

DELEGATED REPORT

Application No: P/24/0255

Site Address: 46 Heather Court
Quakers Yard
Treharris
CF46 5RP

Development: change of use of garage to habitable room

Case Officer: Rebecca Owens

Site Visit: 6th November 2024

Application Expiry Date: 23rd December 2024

Consultation reply date expired: 27th November 2024

APPLICATION SITE

The application relates to a split level detached dwelling (single storey to the front and two storey to the rear) which is located in a mainly residential area within the settlement boundary. The site is bound by a highway and shared driveway to the front (which serves a further three dwellings), dwellings on either side and undeveloped land to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought to convert the integral garage into a lounge. This would involve the removal of the existing garage doors and their replacement with white upvc French doors. The plans indicate that the front window adjacent to the garage door would also be replaced with French door to match.

PLANNING HISTORY

The relevant planning history is summarised below:

P/13/0333 Attic and garage conversion (with increase to eaves and ridge of front projecting gable)
Granted planning permission on 29th November 2013

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring 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) 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)

Local Planning Policies

Policy SW11: Sustainable design of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 is relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

It is noted that a garage conversion as proposed would normally constitute permitted development. However, the original planning permission (outlined above) 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 with French doors and French doors are also proposed in place of the adjoining window. Whilst it would be preferable for these opening to contain windows of those matching the design of the existing windows, it is not considered that the introduction of the doors would be harm the character or visual amenities of the dwelling itself or indeed the wider area to an extent that would warrant the refusal of the application. Accordingly, on balance the proposal would accord 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 conversion would remain residential and the new doors would overlook the front garden area and adjacent highway. It is also noted that no representations were received following the publicity exercise. The proposal is therefore again in accord with Policy SW11 of the LDP.

It is noted that originally this property benefitted from two garages but planning permission was granted eleven years ago for one of these to be converted into living accommodation. This application seeks permission to also convert the remaining garage thus resulting in the loss of a further off-street parking space. However, it would appear that there is off street parking to the front of the property which would accommodate three vehicles. Given

the clear shift in national planning policy, with an emphasis placed on reducing the reliance on private cars, it is considered that three parking spaces are sufficient to meet the needs of this dwelling. Thus, it is not considered that the loss of the garage space would justify the refusal of the planning application on highway safety grounds.

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only relates to the conversion of an existing garage, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Drawing Title: Convert remaining garage into habitable room, Drawing Number: 1382732, Received 28 October 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.

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


Director of Neighbourhood Services

DATE: 28.11.2024