

DELEGATED REPORT

Application No: P/20/0033

Site Address: Thirlmere
Pentwyn Deintyr
Treharris
CF46 5EA

Development: Increase height of existing bungalow, erection of a rear extension featuring a dormer within the roof space and creation of additional car parking within front garden

Case Officer: Caroline Pulley

Site Visit:

Application Expiry Date: 3rd April 2020

Consultation reply date expired: 7th April 2020

APPLICATION SITE

The application site relates to a detached bungalow situated along Pentwyn Deintyr on the outskirts of Treharris. The property is located within a semi-rural area which is predominately residential in character and incorporates a variety of architectural designs. Dwellings in the area are predominately small scale cottages, bungalows and dormer bungalows. They are mainly set at road level and are positioned reasonably close to the road. In contrast, the application property is set back and is elevated above the level of the road. As a consequence, it sits above the internal floor level of the closest residential properties and the highway flanking the site.

The bungalow is very simple in form, primarily rectangular in shape with a front projecting gable. Its rear garden area is small in size and is sloping in nature, rising away from the back wall of the house to an old stone boundary wall some 5m away. Its front elevation faces a south-westerly direction onto the highway and is built up above garden level. The area of garden situated immediately adjacent to the road has two openings providing off-road parking spaces for two cars. The most prominent opening is located within the north-western corner of the front garden. It forms a wide expanse of hardstanding that ties into the parking area serving the neighbouring property (Ty Dyffryn). This property is located along the north-western (side) boundary and is positioned adjacent to and at the same level as the road. Its principal elevation faces a south-easterly direction onto the applicants' front garden area. Its main garden area is elevated and is located to the north-east of the dwelling, in an area which is primarily situated adjacent to the applicant's rear garden area. To the south of this garden is a lower patio area situated adjacent to the gable end of the application property. On the opposite side of the application property is a semi-detached cottage positioned adjacent to the road. This property has a rear garden area set below the level of the application property.

PROPOSED DEVELOPMENT

This application seeks full planning permission to increase the ridge height of the property and provide an extension and dormer to the rear.

The proposed works would involve extending the back wall of the property by 2m in depth and increasing the roof height of the building by 1.9m to allow first floor accommodation to be provided in the roof space. As a result, the dwelling would be increased from 4.3m to 6.2m in height and a new pitched roof would be provided. The new roof would include two skylight windows to the front and a box dormer to the rear which would span nearly the entire width of the property. No changes are proposed to the height or scale of the existing front gable. The proposed materials for the development would match those of the existing property with the walls indicated to be finished in render and the roof being covered in concrete tiles. The windows and doors are to be made from white uPVC. Internally, the property would be reconfigured to provide an open plan kitchen/dining room, a lounge, a bathroom and two bedrooms on the ground floor. At first floor, the scheme would accommodate two bedrooms and a bathroom.

As part of this proposal, the front garden area would be excavated to provide 3 additional car parking spaces adjacent to the highway. This would involve cutting into the area of garden situated adjacent to the side elevation of the front gable and the area between the two existing car parking spaces. This part of the proposal would require the removal of the front boundary wall and the demolition of a small shed (positioned next to the south-eastern boundary). As a result of these works, the off-road parking serving this property would increase from 2 spaces to 5 spaces.

It should be noted that the application has been submitted following the refusal of two previous applications which both sought to extend the height and footprint of the application property. The most recent application (P18/0315) sought to increase the ridge height of the dwelling, provide dormer windows to the front and rear and construct a two-storey extension to the front. This application was refused by the Council and was subsequently dismissed at appeal by the Planning Inspectorate. On consideration of the proposal, the Inspector concluded that the development would not have an adverse impact on the character and appearance of the area. He was also of the view that the scheme would not result in a material loss of light. However, he considered that the development would cause material harm to the living conditions of the occupiers of Ty Dyffryn by reason of loss of outlook. In particular, he noted:

'...by virtue of its scale and siting within such close proximity to the existing property at Ty Dyffryn, the proposed extension would represent an overbearing and oppressive form of development.'

and

'I note the proposed hipped roof design, as well as the fact that the appeal property would be at an oblique angle to Ty Dyffryn. However, the combination of the increase in height, the siting within close proximity of Ty Dyffryn and the differing site levels leads me to find that the development would cause material harm to the living conditions of the occupiers of that property.'

PLANNING HISTORY

As detailed above, there is history of planning permission being refused at this property. These applications are detailed as follows:

- P/18/0315 Increase height of roof, construct front and rear dormers, two-storey front extension and creation of additional car parking. Refused – 29.11.2018
Appeal Dismissed – 25.03.2019
- P/18/0130 Extensions to provide a two storey dwelling and change of use of land to rear to residential curtilage Refused – 06.07.2018

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 from the occupiers of Ty Dyffryn raising the following concerns:

- The proposed scheme appears to have a lesser impact on the neighbouring property when compared to the previous two proposals. However, there is still concern that the proposed increase to the height of the property would block out light to Ty Dyffryn, particularly as it is so close to and overlooking the neighbour's garden area;
- The neighbours would like some assurance that the ground works proposed to the front garden would not affect their garden
- It is highlighted that there is a shared foul sewer and water pipe between the two properties which will need to be managed.

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 Chief Officer of Planning and Neighbourhood Services.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) 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 TANs to this application are 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 Country 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 – A Design Guide for Householder Development

With regard to the proposed scheme, it is considered that the following paragraphs are relevant:

'The roof of a dwelling forms an important element of the building design. Unsympathetic alterations can adversely affect the character, proportions and appearance of the dwelling within the street scene'.

'Careful consideration should be given to the siting and design of the dormer window to ensure that is a sympathetic addition to the dwelling, having particular regard to its size, the roof style, fenestration and material finishes.'

'The size and positioning of any roof lights should be carefully considered to ensure they relate well to the existing windows below and complement the symmetry and appearance of the dwelling.'

PLANNING CONSIDERATIONS

The application site relates to a single storey detached property known as Thirlmere which is located along Pentwyn Deintyr in Treharris. The property is simple in form, set back from the highway and located on an elevated level. The application proposes to extend and alter the property by raising the roof height, providing an extension and a dormer to the rear, as well as creating additional off-road parking within its front garden area. As detailed earlier, there is history of planning permission being refused for similar extensions to this property. The most recent application (P/18/0315) sought to substantially alter the scale and design of the property by increasing the roof height, providing a two-storey extension to the front (to the side of the front gable) and changing the roof shape from a gable to a hip, incorporating dormer windows to the front and rear. This application was dismissed at appeal by the Planning Inspectorate. While the Inspector did not agree that the scheme would adversely impact upon the character and appearance of the area, he agreed that proposal would have an adverse impact on the amenities currently enjoyed by the occupiers of Thirlmere, the neighbouring property to the north. He noted that the resulting building would have an increased ridge height and would incorporate dormer windows to facilitate first floor accommodation. Also, the proposal would significantly extend the footprint of the property, altering its existing single gable frontage. He stated *'by virtue of its scale and siting within such close proximity to the existing property at Ty Dyffryn, the proposed extension would represent an overbearing and oppressive form of development'*. In particular, he stated that by extending the dwelling in the manner proposed, the levels of outlook from a number of the neighbour's windows, would be materially compromised. It is important to note however that the Inspector did not agree with the Council's assessment that the scheme would result in a material loss of light.

Through the submission of the new application, the applicant is seeking to overcome the previous reasons for refusal of the development. The key change between the refused scheme and the proposal currently under consideration is the omission of the extension which was originally proposed to the front of the property. The current proposal seeks to provide an extension to the rear of the property. It is also worth noting that the refused scheme proposed to alter the shape of the property's roof (from a gable to a hip) whereas the roof being proposed as part of this application would match the shape (albeit to a steeper pitch) of the bungalow's existing roof.

Visually, the current proposal marks a significant improvement when compared to the design of the scheme considered under application P/18/0315. The overall bulk and mass of the development has been significantly reduced and it is important to note that the form and appearance of the dwelling's principal elevation would remain largely intact. It is also noted that the proposed finishing materials would match those used on the existing property. Whilst there is some concern that the rear dormer is poor in design, it is located in an inconspicuous location to the rear of the dwelling and as such, it would not have an adverse impact on the street scene. Similarly, the ground works proposed to the front of the property to facilitate the additional parking bays are not considered to cause significant harm to the character and appearance of the application property. Thus, the proposed scheme is found to be acceptable in terms of its impact on the character and appearance of the existing property and the surrounding streets scene.

Therefore, the key issue is the impact the current scheme would have upon the amenities of the neighbouring properties which adjoin the site. As mentioned earlier in this report, the application property is pushed back significantly into the plot and its positioning within the site means that at present, it has a limited impact upon the adjoining properties. The nearest residential property most likely to be affected by the proposed development is the objector's property, Ty Dyffryn, located to the north-west of the application dwelling. The front elevation of this property faces directly onto the front garden area of the application property (at 90 degrees). Its main garden area is located to the eastern side of the property and is at a higher level. The previous scheme sought to extend directly to the front and in very close proximity to the principal elevation of this property (in which there are a number of windows). As a result, it would have had a significant overbearing impact on the front of the objector's property. To overcome this concern, the current scheme proposes to locate an extension to the rear of the property and alongside the neighbour's main garden area, which is elevated. Due to the increased height and scale of the property, it is fully accepted and acknowledged that the application property would still appear substantially larger in both its scale and its height when viewed from Ty Dyffryn. However, taking into account that the neighbour's garden area is elevated and that the extension would not be constructed hard on the boundary, it is not considered that the revised scheme would result in an overbearing form of development on Ty Dyffryn. Furthermore, the rear dormer window would be set in from the edge of the main roof and this would help to visually break up the overall scale, bulk and mass of the development.

The neighbour's concern regarding loss of light is appreciated. However, given that neighbour's garden is at a higher level and the bulk of the development would be located 3m away from the dividing boundary, the loss of light and overshadowing impact arising from this development would not be to a degree which would justify the refusal of the application. Most importantly, it should be noted that in this location, the extension would not adversely effect the outlook of the windows located within the front elevation of the objectors property.

Taking all of these factors into account, the proposed extension would not result in an overbearing form of development nor would it give rise to a harmful loss of light or privacy to the objector's property (Ty Dyffryn).

The impact of the development to the neighbouring property situated alongside the southern boundary has been considered. However, given that this property is offset from the common boundary and its front elevation faces the road, the proposed extension and increase in the height of the property would not have a harmful impact on this property. The overlooking impact to this property has also been considered. In this respect, it is noted there are no additional windows being proposed within the elevation which faces the garden area of this property. Also, the view from the rear dormer windows would primarily be to the agricultural land to the rear.

The other concerns raised by the objector regarding the impact of the ground works on the neighbouring property have been noted. However these concerns do not justify the refusal of planning permission. Any works undertaken to the boundary would fall under the Party Wall Act and this matter does not come under the remit of this application. This is a civil matter between the applicant and the neighbour. How the parking bays would be retained is a valid concern and in this respect, it is noted that the construction of the retaining walls could be controlled by way of a condition.

From a highway safety perspective, the proposal would involve increasing the existing off-road parking provision from two to five spaces. The Engineering and Traffic Group Leader has considered the proposal and has not raised any objections to the application subject to structural calculations for the retaining structures being controlled by way of a condition as suggested above.

Finally, 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: Plans BL.02, 02, SS.01, 03, SS.02, 04.

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

3. The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.

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.

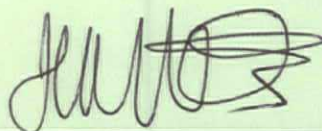
4. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The developer should assure that he/she accurately locates the location of any sewers or pipes which may cross the development site before construction works commence. The presence of such assets may require you to gain the approval of another regulatory body such as Welsh Water.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE: 20/4/20