

DELEGATED REPORT

Application No:	P/23/0213
Site Address:	1 Brecon Walk Quakers Yard Treharris CF46 5AJ
Development:	Change of use of cattery to self-contained annexe with associated external alterations
Case Officer:	Rebecca Owens
Site Visit:	18th September 2023
Application Expiry Date:	26th March 2024
Consultation reply date expired:	9th October 2023

APPLICATION SITE

The application relates to a large detached dwelling set in a generous curtilage which also includes a detached building formerly used as a cattery. The site is in a semi-rural location within the settlement boundaries and is bound by a highway, another dwelling, a community building and undeveloped land.

PROPOSED DEVELOPMENT

Full planning permission is sought to convert a detached cattery into a self-contained annexe which would comprise a bedroom, bathroom, kitchen-lounge, utility and study.

The conversion of the building would necessitate external alterations which are summarised below:

- The building has a horse shoe footprint with two of the central elevations comprising of large panels with glazing to the lower half and meshing to the top. These would be removed and replaced with walls featuring windows and doorways.
- New openings are proposed in the existing north eastern and south western elevations and the blocking up of a door in the south eastern elevation.
- External insulation is proposed to the walls which would be rendered over; and
- External insulation is proposed to the flat roof which would be covered with single ply membrane (currently fibreglass).

PLANNING HISTORY

The relevant planning history is detailed below:

P/09/0093 Erection of cattery building

Granted planning permission subject to conditions on 3 July 2009

P/07/0151 Erection of detached dwelling (reserved matters)
Granted planning permission on 8 May 2007

P/05/0574 Road and sewer layout to serve 5 no. dwellings approved under ref:
P/03/0523 (reserved matters)
Granted planning permission on 16 January 2006

P/03/0523 Residential development
Granted outline planning permission subject to conditions on 1 February
2005

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering & Highways	No objection subject to conditions
Policy Officer	No objection
Ecologist	No objection subject to enhancements
Environmental Health Officer	No objection subject to conditions
Dwr Cymru Welsh Water	No response

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties and two site notices were displayed within the vicinity of the site.

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

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1, Affordable Housing.
- Note 2, Planning Obligations.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

The application site is located within the settlement boundary and as such the principle of development is considered to be acceptable subject to compliance with other relevant policies and material planning considerations.

The current building is of a modest design that reflects its previous use as a cattery. The proposed alterations to the building are considered to be acceptable and would give the structures a more domestic appearance. It is not considered that the proposal would result in any harm to the character or visual amenities of the main dwelling itself or indeed the wider area.

Regards has also been had for the impact of the proposal on the residential amenities of the neighbouring properties. In this respect a residential annexe is likely to result in less noise and disturbance than the approved cattery use. In addition, whilst some external alterations are proposed to the structure it is not considered that these would have any harmful impact. In particular it is noted that the new windows inserted into the side elevations would not look directly towards the neighbouring properties, would be a ground floor level and would serve non-habitable rooms.

It is noted that the majority of the windows and doors would be in the south eastern elevation which would look towards the side and rear elevations of the existing dwelling on the site. Despite this noting the elevated position of the cattery, given the distance between the two buildings, it is not considered that views between them would give rise to any unacceptable infringement on privacy to either occupants. However, it is also acknowledged that despite being self-contained, the cattery would become an annexe to the dwelling and thus would be linked in that sense. In this respect it is recommended that a condition be attached to any permission issued which controls this.

The application site is served by a double garage and large driveway able to accommodate several vehicles. Thus no concern is raised with respect to the provision of off street parking or highway safety. In addition it is noted that a small annexe is not likely to generate parking need in excess of the approved cattery use. In this respect it is also noted that no objections were received from the Head of Engineering and Highways.

The application is supported by a Preliminary Roost Assessment (PRA) which indicates that the building has negligible value for roosting bats and no opportunities of nesting birds. The planning authority's ecologist is satisfied with this and offers no objection on ecological grounds subject to the recommendations of the report and provision of the enhancements proposed. These comprise a bat box positioned on the south western corner of the building elevation and a bird box in the north eastern corner.

It is noted that the application site is bound by an area covered by a group tree preservation order. However, given the nature of the alterations proposed it is not considered that there would be any harm to the protected trees.

Policy SW9 relates to planning obligations. Given that the proposal is for a single dwelling, on site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) is not chargeable on residential development in this part of the County Borough.

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:

Drawing Title: Proposed - Elevations Floor Plan Layouts, Drawing Number: 02, Received on 11 September 2023.

Preliminary Roost Assessment, Issue 2 dated 30.01.2024, produced by Arbtech, Received on 30 January 2024.

Plan showing siting and specification of bat and bird boxes, Received on 20 February 2024.

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

3. The annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 1 Brecon Walk, Quakers Yard, Treharris.

Reason - To avoid the creation of a separate unit of accommodation in the interests of residential amenity in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **BEFORE** the annexe hereby approved is occupied, the bat and bird boxes shall be erected in accordance with the approved drawing listed in condition 2 of this permission and shall be retained in perpetuity thereafter.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 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




Director of Neighbourhood Services

DATE: 22.02.2024