

DELEGATED REPORT

Application No:	P/22/0231
Site Address:	92 Shirley Drive Heolgerrig Merthyr Tydfil CF48 1SF
Development:	Increase height of property to provide first floor accommodation and a store in the attic space. Two-storey side and rear extensions (with balcony), erection of front two storey extension and garage
Case Officer:	Rebecca Owens
Site Visit:	27th September 2022
Application Expiry Date:	21st September 2023
Consultation reply date expired:	15th August 2023

APPLICATION SITE

The application site comprises a single storey gable fronted dwelling located towards the end of a small cul-de-sac within Shirley Drive, Heolgerrig. The property is stepped down from the level of the highway and is orientated to face a southerly direction onto the street. It is bound by 90 Shirley Drive along its western boundary, undeveloped land to the east and north and the side/front boundary of 94 Shirley Drive to the south-east.

The property has an orange/red face brick finish, a concrete tiled roof and white uPVC windows. It has a short, paved driveway to the east with a timber gate providing access onto the highway. The remainder of the front boundary is formed by a low brick wall with railings above which step down in height in line with the gradient of the road.

The position of the property is such that the western side elevation faces onto but is at a lower level to the side elevation of 90 Shirley Drive. There is a small footpath to the side of the property, which provides access to a side entrance door and the rear garden. The land to the side of this footpath is raised above the floor level of the property and is retained behind a brick wall. To the rear of this area and adjacent to the rear garden of 90 Shirley Drive is a pitched roof outbuilding and a small greenhouse. The garden area to the eastern side of the property cuts back at an angle towards the rear wall of the property. The boundary along this side appears to be defined by a change in level and is open in nature. The boundary to the south-east which borders 94 Shirley Drive is enclosed by tall some tall trees and shrubs.

PROPOSED DEVELOPMENT

This application seeks full planning permission to raise the height of the property to provide first floor accommodation and a store in the attic space. It also seeks permission for the construction of a two-storey side extension, a two-storey rear extension, a two storey front extension and a garage.

The existing bungalow measures 6.9m wide, 9.94m in depth and 4.8m in height to the ridge of its roof. The proposed development seeks to extend the eastern side, northern rear elevation and front southern elevation of the property and raise the height of the dwelling's roof to provide first floor accommodation and a store in the roof space. As a result of the extensions, the footprint of the main property would be increased to 10.7m in width (at its widest point) and 16.55m in depth. The roof of the property would also be removed and replaced and raised in height above the existing property and the new extensions. The new roof would measure 8.2m in height from the front, representing an increase of 3.4m when compared to the existing roof. It is important to note that the new roof would be orientated in the opposite direction so that the gable ends would face an easterly and westerly direction (i.e. towards 90 Shirley Drive and an area of undeveloped land). Currently, the gable faces onto the road and the roof slopes from each side of the bungalow. Three skylights windows would be provided within the main front roof slope of the dwelling and two skylights would be inserted into the rear roof slope.

Internally, the property would be re-configured to provide living space on the ground floor, four bedrooms (two with en-suite bathrooms), a bathroom, a home office and a dressing room at first floor and a store in the roof space. The proposal includes a front gable extension providing a porch at ground floor and forming part of the floorspace of the first floor front bedroom. The front elevation of this would feature double entrance doors with a window above and windows in its eastern side elevation. The front extension would be finished externally in stone and would measure 3.45m wide, 2.39m in depth and 7.11m in height to the ridge of its roof. The front elevation of the main property would also feature a ground floor lounge window and a first-floor bedroom window. The western side elevation would contain an entrance door and three windows on the ground floor with an obscure bathroom window above. An additional first floor en-suite bathroom window would also be provided within the side elevation of the rear extension.

The two-storey side extension would form part of a lounge at ground floor with a bedroom and an en-suite bathroom being provided at first floor. It would extend out from the eastern side of the existing property by 4m with its front elevation containing three ground floor windows and two first floor windows serving the en-suite bathroom. Its roof would be set down 1.8m below the roofline of the main dwelling and would contain two skylight windows to the front. Its east facing side elevation would contain patio doors on the ground floor and a bedroom window at first floor. To the rear of the side extension would be another set of patio doors and a first-floor window serving the same bedroom.

The two-storey rear extension would accommodate a kitchen and dining area on the ground floor and a bedroom and an en-suite bathroom at first floor. It would extend the full width of the original property, measuring 6.9m in width, 4.2m in depth and 9m in height from the lower ground level. Its western side elevation would comprise a first floor en-suite bathroom window featuring obscure glass. To the rear, the extension would contain a patio door at ground floor and a bedroom window at first floor, which would be positioned closest to the eastern side wall. Along the eastern side elevation, the first-floor bedroom would have a set of sliding doors opening out onto a balcony area measuring 4.75m long

by 1.1m in depth. Below the balcony would be two vertical shaped windows. The remaining part of the eastern side elevation of the dwelling would contain a ground floor family room window and two first floor windows serving a home office and a dressing room.

The proposed garage would be positioned adjacent to the western side boundary of the property (i.e. between the application property and 90 Shirley Drive). It would measure 3.65m wide, 6m in depth and 3.5m in height to the ridge of its roof when measured from the front elevation. The garage would be elevated above the floor level of the house and would be served by an existing access off the highway. The existing driveway serving the property would be extended to accommodate this part of the development. Externally, it is proposed that the garage would be finished to match the main property.

PLANNING HISTORY

There is no recent planning history relating to this property.

CONSULTATION

Ecologist: No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed within the vicinity of the site.

As a result of the first publicity exercise, two letters of objection were received from the owners/occupiers of 90 and 94 Shirley Drive. The key concerns are summarised below:

- As a result of the works, the property would be raised above the height of 90 Shirley Drive. The suggested increase in height plus the two-storey extension to the rear, would restrict sunlight to the rear of number 90 and cause overshadowing. Concern is also raised that the construction of the proposed garage would further hinder the light available to this neighbouring property as it would overshadow the exit to the rear of the property and block light into its living areas.
- The development would impact the privacy of number 90 Shirley Drive. It is highlighted by the owners of 90 Shirley Drive that the proposed plans at the rear of the application property (including the windows and balcony) will impact on the privacy of their rear garden. It is noted that the windows and balcony would directly overlook and allow clear views into the rear garden of their property.
- It is noted that part of the boundary between the application property and 90 Shirley Drive currently consists of two outbuildings, the walls of which act as a boundary. It is highlighted that at least one of these buildings would need to be demolished to construct the garage. It is queried what happens to the boundary wall thereafter.
- The proposed plans are out of keeping and incongruous with the character and design of the surrounding properties.
- It is noted that the boundaries appear to look wrong on the plans.
- There will be overlooking and a loss of privacy to 94 Shirley Drive

Following receipt of amended drawings, a second publicity exercise was carried out with the local residents and as a result, two further letters of objection were received from the

owners/occupiers of 94 Shirley Drive. The two letters raise concern that the revised proposal will be intruding onto the neighbour's property where she has trees. The neighbour is concerned that the roots of the trees will be damaged by the foundations. Additionally, the neighbour raised concern that the development will reduce the privacy of her front and side garden and living room and that it will decrease the value of her property (the latter is not a material planning consideration).

Following receipt of further amendments, a third publicly exercise has been carried out. Another objection was received from owners/occupiers of 94 Shirley Drive reiterating the previous concerns and noting that the design is unlike the existing buildings within the street.

Local Ward Members were advised of the objections received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Director of Neighbourhood Services.

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 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Paragraph 3.9 refers to character and states that '*...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...*'

Paragraph 3.14 refers to context appraisal and states that these '*...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...*'

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.

Paragraph 4.16 and 4.17 state that *'...achieving good design is the responsibility of all those involved in the design process...who should consider how each aspect of the design process meets the objectives of good design and responds to local context...'*

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4: Settlement Boundaries;

Policy SW11: Sustainable Design and Placemaking;

Policy EnW1: Nature Conservation and Ecosystem Resilience

Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

LDP Policy SW11 is the main primary consideration and points 1 to 3 are particularly relevant and state that new development should *'...be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density; integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape; and, not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design...'*

- Supplementary Planning Guidance (SPG's)

SPG 6 – A Design Guide for Householder Development

It is noted in SPG 6 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...'

Also, it highlights *'When considering the best location for an extension (including conservatories, there are likely to be a number of factors to consider, such as the space available around your property, the potential impacts on neighbours, as well as its prominence and appearance of the extension within the street scene.'*

More specifically with regards to roof alterations and loft conversions, SPG 6 states that where it is necessary to increase the height of a roof, this can significantly affect the character and properties of the dwelling, as well as its rhythm and form in relation to neighbouring properties.

PLANNING CONSIDERATIONS

The dwelling is located within an established residential area in the settlement boundary and as such, the principle of extending the property is acceptable subject to the compliance with relevant policies and material planning considerations. Therefore, the key issues to consider under the assessment of this application relate to whether the proposed increase to the mass and height of the dwelling in association with the proposed side and

rear extension and roof alterations would amount to an acceptable form of development with regard to the impact of the scheme upon the amenities of neighbouring properties and the character and appearance of the dwelling and the wider street scene. The impact of the proposed garage on the visual amenities of the existing property, neighbouring properties and highway safety is also a consideration.

Character and appearance

The proposed extensions, roof alterations and increase in roof height would enable the number of the bedrooms in the property to increase by providing additional accommodation at first floor and a store in the roof space. Generally, it is acknowledged that proposals which involve major changes to the existing roof will potentially have a significant impact on the appearance of the property and can cause harm in a street with a consistent street scene. The immediate street scene surrounding the application property does contain a number of similar designed dormer bungalows and as such, there is a degree of uniformity in the area. However, the roof form of the application property already differs from the design of the dormer bungalows and there are other flat fronted two-storey dwellings and gable fronted bungalows within the immediate vicinity of the application site. It is also acknowledged that the application property is nested in a corner plot at the end of a small cul-de-sac and in this location, the rhythm of dormer bungalows would not be adversely affected by the proposed two-storey development.

Notwithstanding the above, it should be noted that there was originally concern that the proposal initially put forward with this application did not respect the height and topography of the buildings in the street scene, which all step down in line with the road. This concern was discussed with the agent, and as a result, amended plans were submitted which now show the roof of the dwelling being stepped down below the ridge of the adjoining property, 90 Shirley Drive. This has in turn reduced the overall mass and bulk of the proposed roof. While it is considered that the front fenestration of the property could be improved, taking into account that the property is set down from the road and the character of other properties in the surrounding area, it is not considered that the front fenestration would cause significant harm to the character and appearance of the existing dwelling and surrounding area. Thus, in this respect, the proposed development would be in accordance with Policy SW11 of the LDP and SPG 6 - A Design Guide for Householder Development.

Impact on the amenities of neighbouring properties

Turning to the impact of the proposal on the residential amenity of the neighbouring properties and the objections that have been received in relation to the application, it is noted that the site is currently occupied by a modest scale bungalow which has a height of only 4.8m when measured from the front of the property. The roof of the bungalow also slopes away from the neighbouring property to the west (90 Shirley Drive). This combined with its low height and its positioning within the curtilage means, that at present, the property has a limited overbearing and overlooking impact on the adjoining properties.

While it is acknowledged that the proposal to extend the rear wall of the dwelling and increase its height would have some impact on the adjacent property to the west (90 Shirley Drive), the neighbouring property is elevated above the floor level of the application dwelling. It is also noted that the side wall of the application dwelling would continue to be offset from the western boundary by a distance of 6m and apart from the rear extension,

the side wall of the property would face onto the side wall of the neighbouring property in which there are no windows. While it is acknowledged that the occupiers of the neighbouring property have raised concern that the proposals would impede sunlight to the rear of their property, given the differences in level between the two properties, the separation distance between the side wall of the application property and the western boundary, it is not considered that the proposed increase in the height, mass and length of the dwelling would not have an overbearing or significant harmful level of overshadowing impact on 90 Shirley Drive.

There is concern that this proposal would create additional overlooking impacts to 90 Shirley Drive and this concern has been discussed with the agent. As a result of discussions, the revised plans now show the balcony which was originally proposed along the back wall of the rear extension being removed from the scheme. This significantly reduces the potential overlooking impact of the development on 90 Shirley Drive. However, there is still some concern that the western side wall of the application property would contain several windows which would face towards the boundary of 90 Shirley Drive. While it is regrettable that some of these windows have not been relocated to less sensitive locations (i.e. the front or rear elevations), the agent has highlighted on the plans that the first floor bathroom window and en-suite bathroom window would be obscurely glazed. This limits any potential overlooking from these windows. It is also acknowledged that the side wall of the proposed garage would also help to partially obscure these two openings from the rear of the neighbouring property. The plans have also been amended removing the side window serving the front bedroom from the western facing side elevation and relocating this to the front (within the two storey front gable extension). Taking this into account, whilst there still are some concerns regarding the potential overlooking impact from the side facing windows, the impact of the works proposed to the dwelling are on balance, not considered to be of a degree which would warrant the refusal of planning permission.

Turning to the impact of the proposed garage, it is acknowledged that this building would be located on a similar level to the adjoining property, 90 Shirley Drive. However, given its low height and pitched roof design, it would not be of a scale or height which would result in an undue level of overshadowing or overbearing impact on 90 Shirley Drive, the adjacent properties. Given its positioning along the western boundary, no other properties would be affected by the construction of the proposed garage.

The impact of the works proposed to the dwelling on the neighbouring property to the south-east of the site, 94 Shirley Drive has been considered. While it is appreciated that the neighbour has raised concern that the development would have an impact on the privacy of this property, given the separation distance between the application property and number 94 and the positioning of the properties in relation to one another, it is not considered that the scheme would lead to a harmful level of overlooking. Moreover, the first floor windows located in the front of the proposed side extension would serve a non-habitable room (an en-suite bathroom). While it is accepted that there would be some potential overlooking arising from the bedroom window located in the east facing wall of the side extension, given the angles between the properties, the view from this window to the neighbouring property would be at an acute angle. The view from the balcony proposed to the side wall of the rear extension would also be obscured by the walls of the side extension. Taking this into account, the proposed development would not lead to an unacceptable level of overlooking or loss of privacy which would be significantly harmful to the existing levels of amenity currently enjoyed by the occupier of 94 Shirley Drive.

Parking and Highway Safety

Having considered the on-site parking facilities proposed to the side of the dwelling, the proposed development would not give rise to any significant highway safety issues. As such, the proposal would comply with Policy SW11 of the LDP in this respect.

Ecology

Given the nature of the works proposed to the roof, the Council's Ecologist requested a Preliminary Roost Assessment (PRA) to assess the impact of the proposal on priority and protected species and their habitats. A bat survey report was subsequently submitted and the Ecologist is satisfied that the proposal can be approved subject to bat and bird boxes being provided in accordance with the recommendations of this report.

Other matters raised during the publicity exercise not addressed above

- Concerns relating to the potential effect a development proposal may have on the value of neighbouring properties is not a material planning consideration and would not be a reason to refuse the planning application.
- The potential impact of the works on the neighbour's trees is a civil matter and is not a reason to refuse planning permission.

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: Elevations, Drawing Number: 903.01, Amended Plan Received on 27 July 2023
 - Drawing Title: Elevations, Drawing Number: 903.02, Amended Plan Received on 27 July 2023

- Drawing Title: Plans, Drawing Number: 903.03, Amended Plan Received on 27 July 2023
- Drawing Title: Plans, Drawing Number: 903.04, Amended Plan Received on 27 July 2023
- Drawing Title: Section, Drawing Number: 903.05, Amended Plan Received on 27 July 2023
- Drawing Title: Block, Drawing Number: 903.06, Amended Plan Received on 27 July 2023
- Drawing Title: Block, Drawing Number: 903.07, Amended Plan Received on 27 July 2023
- Bat Survey, Issue 1 Version C, June 2023, produced by BE Ecological Ltd received 27 July 2023

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

3. Prior to any works commencing on site, the materials to be used in the construction of the external surfaces of the garage, extensions and new roof shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. In accordance with the recommendations of the Bat Survey produced by BE Ecological Ltd and approved drawings 903.01 and 903.02, **before the extensions hereby approved are brought into beneficial use**, the house sparrow nest box and two bat tubes shall be provided. These shall remain in perpetuity thereafter.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. Before the development hereby permitted is brought into use, the first floor windows in the western side elevation shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the windows that are less than 1.7m above the floor of the room in which they are installed shall be non-opening. The windows 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

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 22.08.2023

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