

DELEGATED REPORT

Application No: P/21/0312

Site Address: Tregaron
15 Brecon Rise
Pant
Merthyr Tydfil
CF48 2BW

Development: Erect single storey rear extension

Case Officer: Marlene Ferreira

Site Visit: 8th September 2021

Application Expiry Date: 26th October 2021

Consultation reply date expired: 27th September 2021

APPLICATION SITE

The application site relates to a semi-detached bungalow, 15 Pant Rise, located in a cul-de-sac street in the area of Pant. The dwelling appears to remain largely original and does not comprise any extensions. It is served by a private rear garden area to the north, provided over two levels, a lower patio area and an upper grassed area. It benefits from on-site parking via the driveway, which runs from the front and along the side of the dwelling. A detached garage, is also located to the rear of the property.

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 is for a lawful development certificate in respect of a proposed single storey extension. The application has been submitted to determine whether the proposed extension is 'permitted development' under the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

The submitted plans illustrate that a single storey dining room extension would be provided to the rear of the dwelling. It would measure 3.35 metres wide, 3.65 metres deep and 2.75 metres height. It would be finished with rendered elevations, white UPVC windows and a Polymer flat roof.

PLANNING HISTORY

The council's records do not show any other recent planning history relevant to the assessment of this application.

CONSULTATION

None are applicable under certificate of lawfulness applications.

PUBLICITY

None are applicable under certificate of lawfulness applications.

POLICY CONTEXT

As a certificate of lawfulness is sought for the proposed rear extension and proposed retaining wall, the planning merits of the proposal are not under consideration. The planning policies are therefore not relevant to the assessment of this application.

PLANNING CONSIDERATIONS

This application, in respect of the proposed extension, is considered under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Part 1, Class A allows an extension to the property subject to the following conditions:

- A.1 *a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*
- (b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;*
- (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;*
- (d) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and—*
- (i) the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 3 metres; or*
- (ii) the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres;*
- (i) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have a single storey and would - ;*
- (i) extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres; or*
- (ii) exceed 4 metres in height;*

- A.3** *(a) the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse.*

The proposed single storey extension would not result in development which would exceed 50% of the total curtilage area and as such would comply with part A.1 a). The proposed extension would be within 2 metres of the boundary and would measure 2.75 metres in height and as such would comply with part A.1 b), c) and d). The extension would project 3.65 metres from the rear wall of the property and would be finished in matching materials and finishes. As such, it would comply with part A.1 (i) and A.3 (a). The proposal therefore satisfies the above relevant conditions.

The property is not a listed building and does not lie within a designated conservation area. In addition, there are no restrictive conditions nor have the removal of permitted development rights been enforced on this particular property. Thus, it is considered that the evidence submitted adequately indicates that the proposal would be classed as permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. Accordingly, it is recommended that a certificate of lawfulness be issued.

RECOMMENDATION: BE APPROVED

1. The proposal is permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

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.

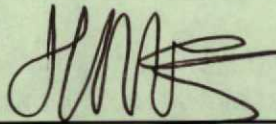
2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

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



Head of Town Planning

DATE:

18/10/21