

DELEGATED REPORT

Application No: P/22/0217

Site Address: 3 Harris Court
Quakers Yard
Treharris
CF46 5LX

Development: Conversion of garage into habitable room

Case Officer: David James

Site Visit: 31st August 2022

Application Expiry Date: 11th October 2022

Consultation reply date expired: 9th September 2022

APPLICATION SITE

The application relates to a detached dwelling located within a relatively modern residential development in Quakers Yard, and within the settlement boundary. The dwelling faces west onto highway at the front, and is bound by other dwellings to the sides, and rear.

PROPOSED DEVELOPMENT

Full planning permission is sought to convert an existing attached garage into a habitable room. This would involve the removal of the existing garage door within the front elevation and the insertion of patio doors in its place. A new window, serving an ensuite bathroom, would be inserted in the garage's rear elevation, and an existing door in the garage's north side elevation would be blocked up.

PLANNING HISTORY

The relevant planning history is detailed below:

P/09/0043 Construction of 25 dwellings and associated works.
Granted planning permission subject to conditions on 31/07/09

CONSULTATION

None undertaken

PUBLICITY

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

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 permission (see 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 patio door, and a new window would be inserted into the garage's rear elevation. It is not considered that these additions would harm the character of the dwelling or visual amenities of the area. The proposal is therefore found to be of an acceptable design and in accord with Policy SW11.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding residents. The proposed use of the garage following the conversion would remain residential and the patio doors would overlook the front highway. It is acknowledged that the new window in the rear elevation of the garage would face toward the adjoining dwellings to the rear. However, these dwellings are at a higher level than the application site. As such, there would be no harmful impact from this window in terms of overlooking or loss of privacy. Given the nature of the development, there would be no impact in terms of loss of light or overbearing impact. It is also noted that no

representations were received following the publicity exercise. The proposal is therefore in accordance with Policy SW11 of the LDP in these respects.

Finally it is acknowledged that the garage conversion would result in the loss of an off street parking space. However, there is space on the existing driveway to allow sufficient off street parking for a dwelling of this size. As such no objection is raised in terms of parking or highway safety.

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:

4070.PL.02 (Existing & Proposed Block Plans) 16th received August 2022

4070.PL.04 (Proposed Floor Plans & Elevations) 16th received August 2022

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

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:

13/9/22