semi-detached dwellings are symmetrical in design, mirroring the same roof design and arrangement of windows and door openings. The proposed two-storey extension, as previously noted would measure 3.3m wide, 4.5m deep and 6.9m in height. It would be set below the ridge of the original dwelling and would be set back 3.4m from the front elevation. This would provide a visual break between the existing dwelling and the proposed addition. It is noted that the proposed extension would be over 50% of the width of the front elevation of the existing dwelling however this would only be by 0.10m. Furthermore, the proposal would be situated 2m from the road boundary and would be constructed in matching materials. The proposed extension would therefore be a subordinate and sympathetic form of development which would not dominate or appear disproportionate to the existing dwelling when viewed individually or within the street scene. As such, it would be in keeping with the dwelling itself. The proposal therefore complies with Policy SW11 of the LDP and relevant SPG.

The proposed development has been considered with regard to its impact upon the amenities of the nearby occupiers. In this case, 11 Nibloe Terrace and Lyndrea Bungalow, Haydn Terrace are the nearest properties adjoining the application dwelling.

In respect of 11 Nibloe Terrace this property is sited to the east of the application property and therefore would not be adversely affected by proposed extension. In respect of Lyndrea Bungalow, this property is sited at a ninety degree angle to the application property and the two-storey extension would therefore be opposite the side elevation of this dwelling. Whilst it is acknowledged that the extension would be sited opposite this property's front garden area, the land levels of this property are at a higher level and the extension is located approximately 5m away from the dividing boundary. Thus, the lower level of the application site and the distance between the extension and this neighbouring property would ensure that the proposal would not result in significant loss of light or overbearing impact. It is also noted that in respect of privacy there are no first floor windows proposed on the rear elevation.

The impact of the development on neighbouring properties to the western side of the application property has also been considered. In this respect, it is noted that these properties are at a higher level and 25m away from the proposed extension and as such, the proposal would not impact on these properties.

The relationship between the proposed development and the neighbouring adjoining properties would be acceptable and complies with LDP Policy SW11. It is also noted that no objections have been received as result of the publicity exercise.

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:

Proposed Elevations, Drawing No. NT-04 Rev. A, Received 8 March 2022

Proposed Sections, Drawing No. NT-05 Rev. B, Received 8 March 2022

Proposed Site Plan, Drawing No. NT-06 Rev. B, Received 8 March 2022

Site Location Plan, Received 14 February 2022

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. 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:

28/3/22