

# DELEGATED REPORT

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|-----------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/23/0274</b>                                                                                |
| <b>Site Address:</b>                    | <b>54 Lakeside Gardens<br/>Gurnos</b>                                                           |
| <b>Development:</b>                     | <b>Two storey side extension, single storey front and rear extensions and other alterations</b> |
| <b>Case Officer:</b>                    | <b>Rebecca Owens</b>                                                                            |
| <b>Site Visit:</b>                      | <b>11th December 2023</b>                                                                       |
| <b>Application Expiry Date:</b>         | <b>15th January 2024</b>                                                                        |
| <b>Consultation reply date expired:</b> | <b>19th December 2023</b>                                                                       |

## APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front and other dwellings to the side and rear.

## PROPOSED DEVELOPMENT

Full planning permission is sought for a two storey side extension, single storey front and rear extensions and other alterations

The two storey side extension would be erected off the main eastern side elevation of the dwelling. It would have a width of 4.89m and would span the full depth of this wall (8.4m). In addition it would feature a pitched roof which would be just below the ridge of the main roof with a height of 7.2m. The rear elevation of the extension would contain a ground floor window and door (serving a utility) with a first floor bi-folding door and window with Juliette balcony (serving a master bedroom). There would also be a first floor window in the front elevation serving an ensuite.

It is also proposed to erect a single storey extension to the front of the dwelling to extend the existing front lobby and garage across the full frontage of the new side extension. This would have a mono-pitched roof with a height of 3.6m, which would also extend across the existing single storey element (which currently has a flat roof). This would contain a garage door with the main entrance relocated into the front elevation and the existing doorway to the side replaced with a window.

The existing rear conservatory would also be demolished and replaced with a single storey rear extension. This would have the same footprint but would feature a flat roof (2.6m high) with a roof lantern. It would contain bi-folding doors in its eastern facing side elevation and a window in its rear elevation.

The roofs of the side and front extensions would be covered with concrete tiles to match the main roof and the rear extension would have a grey EDPM roof. The external elevations of the extensions would be finished with white K rend.

Solar panels are also proposed on the western roof plane of the main roof and the rear roof plane of the extension roof.

## 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 adjoining dwellings

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 acknowledged that the proposed scheme would significantly alter the character, appearance and scale of the existing dwelling. However, the application site is located in an area characterised by an eclectic mix of dwellings which are of varying sizes, designs, and materials. In this context, where there is no continuity of design or architectural detailing, the dwelling as proposed would not appear out of place or have any detrimental

impact on the visual amenities of the area. As a result context, it is not considered that the proposed scheme contravene policy SW11 of the LDP.

The impact of the proposal the residential amenities of neighbouring occupants is also a material planning consideration of this application and in this respect it is noted that the extension would be erected almost hard on the shared boundary with 55 Lakeside Gardens. However, this dwelling occupies a higher level than the application site and the majority of the extension's bulk would be adjacent to its flank elevation, with only a section that would project beyond its rear elevation. Having regard to this arrangement, it is not considered that the extension would have an overbearing impact or that it would give rise to any unacceptable loss of light or harmful overshadowing. It is recognised that the extension would feature a large, first floor glazed bi-folding door and window with Juliette balcony in its rear elevation, which would be in closer proximity to the boundary with 55 Lakeside Gardens than the existing first floor windows and thus would allow for greater views across its garden. However, this level of overlooking is common between adjacent dwellings and is not deemed harmful enough to warrant the refusal of the application on such grounds, particularly as no representations were received following the publicity exercise. Similarly, it is noted that this large first floor, glazed door and window would look towards the rear elevations and gardens of 50 and 51 Lakeside Gardens. However, it would be over 14m from the rear boundary line and well in excess of 21m from their rear elevation. Thus having regard to this and also the overlooking that is already possible from existing windows, it is not considered that this door and windows would give rise to harmful overlooking or an unacceptable loss of privacy. With respect to the rear extension, given that this would have the same footprint as the existing conservatory, with not windows in the western elevation and only a slightly higher eaves height, it is not considered that it would have any greater impact on the adjoining dwelling known as 53 Lakeside Gardens. Similarly, the front extension would not have any detrimental impact. Thus having regard to the above and noting again that no objections were received following the publicity exercise, the proposal is found to accord with Policy SW11 of the LDP with respect to residential amenity.

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 Plans, Elevations and Section Details, Drawing Number: LAKESIDE 54 02, Received on 20 November 2023.

**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.

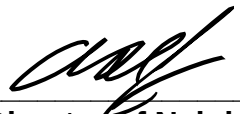
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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**

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Director of Neighbourhood Services



**DATE: 21.12.2023**