

DELEGATED REPORT

Application No:	P/23/0019
Site Address:	2 High Trees Trefechan Merthyr Tydfil CF48 2LE
Development:	Single storey side extension and creation of new parking
Case Officer:	Rebecca Owens
Site Visit:	2nd February 2023
Application Expiry Date:	2nd May 2023
Consultation reply date expired:	23rd March 2023

APPLICATION SITE

The application relates to a detached bungalow in a residential cul-de-sac located on the edge of the settlement boundary and adjacent to Special Landscape Area 1 (Nant Morlais and Cwm Taf Fechan). The site is bound by a highway to the front, other dwellings on either side and a field to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a side extension. The extension would be erected off the western side elevation and would be set back from the main front elevation by 1m. The extension would be 4.5m in width at the front and 4.83m in width at the rear. It would have a depth of 14.175m and would project past the rear elevation of the bungalow by 5.86m. The section of the extension adjacent to the side elevation would have a pitched roof with a ridge height of 5.14m while the section of the extension which project beyond the rear elevation would be gabled off this with a ridge height of 4.11m. The front elevation of the extension would feature a garage door and recessed front entrance door and the western side elevation would provide a doorway into the garage and window serving the dining room of the open plan kitchen/diner. There would be a further window in the rear elevation serving a utility room and bi-folding doors in the eastern side elevation from the kitchen. The roof of the extension would be covered with Marley Wessex interlocking tiles to match the existing roof and the walls would be finished with render to match the existing elevations.

It is noted that the erection of this extension would require the demolition of an existing detached garage and loss of parking spaces on the existing driveway. As such it is proposed to extend the existing driveway towards the western boundary and create three new parking spaces to the side of the proposed extension. This would be covered with permeable gravel.

PLANNING HISTORY

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

The relevant planning history is summarised below:

- P/20/0014 Proposed side and rear extension
Granted planning permission subject to conditions on 24 February 2020
- P/07/0409 Erection of front porch, conservatory to the rear and pitched roof over garage
Granted planning permission subject to conditions on 29 August 2007

CONSULTATION

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

- Engineering and Highways Manager Initial objection as the proposal would result in the creation of on-street parking demand to the detriment of highway safety and the free flow of traffic. However, amended plans were submitted illustrating alternative parking to the side of the extension which has overcome this issue.

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

Design and visual amenity

The proposed scheme is of an acceptable design and scale which would be sympathetic to the existing dwelling. The side extension would have a roof which reflects the pitch of the main roof but with a lower ridge height and the extension would be set back from the main front elevation providing a visual break. Furthermore, the material finishes would match the existing dwelling. As such the proposal is found to comply with Policy SW11 in terms of design and visual impact.

It is noted that planning permission has recently been granted for a side and rear extension which would wrap around the north eastern corner of the site (planning ref: P/20/0014) and thus on the other side of the property to the development now being considered. The applicant has indicated that it is not their intention to implement this previous consent but given that it is still extant, it could still be erected. Thus consideration has also been had for the visual impact of the proposed extension in addition to the extension already granted. Whilst this would result in a much wider dwelling than existing, the proposed extensions are both deemed to be of an acceptable design and both would be set back from the main front elevation. As such it is not considered that there would be a sufficiently harmful impact to the character of the dwelling or indeed the visual amenities of the area of both extensions were constructed.

Residential amenity

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding occupants. In this respect, the development would only impact on the dwelling to the west known as 1 High Trees. Whilst it is acknowledged that the application site occupies a slightly higher level than this neighbouring property and would create built development adjacent to the shared boundary for a length of over 14m, the extension would be set back off the boundary by over 3.5m and as such, it is not considered that it would have an overbearing impact. Moreover, whilst there may be some loss of the light to the windows in the eastern elevation of 1 High Trees, it is not considered that this would be harmful enough to warrant the refusal of the application on such grounds. It is also noted that the proposal includes a window in its western side elevation which would look towards 1 High Street and the windows in its opposite elevation. However, this window would be at a slightly higher level than the windows of the property opposite and would be adjacent to the proposed driveway which would help to reduce direct views. It would also be a ground floor windows which could therefore be obscured by a standard boundary treatment. It is also noted that the side windows in the neighbouring property are open to views from the neighbouring driveway and indeed angled views from the adjacent pavement. Thus, on balance, and as no objections have been received following the publicity exercise it is not considered that this window would be harmful enough to warrant the refusal of the application and the proposal is therefore found to be acceptable in respect to residential amenity and in accord with Policy SW11 of the LDP.

With respect to the new parking area, it is recognised that it would be directly alongside the shared boundary with 1 High Trees. However, as the only work involved is the resurfacing of the ground there would be no significant impact. Any glare to the neighbours' windows from headlights manoeuvring into the parking spaces would be partly obscured by the existing boundary wall and would only last for a short period of time as the car(s) turn. As such, this element of the proposal is deemed to be acceptable.

Finally, whilst it is acknowledged that the extension would feature bi-folding doors in its eastern elevation, the distance of these from the boundary with 3 High Trees would prevent any harmful overlooking or loss of privacy.

Thus, having regard to the above considerations and noting that no objections have been received following the publicity exercise, the proposal is found to be acceptable in terms of its impact on residential amenity and is therefore in accord with Policy SW11 of the LDP.

Parking and highway safety

It is noted that the proposal would result in the loss of the existing garage and a large part of the existing driveway (i.e. removing all of the current on-site parking provision). As such the Engineering and Highways Manager raised an objection on the grounds that the proposal would result in the creation of on-street parking demand to the detriment of highway safety and the free flow of traffic. However, on raising this with the agent, amended details were submitted illustrating an extended driveway which would provide at least three parking spaces along the eastern side of the proposed extension. As such, the scheme being considered has overcome the reason for the objection. However, to ensure that these spaces are provided it is recommended that a condition relating to their implementation is attached to any planning permission issued. With the inclusion of this condition the proposal is considered to be acceptable in terms of parking and its impact on highway safety.

Conclusion

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: Proposed Plan and Elevations, Drawing Number: SD788-02C,
Received on 25 January 2023

Drawing Title: Block and location plan, Drawing Number: SD788-00B, Amended Plan Received on 7 March 2023

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

3. **BEFORE** the extension hereby approved is brought into use, the driveway/car parking area shown on drawing number SD788-00B shall be provided and shall remain available for car parking in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance 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



Director of Neighbourhood Services

DATE:

6/4/23