

DELEGATED REPORT

Application No: P/22/0044

Site Address: 39A Anthony Hill Court
Pentrebach
Merthyr Tydfil
CF48 4AZ

Development: Proposed Conversion of Garage to Living Accommodation

Case Officer: Nia Chard

Application Expiry Date: 14th April 2022

Consultation reply date expired: 16th March 2022

APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area. The site is bounded by a highway to the front, pedestrian walkway to the rear and dwellings on either side. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought to convert an existing integral garage into living accommodation. This would involve the removal of the garage door and insertion of a window. The area to the sides and below the window would be blocked up with brickwork to match the existing dwelling.

PLANNING HISTORY

The relevant planning history is detailed below:

P/03/0480 Residential development (Outline - 40 dwellings with associated car parking, garages and infrastructure)
Granted outline planning permission subject to conditions on 3 June 2004

P/04/0259 48 No. dwellings (Reserved matters application)
Granted reserved matters approval on 12 July 2004

CONSULTATION

The following were consulted and their response is below:

Head of Engineering: No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties.

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) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

It is noted that a garage conversion as proposed would normally constitute permitted development. However, the original planning permission relating to this housing development included a condition which removed these rights and thus necessitates an application for such developments to be fully considered.

The garage conversion as proposed would result in the existing garage door being replaced by a new window and the remaining area around this filled in. The proposed window is of an acceptable design and size, which would be sympathetic to the existing fenestration of the dwelling. The external finishes are proposed to match the existing dwelling. As such, the proposal would be in keeping with the character of the dwelling and would not appear out of place. It is also noted that there are examples of similar garage conversions visible within the streetscene and as such, the works would not harm the visual amenities of the area. The development is therefore in accordance with Policy SW11 of the LDP

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding residents. However, in this respect it is not considered that the proposal would have any unacceptable impact. The proposed use of the garage following its conversion would remain residential and the new front window would overlook the front garden area and adjacent highway. It is also noted that no representations were received following the publicity exercise. The works would therefore comply with Policy SW11 of the LDP.

Finally, although it is noted that the proposal would result in the loss of one parking space, the dwelling would still provide two vehicular parking spaces within its curtilage. This would be considered acceptable for a dwelling of this scale, and as such, the Head of Engineering does not object to the proposal.

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:

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:

Proposed plans and Site Plan, Drawing No 2022/01/p01, Received 17 February 2022

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



Head of Town Planning

F.R.

DATE: 22.03.2022