

DELEGATED REPORT

Application No: P/21/0046

Site Address: 96 Oak Road
Gurnos
Merthyr Tydfil
CF47 9NU

Development: Proposed single storey extension with associated access ramp

Case Officer: Caroline Pulley

Site Visit:

Application Expiry Date: 15th April 2021

Consultation reply date expired: 15th March 2021

APPLICATION SITE

The application site comprises a two-storey, linked dwelling located within the residential area of Gurnos. The property is set back from the road and has a terraced, east facing garden to the rear. It is bound by neighbouring properties on both sides, 98 Oak Road to the north and 94 Oak Road immediately to the south. To the rear, the eastern boundary abuts the rear gardens of 79 and 81 Ash Road. The rear garden of the application property is currently terraced into three main levels. At the lowest level is a narrow access path which wraps around the side and rear of the property. Above this, is a raised patio area which is enclosed by timber fencing to the south and a low concrete wall and post and wire fencing to the north. Above this area is a similar sized grass area, beyond which is a concrete retaining wall leading up to a higher level. The fencing dividing the southern boundary of the site is stepped in height to broadly coincide with the level of the garden. The boundary to the north is generally open in nature.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single storey extension to the rear of the property. The proposed extension would measure 4m wide by 5.2m in length. It would have a pitched apex roof with a ridge height of 3.1m. The rear wall of the extension would feature a single bathroom window. The northern side elevation (facing 98 Oak Road) would have a tall window opening and an external access door serving a bedroom. To the sides and rear of the extension, there would be a ramped access measuring between 1m and 1.7m in width. A new set of access steps would also be constructed along the southern boundary to facilitate access to the remaining upper levels of garden.

To facilitate the extension and the associated access path, part of the rear garden would need to be excavated. A new 1.8m high (max height) retaining wall would be erected to the side and rear, above which would be a 1m high balustrade.

PLANNING HISTORY

There is no recent planning history relating to the property.

CONSULTATION

None undertaken with this type of application.

PUBLICITY

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

No letters of objection were received following this publicity exercise.

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

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

PLANNING CONSIDERATIONS

The proposed extension is considered to be of an acceptable scale and design. It would introduce a very shallow pitched roof to the property. However, given its modest size and siting to the rear of the dwelling, where it would not be readily visible, it would not significantly harm the character of the dwelling or visual amenities of the wider area. Its render finish would also match the existing property giving it a sympathetic appearance. It is also noted that the extension would not be excessive in terms of its length nor would be out of proportion with the overall scale of the existing property. Additionally, the engineering works required to facilitate the development would be of a minor nature and a condition would ensure that any part of the wall which is above 1m in height is structurally sound and is sympathetic in terms of its appearance. As such, the development is visually acceptable and the proposal would accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the extension on the residential amenities of neighbouring residents. In this respect, it is noted that there are properties adjoining both side boundaries. The extension would be sited in close proximity to the dividing boundary with 98 Oak Road. However, it would not result in an undue overshadowing or overlooking impact on this property. Whilst being to the south of 98 Oak Road, the extension would have a limited height of 3.1m. As such, any overshadowing impact arising from the development would be limited. Moreover, the roof of the extension would slope away from the boundary, further reducing any potential impact on this property. In terms of overlooking, while it is acknowledged that there is a bedroom window sited in the north facing side elevation of the extension, there is currently a mutual level of overlooking between the properties. As such, the siting of the window along this boundary would not adversely impact on the existing levels of privacy enjoyed by the occupiers of this property. Additionally, as the ground levels to the rear of the property would be cut away, a retaining wall would be required along the boundary with this dwelling. This wall is likely to obscure a large part of the bedroom window. Taking this into account, the impact of the development on number 98 Oak Road is considered acceptable.

With regard to the neighbour on the other side, the extension would be set in from the dividing boundary with 94 Oak Road by 2.3m. Given the height of the timber fencing along this boundary, it is anticipated that extension and its roof would not be highly visible from number 94. As mentioned earlier, the extension would have a shallow pitched roof, which would sit approximately 0.4m below the cill of the first floor windows. Given its limited height, the extension would not result in any undue impact on this dwelling. It is also noted that there are no windows within the extension's south facing elevation. However a set of access steps would be located close to the dividing boundary with number 94. These access steps would be of a limited height and would not afford a greater overlooking when compared to the levels of the existing garden. As such, the impact on this dwelling is considered acceptable. Finally, as the extension would be set at a lower level to the properties to the rear (79 and 81 Ash Crescent), there would be no adverse overlooking or overshadowing impacts to these properties.

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:

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: 2756 DFG received on 18.02.2021.

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

3. **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.

4. Prior to the construction of the extension hereby approved, details (including colour and material) of the balustrade proposed above the retaining wall 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.

INFORMATIVES

1. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

2. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

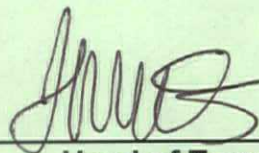
- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

3. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

18/3/21