

DELEGATED REPORT

Application No: P/21/0167

Site Address: Glyn House
10 Baden Terrace
Penyard
Merthyr Tydfil
CF47 0HR

Development: Construction of a rear dormer roof extension and insertion of roof lights to the front elevation

Case Officer: Caroline Pulley

Site Visit: 13th May 2021

Application Expiry Date: 3rd July 2021

Consultation reply date expired:

SITE NOTES:

APPLICATION SITE

The application site relates to a two-storey, end of terrace dwelling located along Baden Terrace in the residential area of Penyard. The property has a white rendered finish and a concrete tiled roof. It is bound by the highway to the front and neighbouring properties on both sides.

PROPOSED DEVELOPMENT

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD'), that seeks to establish whether a rear dormer roof extension at 10 Baden Terrace detailed in the submitted plans, would be lawful for planning purposes. In effect, the application seeks to establish whether or not the proposal is 'permitted development' and therefore capable of being carried out without the need for planning permission.

The proposed dormer would be sited on the western (rear) roof plane of the dwelling. It would measure 5.3m in width and 3.8m in depth. It would have a flat roof construction with a height of 2.6m. The proposed finishing materials include vertical tiles/hanging slates to the front and cheeks of the dormer.

PLANNING HISTORY

There is no recent planning history

CONSULTATION

No further consultation undertaken

PUBLICITY

The application seeks confirmation of whether the proposed operations are lawful. Therefore no consultation with nearby properties is required to be undertaken.

POLICY CONTEXT

The determination of this application does not include any consideration of the planning merits of the case. As such, there are no local development plan policies that need to be taken into account.

PLANNING CONSIDERATIONS

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD'), that seeks to establish whether a proposed dormer extension, as detailed in the submitted plans, would be lawful for planning purposes. In effect, the application seeks to establish whether or not the proposal is 'permitted development' and therefore capable of being carried out without the need for planning permission.

Of relevance to this case, Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (as amended) 1995 states that the following development is permitted:

'The enlargement of a dwellinghouse consisting of an addition or alteration to its roof'

Class B then goes on to list the various criteria to be met by development in order to constitute permitted development. In this respect, it is noted that the proposed dormer roof extension would be sited on the rear roof plane of the dwelling. It would have a cubic volume of 26m which falls below the cubic allowance (40m³) permitted under part 'd' of Class B. It would be set back 20cm from the eaves of the main roof and would therefore be compliant with part 'e'. Its flat roof would be set below the ridge of the existing roof and would therefore satisfy part 'a'. The development would also be in compliance with the relevant conditions set out at part 'b.2' with the proposed materials matching the external finish of the existing dwelling.

The application property is not listed nor does it form part of a designated conservation area. With no restrictive conditions or the removal of permitted development rights having been enforced on this particular housing estate, it is considered that the evidence submitted adequately demonstrates the proposal would be classed as permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Amendment)(Wales) Order 1995. Accordingly, it is recommended that a Certificate of Lawfulness be issued.

RECOMMENDATION: BE APPROVED.

CONDITIONS/REASONS:

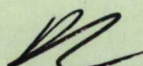
1. The development is permitted development by virtue of Schedule 2, Part 1, Class B of the Town and County Planning (General Permitted Development) (as amended in Wales) Order 1995

INFORMATIVES

1. 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


P.P. Head of Town Planning

DATE: 21.05.21