

DELEGATED REPORT

Application No:	P/24/0185
Site Address:	5 Nibloe Terrace Gwaunfarren Road Penydarren Merthyr Tydfil CF47 9RX
Development:	Demolition of rear single storey extension and detached garage and erection of single storey rear extension
Case Officer:	Kate Glover
Site Visit:	7th August 2024
Application Expiry Date:	25th September 2024
Consultation reply date expired:	28th August 2024

APPLICATION SITE

The application site is a terrace property located in Merthyr Tydfil. At the rear of the dwelling is a mono-pitch single storey extension. Attached to the rear of the extension is a smaller extension. In terms of materials, the front elevation of the property is rendered, whereas the rear is render and pebble dash. The roofing material is concrete tile. Window frames, doors and rainwater goods are uPVC.

In terms of size, the existing single storey extension, measures approximately 3.48m deep, 3.49m wide, 2.24m to eaves level and 4.30m to ridge height. The smaller rear extension measures approximately 2.14m deep, 1.08m wide, 2.67m to eaves level and 3.29m to ridge height.

There is also a single garage with access/egress via a rear lane.

No elevations of the garage have been submitted in support of the application. However, the floor plan indicates the building measures approximately 5.12m long by 2.67m wide. During the site visit it was noted that the garage has a shallow flat roof. The external elevations of the garage are rendered and the roof corrugated iron.

The topography of the area results in the ground level sloping up, towards the rear of the amenity area.

It is noted that the neighbouring property (No.6 Nibloe Street) has the benefit of a single storey, mono-pitch extension which has been built hard on the boundary with No.5. The neighbouring property's extension is deeper, and projects beyond the rear elevation of the existing single storey extension at the rear of No.5.

The boundary treatment between No.4 and the proposal site is a concrete block wall, topped with decorative bricks and wooden fencing.

The boundary treatment between No.6 and the proposal site is wooden fencing.

The application site lies within the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks full permission to demolish the rear extensions and garage and construct a new single storey rear extension.

The new extension would measure approximately 6.55m deep, 3.45m wide, 2.24m to eaves level and 4.30m to ridge height.

The proposed extension would provide a kitchen and bathroom. Windows will be inserted in the rear and side elevations of the proposed extension.

The application is not supported with any details on proposed external materials.

The applicant is an employee of Merthyr Tydfil County Borough Council. They have confirmed that they are not involved in providing advice or take part in any decision-making activities in relation to planning applications.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024) (PPW12).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design
- Note 5, Nature and Development
- Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to principle of development, impact on the residential amenities of neighbours, visual impact and ecology.

Principle of Development

As noted above the site is located within the settlement boundary and within the residential curtilage of No. 5 Nibloe Terrace.

The proposal meets with the requirements of LDP Policy SW4.

Visual Impact

The scale of the proposal and demolition of the garage would not be detrimental to the visual qualities of the property or wider street scene.

Whilst no details on the external materials have been provided, this matter can be controlled by condition.

The proposal meets the requirements of LDP Policy SW11.

Residential Amenity

The existing property adjoins boundaries with No.s 4 and 6 Nibloe Terrace, which are the neighbouring properties and most likely to be affected by this proposal.

In respect of scale and overbearing, by virtue of the scale of the proposal, the proposal would not cause any significant detriment to the residential amenities of the neighbouring properties.

Turning to overlooking. As the proposed rear window would serve a shower room, it is considered reasonable that the window is obscurely glazed and any mechanism to open the window is restricted by height. A condition can be used to secure this measure.

In respect of the window facing the boundary of No.4. It is noted that the window would serve the washing up area. Therefore, the occupants of No5 would look directly into the rear of the No.4's amenity area and the boundary treatment at this point is less than 2m in height. Is it considered reasonable that the window is obscurely glazed and any mechanism to open the window is restricted by height. A condition can also be used to secure this measure.

Turning to the removal of the garage, it is noted that there is fencing along the boundaries of Nos. 4 and 6. As such the removal of the garage would not result in any detriment to the residential amenities of the neighbouring properties.

It should be noted that neighbouring properties were consulted, and no letters of representation were received.

The proposal meets with the requirements of Policy SW11.

The proposal meets with the requirements of Policies EnW1, EnW2 and EnW3.

Ecology

In respect of ecology, the Council's Ecologist has concluded that survey work in the form of a brief Preliminary Roost Assessment (PRA) would be required in respect of this proposal.

However, it is noted that the property and garage could be subject of significant alteration without the benefit of planning permission, and this could include demolition and replacement roofs. It is considered in this instance that given the location and nature of the proposed works it is not proportionate or necessary to require the applicant carryout a PRA. Given the scale and nature of the development, a condition can be used to secure biodiversity enhancement.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

The proposal meets with the requirements of LDP Policy EnW1.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 plan:

Drawing Title: Proposed New Rear Extension with Alterations, Drawing Number NIBLOE 5 01, Received on 1 August 2024.

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. **Before the development hereby permitted is brought into use**, the windows shown on Drawing Title: Proposed New Rear Extension with Alterations, Drawing Number NIBLOE 5 01, Received on 1 August 2024, 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 a window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in accordance with the approved details 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.

5. The materials to be used in the construction of the external surface of the proposal shall match those used on the existing dwelling.

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 Development Plan (2016-2031).

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

p.p. 

Director of Neighbourhood Services

DATE: 25th September 2024