

DELEGATED REPORT

Application No:	P/24/0152
Site Address:	50 The Oaks Quakers Yard Treharris CF46 5HQ
Development:	Convert and extend existing garage to the front, side and at first floor to provide living space and car port at ground floor and a larger en-suite bedroom at first floor.
Case Officer:	Marlene Ferreira
Site Visit:	24th July 2024
Application Expiry Date:	22nd August 2024
Consultation reply date expired:	29th August 2024

APPLICATION SITE

The application site relates to a detached dwelling, 50 The Oaks, located in a cul-de-sac street in Treharris. The two-storey gable fronted property is served by a private rear garden area (which can be accessed externally from the front of the property), and an open front garden area with a paved double driveway. On-site parking provision is provided by means of the existing driveway and an existing garage to side of the property, located significantly back from the property's front elevation.

The property lies in a street of detached dwellings of varying designs. Many of the properties relate to relatively large two-storey brickwork dwellings, some of which have been extended, whilst others, like the application site, relate to smaller gable ended two-storey properties with a mock tudor finish at first floor and brickwork elevations at ground floor.

PROPOSED DEVELOPMENT

This application seeks planning permission to convert the existing garage and extend it to the front, side and at first floor to provide a large living area at ground floor, a car port at ground level and an en-suite bedroom at first floor.

The proposed extension to the front of the garage would measure 5.10m wide, 3.85m deep with a 6.9m ridge height and would provide a car port area at ground level and large en-suite bedroom at first floor, which would feature 2 dormer windows to the front and rear of the property. The proposed single storey side extension to the garage, measuring 3.05 m wide, 1.7m deep and 2.7m in height would feature a gentle sloping roof and combined

with internal alterations to the original dwelling, would provide a large living area at ground floor.

The extensions and alterations would be finished with concrete roof tiles, UPVc windows and brickwork elevations with rendered dormers at first floor.

PLANNING HISTORY

There is no other relevant or recent planning history relating to this property.

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. Two letters of representation were received following the publicity exercise. The concerns raised have been summarised below:

- The proposal has little regard for us and our property, due to the proximity to our property and the angle of the plot, it would significantly impact on the value of our property, our light, our views and our privacy;
- The extension of the lower floor has no impact and we would happily support it, however, the first floor extension and rear windows will directly overlook our property and take away all privacy we have, since the current rear window due to the angle of the property overlooks our neighbours garage and therefore has little impact. The proposed build due to the angle of the property will be much closer to us, block our views, cause reduced light and would leave us with no privacy;
- I am concerned that due to the height, scale and massing of the extension adjacent to my boundary the extension as proposed would be oppressive and an unneighbourly form of development that would impact upon my residential amenity;
- The information in the supporting document which refers to other similar extensions in the vicinity that have had approval in previous years, is misleading since the relationship between those properties and their neighbours is different and therefore this should not set a precedent to approve this application.

Ward Councillors were advised of the objections received as a result of the publicity exercise but have not requested that the application be determined at Planning Committee. As such, the application will progress to be determined under delegated powers by the Chief Officer of Planning and Neighbourhood Services.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Supplementary Planning Guidance (SPG)

SPG Note No. 6 – A Design Guide for Householder Development (September 2015)

In relation to two-storey side extensions, the SPG advises '*In most cases, where a side extension is greater than 50% of the total width of the front elevation of the house, it will increasingly appear less subservient*'.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposal, in terms of its siting, scale and design, would comprise an acceptable form of development with regards to its impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed extension, in terms of its projection to the front of the garage and addition of a first floor, would represent a substantial addition to the side of the property which would be visible within the street scene. Nevertheless, it would be set back over 2.5 metres from the dwelling's front façade and its ridge height would be set down below that of the original property. As such, it would not appear out of place or overly dominant when viewed in conjunction with the original dwelling or the adjoining neighbouring properties. Whilst it is noted that the extension would feature front and rear dormers, these would appear proportionate in terms of their scale and design and the overall extension would reflect other similar side extensions which have been constructed within the wider estate. Indeed, the principal elevation would be considered sympathetic to its surrounding character and would integrate well within the existing street scene which is characterised by house types of varying scales and design. Thus, while it is acknowledged that the development does not strictly accord with the guidance set out in the Council's aforementioned SPG, the proposed addition would still appear subservient to the existing dwelling and is therefore considered an acceptable development which would not detract from the character or appearance of the existing property or the surrounding area. The proposed single storey extension to the side of the garage and rear of the dwelling which would only be visible from the rear of the property, would result in a small-scale addition, which in terms of its design and finishes, would also be considered acceptable. As such, the proposal would accord with LDP Policy SW11.

Residential Amenity

The proposed extensions would be sited in between properties 51 and 49 The Oaks, located to the west and east, and 56 and 57 The Oaks, located to the northeast and northwest, and these are the neighbouring properties most likely to be impacted by the proposed development.

With regards to the rear single storey extension, this would measure less than 2 metres in depth and combined with the conversion of the garage, would provide a large lounge area. As such, it would not result in an overbearing form of development or cause any loss of light or privacy to the private amenities of 56 and 57 The Oaks.

With regards to the front and first floor extension above the garage, this would be sited immediately adjacent to the dividing boundary with the neighbouring dwelling, 51 The Oaks, and would therefore be somewhat overbearing upon this neighbouring property. In addition, it would result in some loss of light to the door, window and walkway at the side of this neighbouring dwelling. However, it should be noted that the first-floor addition would not project any further to the rear than the original application dwelling and it would largely sit alongside the side elevation of this neighbouring property. Thus, although when viewed from the side walkway it would appear somewhat overbearing and some loss of light would be experienced to the side door and window, it is also acknowledged that light to this window and walkway is already limited since there is currently a 1.8m high fence enclosing this side boundary. In addition, the side window does not appear to serve an habitable room, but rather a WC. The side door provides a secondary access to the narrow walkway which is not used as a private amenity area, but rather, a narrow external path which provides access from the front to the rear of the property. Thus, the impact which would result from the front and first floor extension to the side of the property would not be considered significantly harmful to warrant the refusal of the application in this instance.

The first floor extension would also result in some loss of light and privacy to the rear garden of this neighbouring property, 51 The Oaks. Loss of light would be mainly experienced in the mornings, since the sun rises in the east and sets in the west. Reduction in privacy would also be felt given that two dormer windows would be located to the rear first floor elevation to serve the enlarged first floor bedroom. However, it should be noted that the loss of light to the rear of this neighbouring property would not be significantly reduced, since the first-floor extension would not extend further to the rear than the rear wall of the original dwelling. Likewise, the new rear dormers, although adding an additional two windows to the rear of the property, would not project any further than the rear wall of the original dwelling. Thus, whilst the dormers would be located closer to the dividing boundary with this neighbouring dwelling, the extent of overlooking would not be considered significantly greater than that which can already be achieved from the existing rear facing first floor bedroom window. In addition, it should also be noted that the original rear bedroom window, which is now proposed to serve the en-suite to the enlarged bedroom, could be conditioned to be fitted in obscure glass and as such, would result in less overlooking opportunities to the private gardens of the neighbouring dwellings, including 51 The Oaks.

With regards to the impact of the first-floor extension upon the neighbouring property to the rear, 56 The Oaks, the proposed first floor addition would not be considered to result in any significant loss of privacy to the amenities of these neighbouring occupiers. Indeed, as noted above, the rear first floor dormer windows would not project any further than the

original rear wall of the application property and as such, would not be located any closer to this neighbouring dwelling. Thus, the extent of overlooking would not be deemed significantly greater than that which is already achieved from the original rear first floor bedroom window, particularly since the extension would be sited over 10 metres away from the dividing boundary with this neighbouring property. Furthermore, given the distance between the application property and this neighbouring property, there would be no significant loss of light which would result from this proposal. The impact of the proposed development upon this neighbouring property would therefore not be considered to warrant the refusal of the application.

The proposed development in respect of its impact upon 49 The Oaks and 57 The Oaks has also been considered acceptable. Indeed, given the orientation, siting and distance of these neighbouring dwellings from the application property, it is not considered that the proposed development would cause any significant adverse impact, in terms of overbearing, loss of light or loss of privacy, upon the amenities of these neighbouring occupiers.

The proposed development and its relationship with the surrounding properties would therefore be considered acceptable and accord with LDP Policy SW11.

Ecology

The proposed development was considered by the Council's Ecologist, who requested that a Preliminary Roost Assessment (PRA) of the property be undertaken and submitted in support of the application. Given the nature and scale of the development, such a request would be considered disproportionate and unreasonable. As such, a PRA has not been requested in this instance.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). Thus, due to the scale and nature of the development, the submission of a GIS would also be deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided in the form of two bird boxes to be erected to the rear and side gables of the property, which would provide additional habitats in the local area and contribute to the wider green infrastructure objectives. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

Responses to representations

The majority of the concerns raised in the objections received have been fully considered and addressed in the relevant sections of this report. The following considerations have also been made:

- The value of property is not a planning consideration and therefore cannot be considered under the assessment of this application.

CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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 no: TO - 001, received: 15th August 2024;
- Drawing no: TO - 002, received: 15th August 2024;
- Drawing no: TO - 003, received: 15th August 2024;
- Drawing no: TO - 004, received: 27th June 2024;
- Drawing no: TO - 005, received: 27th June 2024;
- Drawing no: TO - 006, received: 15th August 2024;

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

3. Within one month of the completion of the development or occupation of the extension, whichever is sooner, the bird boxes, as shown on Drawing no's TO-001 and TO-003, shall be erected in accordance with the approved details and retained thereafter.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Before the development hereby permitted is brought into use, the rear facing first floor en-suite window shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord 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


Director of Neighbourhood Services

DATE: 06.09.2024