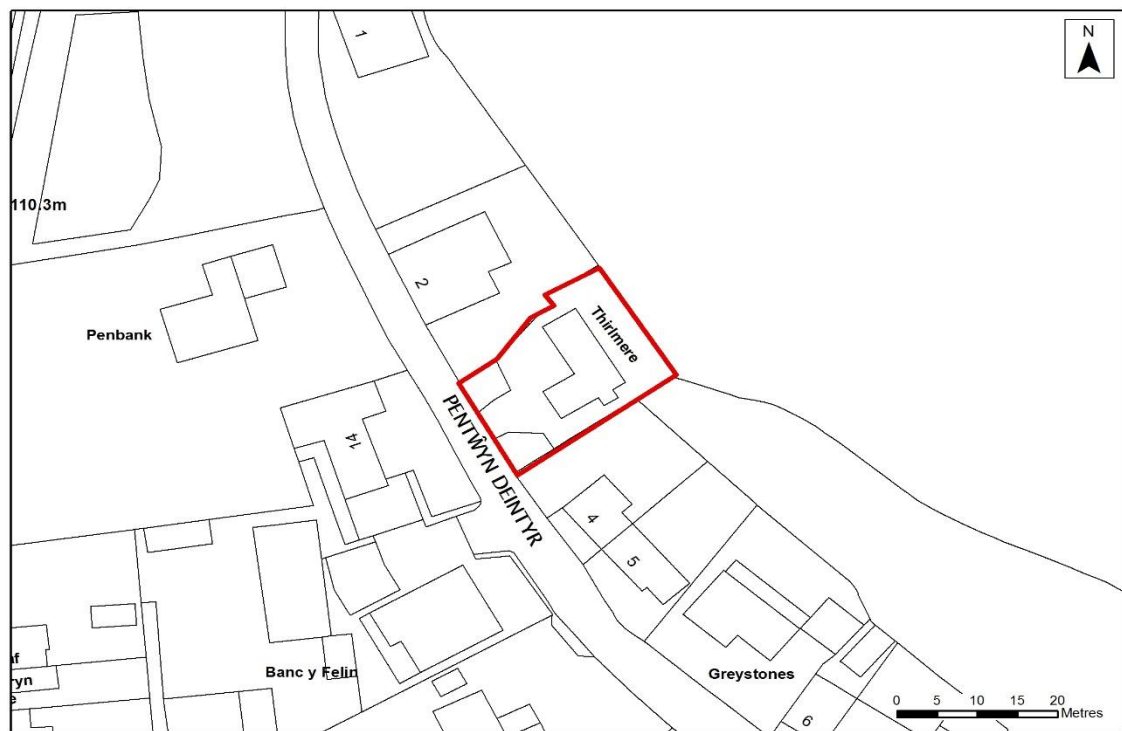


FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	18 th April 2019
REPORT AUTHOR	Judith Jones
CASE OFFICER	Caroline Pulley
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	8 th May 2019

Application No. P/18/0315	Date 04.10.2018	Determining Authority MTCBC
Proposed Development Increase height of roof, construct front and rear dormers, two storey front extension and creation of additional car parking	Location Thirlmere Pentwyn Deintyr The Graig Treharris CF46 5EA	Name & Address of Applicant/Agent Mr Andrew & Michael Whittle 7 Pentwyn Deintyr The Graig Quakers Yard Treharris



TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/D/19/3221068
DATE DECISION RECEIVED:	25 th March 2019
DECISION:	DISMISSED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 25/02/19

gan Richard E. Jenkins BA (Hons) MSc
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 25.03.2019

Appeal Decision

Site visit made on 25/02/19

by Richard E. Jenkins BA (Hons) MSc
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 25.03.2019

Appeal Ref: APP/U6925/D/19/3221068

Site address: Thirlmere, Pentwyn Deintyr, The Graig, Treharris, CF46 5EA

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Whittle against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref: P/18/0315, dated 28 September 2018, was refused by notice dated 29 November 2018.
 - The development is proposed extension and alteration to bungalow and creating additional parking to front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In response to a request by the Local Planning Authority (LPA), I viewed the appeal site from the adjacent property at Ty Dyffryn No.2 Pentwyn Deintyr (hereinafter referred as Ty Dyffryn) at the time of my site inspection. No evidence was discussed at the visit. Rather, the inspection was used as an opportunity to observe the site from various vantage points, having particular regard to the issues raised through the written submissions.

Main Issues

3. These are the effect of the proposed development on: the character and appearance of the area; and the living conditions of the occupiers of neighbouring residential properties, with particular reference to levels of outlook and natural light.

Reasons

4. The appeal relates to a detached single storey property known as Thirlmere, which is located on the north-western flank of Pentwyn Deintyr in Treharris. The property is simple in form, set back from the public highway and located on elevated ground. The appeal proposal seeks planning permission to extend and make alterations to the property, as well as to create additional frontage parking. The resulting property would have an increased ridge height and would incorporate dormer windows to facilitate first floor living accommodation. The proposal would also significantly extend the overall footprint of the property, altering its existing single gable frontage. The
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front garden area would also be cut and retained as necessary to provide an integrated lower ground floor garage and entrance hall.

5. The Council objects to the proposed development on the basis that the front dormers would represent an awkward, unsympathetic and prominent addition that would dominate the principal elevation of the property. However, I am satisfied that the scale and overall design of the proposed dormers would be proportionate to, and consistent with, the resulting roof form. I recognise that dormers are not a feature of the existing dwelling. However, given that the development would substantially alter the character and appearance of the host property, I do not consider that such a matter should be determinative in this case. Moreover, given that my site visit confirmed the presence of a number of dormer extensions of varying scales and designs within the area, including those on the adjacent property at Ty Dyffryn and the opposite property at No.14 Pentwyn Deintyr, I do not consider that the development would cause material harm to the character and appearance of the area.
6. Nevertheless, I was able to confirm at the time of my site inspection that, by virtue of its scale and siting within such close proximity to the existing property at Ty Dyffryn, the proposed extension would represent an overbearing and oppressive form of development. Indeed, Ty Dyffryn is located on significantly lower ground than the appeal site and is orientated so that the front elevation of that property, which incorporates numerous ground and first floor windows, faces the appeal site. By extending the bungalow in the manner proposed, the levels of outlook from a number of windows, including those serving a first floor habitable room and the ground floor kitchen, would be materially compromised. I note the proposed hipped roof design, as well as the fact that the appeal property would be at an oblique angle to Ty Dyffryn. However, the combination of the increase in height, the siting within close proximity of Ty Dyffryn and the differing site levels leads me to find that the development would cause material harm to the living conditions of the occupiers of that property.
7. I do not agree with the LPA's assessment that the development would result in a material loss of light at the appeal property. In coming to this conclusion, I have been particularly mindful of the siting and orientation of the respective properties, as well as the proposed hipped roof design, which would mean that any loss of light would be limited to certain times of the day and be most pronounced during winter months. Nonetheless, I have already concluded that the development would cause material harm to the living conditions of the occupiers of Ty Dyffryn by reason of loss of outlook. The development would therefore conflict with Policy BW7 of the adopted LDP. Given that such harm amounts to a compelling reason why planning permission should be withheld, I conclude that the appeal should be dismissed.
8. In coming to this conclusion, I have considered 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 (WCFG Act). I have taken into account the ways of working set out at section 5 of the WCFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WCFG Act.

Richard E. Jenkins

INSPECTOR