

DELEGATED REPORT

Application No: P/23/0108

Site Address: Tygs
Cilsanws Lane
Cefn Coed
Merthyr Tydfil
CF48 2NU

Development: Conversion of garage to habitable room, removal of bay window and erection of front porch, erection of orangery to the rear and erection of detached garage

Case Officer: Nia Chard

Application Expiry Date: 27th June 2023

Consultation reply date expired: 7th June 2023

APPLICATION SITE

This application relates to a detached dwelling located within the predominantly residential area of Cefn Coed. The site is bounded to the north and south by adjoining residential properties, to the west is the main highway serving the locality (Upper High Street) and to the east is a narrow access lane serving the site (Cilsanws Lane). The site slopes down from east to west and the access lane slopes downwards from north to south.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a front porch, an orangery to the rear, and a detached garage.

The porch would be located on the front elevation of the property. It would measure 4.92m wide by 1.3m deep and would have a 3m high flat roof with two roof lanterns.

The orangery would be located to the rear of the property and would provide a garden room. Its footprint would measure 6m wide by 3m deep. Its flat roof would measure 3m in height and would feature a 0.3m high roof lantern. The elevations of the extension would be fully glazed.

The proposed garage with a canopy to its rear would be sited to the north of the dwelling. The garage would measure 3.9m wide by 5.6m deep and would have a 3m high flat roof. A canopy would extend for a further 3.3m from the rear of the garage.

PLANNING HISTORY

- P/09/0073 - Amend proposed access to new dwelling from Cilsanws Lane
Planning permission granted subject to conditions on 21.10.2009
- P/05/0142 - Full planning application for the erection of detached dwelling on land south of Tyn-Y-Garn.
Planning permission granted subject to conditions on 14.06.2005

CONSULTATION

None undertaken.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a letter was sent to the neighbouring properties and a site notice was displayed.

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

Supplementary Planning Guidance (SPG's)

SPG 6 – Householder Design

It is noted in the SPG that *'...any extension or alteration to your property should be sympathetic to its surroundings in terms of its scale, siting and appearance, to ensure it complements neighbouring properties and the wider street scene...'*

'...the size, shape and siting of an extension to your house must be of an appropriate height and form that is in keeping and subservient to the existing building and its setting...'

Section 3.6 relating to porches advises *'The type and style of porch can vary from a simple canopy to an enclosed structure. Porches have the potential to significantly alter the principle elevation of the house and if poorly designed, their prominence can detract from the character and appearance of the area.'*

PLANNING CONSIDERATIONS

The key considerations with regard to the application are considered to be the impact of the proposal upon neighbouring residential amenity and the visual appearance of the development, and its impact on the character and appearance of the existing dwelling and wider locality.

In terms of visual amenity, the proposed entrance porch would be located to the front of the dwelling. Whilst the size and design of the porch is a concern, it is acknowledged that the property is located within a street characterised with dwellings of differing designs and appearances. Moreover, the proposed extension would be set back from the edge of the pavement and would not be overly prominent in relation to the existing properties. As such, the proposed porch would not cause detrimental harm to the character and appearance of the application property.

The orangery would be located to the rear of the dwelling, away from the street frontage. As such, it would not be visible from the front street scene and would therefore not have an adverse impact on the appearance of the dwelling when viewed from the highway. Additionally, the orangery is of a design, which is typical of such an addition and would be finished in acceptable materials. Furthermore, its scale is appropriate and would not appear out of proportion with the main dwelling. The proposed garage and canopy would be set back from the front of the property and would be of a modest scale and of an appropriate design.

Having regard to the above considerations, the development is found to be of an acceptable design which would not be detrimental to the character or visual amenity of the dwelling or area in general. Accordingly, the scheme complies with the relevant parts of Policy SW11 of the LDP.

In terms of residential amenity, the garage would be constructed within 0.5m with the property to the north (Ty'n y Garn). It is not considered that the garage or the rear canopy with its relative low height of 3m would have a significant impact upon the amenities or privacy of this property. It is also noted that the proposed orangery would be set off the

boundary with the neighbouring property to the south (this property is under construction) by approximately 9m. Given this separation and the extension's modest scale (depth and height), the rear extension would not have an overbearing impact. Nor would it result in unacceptable overshadowing or a loss of privacy to this property. It should also be noted that no letters of objection have been received in response to the publicity exercise carried out with the application. The proposals are therefore deemed to be acceptable with respect to residential amenity and thus in compliance with Policy SW11 of the LDP

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:

Site Location Plan, Received 2 May 2023

Proposed Floor Plans and Elevations, Received 2 May 2023

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

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

P.P.

DATE: 14.06.2023