

DELEGATED REPORT

Application No: P/23/0179

Site Address: 38 Dan-y-parc View
Incline Top
Merthyr Tydfil
CF47 0GF

Development: Conversion of garage to a study and store

Case Officer: Rebecca Owens

Site Visit: 26th July 2023

Application Expiry Date: 15th September 2023

Consultation reply date expired: 14th August 2023

APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a shared driveway and other dwellings to the front and side, the highway of Pantyffyn Road to the other side and land to the rear (with car park).

PROPOSED DEVELOPMENT

Full planning permission is sought for the conversion of an integral garage into a study and store. This would involve the removal of the garage doors and the insertion of a window in the front elevation (with the remaining area around this blocked up). In addition, the plans indicate that the existing driveway would be extended to 5m in width to facilitate two parking spaces.

PLANNING HISTORY

The relevant planning history is detailed below:

P/03/0147 Construction of two dwellings on land formerly reserved for a shop premises
Granted planning permission subject to conditions on 19 May 2003

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.

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 11, February 2021)

Local Planning Policies

Policies SW11: Sustainable design and place making and CW1: Historic Environment 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 permissions (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 a window. This is considered to be of an acceptable design and scale which would be sympathetic to the existing fenestration. As such it would not harm the character or visual amenities of the dwelling itself or indeed the wider area which forms part of Urban Character Area 2. Accordingly, the proposal would accord with Policies SW11 and CW1 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 windows 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.

The garage conversion would result in the loss of an off-street parking space. However, with the minor extension to the existing driveway there would be space to allow for off street parking for two vehicles. Given the relatively sustainable location of the dwelling and the clear shift in national planning policy, with an emphasis placed on reducing the reliance on private cars, it is considered that two 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.

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: Proposed Plans, Drawing Number: DVP-02 Rev. A, Received on 21 July 2023.

Drawing Title: Proposed Elevations, Drawing Number: DVP-03 Rev. A, Received on 21 July 2023.

Drawing Title: Proposed Site Plan, Drawing Number: DVP-05 Rev. B, Amended Plan Received on 22 August 2023.

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 surface of the garage conversion 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. **BEFORE** the converted garage hereby approved is brought into beneficial use, the driveway shall be extended in accordance with drawing number DVP-05 Rev. B and the car parking spaces shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council 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

PP.

DATE: 24.08.2023