

DELEGATED REPORT

Application No: P/22/0193

Site Address: 5 Sandbrook Place
Merthyr Tydfil
CF47 0EW

Development: Extend existing balcony

Case Officer: Nia Chard

Application Expiry Date: 16th September 2022

Consultation reply date expired: 15th August 2022

APPLICATION SITE

This application relates to a detached dwelling within the new housing development known as Sandbrook Place. The dwellings within Sandbrook Place were constructed on two different levels due to the topography of the site. The eastern dwellings were constructed a higher level than the western dwellings.

The application site is located on the higher plateau and is bound by dwellings on either side and a highway to the rear and to the front.

PROPOSED DEVELOPMENT

This application seeks planning permission to extend an existing first floor balcony to the front of the dwelling. It is proposed to increase the width of the existing balcony by 3m, and therefore the proposed balcony would measure 5.2m in width by a maximum depth of 1.5m, and a height of 2.5m. A 1m high glass balustrade would enclose the balcony and the supporting pillar would be finished in stone cladding to match the existing pillar. The existing bedroom window would be replaced by double patio doors.

PLANNING HISTORY

P/16/0256	Detached dwelling and garage conditions 2 nd November 2016	Planning Permission Granted subject to
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CONSULTATION

None Undertaken

PUBLICITY

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

One letter of objection has been received to the application as a result of the of the result of the publicity exercise undertaken with the application. The concerns raised are summarised below:

- The existing balcony already invades the privacy of the objectors property
- Due to elevated position of the application property they can look directly into the objectors garden and property. Extending the balcony would further impact on the privacy of the objectors property.

Local Ward Members were advised of the objection 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 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. 6 – Householder Design Guide

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the impact of the proposal on the character and visual amenities of the area and the impact of the balcony on the residential amenities of the neighbouring residents.

In terms of its visual impact the proposed balcony is an extension to an existing balcony to the front of the dwelling and is being constructed using materials to match the existing. As such, it is not considered that this addition would harm the character of the dwelling or visual amenities of the area. The proposal is therefore found to be in compliance with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupants. In this respect the proposed balcony would be erected to the front of the dwelling, and as such, the greatest impact would be on the detached dwelling to the west of the site, known as 9 Sandbrook Place, which is on a lower level. The occupiers of this property have objected to the application due to impact of the development on their privacy. Given the nature of site, it is acknowledged that a degree of overlooking would already occur from the existing balcony and first floor windows. As such, it is not considered that the proposed works would significantly increase the degree of overlooking that already occurs from the existing balcony and windows. Therefore, the proposal would not result in a harmful level of overlooking and loss of privacy to this property. The impact of the balcony on the neighbouring property of 4 Sandbrook Place has also been considered. Taking into account the property already has a first floor balcony, and the proposal would only provide views of the front garden of the property, the proposal would not result in any harmful impact in terms of overbearing, over shadowing or loss of privacy.

Overall, having considered the above, the development is deemed acceptable with respects to residential amenity and thus complies 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

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:

Proposed Plans and Elevations, Drawing No. 860-002, Received 22 July 2022
Site Location Plan, Received 22 July 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

DATE:

30/8/22