

DELEGATED REPORT

Application No:	P/26/0089
Site Address:	3 Luther Street Twynyrodyn Merthyr Tydfil CF47 0PB
Development:	Erection of two storey rear extension
Case Officer:	Rebecca Owens
Site Visit:	22nd May 2026
Application Expiry Date:	25th June 2026
Consultation reply date expired:	22nd May 2026

APPLICATION SITE

The application relates to a mid-terrace dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, lane to the rear and other dwellings on either side.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a two storey rear extension. The proposed extension would be 5m in depth by 5.033m in width and would have a pitched roof with a ridge height of 7.35m. The rear elevation of the extension would feature a large glazed doorway and two first floor windows. It would also incorporate bat and bird boxes.

The plans also indicate that a roof light would be inserted into the rear plane of the main roof.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application.

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 neighbouring properties.

One letter of objection was received following this publicity exercise. The main points raised within this are summarised below:

- The two storey extension would be out of keeping with the character and density of the street.
- The window/balconies would overlook the neighbouring property resulting in a loss of privacy.
- Due to the height and proximity of the extension there would be an overbearing impact and loss of light to the neighbouring property and garden.
- The development would create noise and disruption including dirt, dust and smells that would have a detrimental impact on living conditions and impact traffic.

Local ward councillors have been informed of the concerns raised have not requested the application be present to the planning committee as such the application is to be determined under the delegated power by the Director of Neighbourhood Services.

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 12, February 2024)

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

The application dwelling forms one of a row of terrace properties that feature modest single storey rear annexes and their elevated position allows the rear elevation to be clearly visible from the rear lane. It is noted that there are no two storey additions to the rear of the terrace itself, however, there are two storey annexes/extensions visible in the wider rear streetscene. The proposed extension is generally considered to be of an acceptable design and scale that would represent a sympathetic addition to the dwelling. Whilst this would be the first two storey extension to the rear of the terrace, given that there are others visible in the rear and the fact that its design is deemed to be appropriate it is not considered that it would appear incongruous or harm the character of the area. It is noted that no material finishes have been provided so to ensure that these are suitable it is recommended that a condition is attached to any permission issued requiring these to match the existing dwelling. Having regard to the above the visual impact of the development is found to be acceptable and as such it would accord with Policies SW11 and CW1 of the LDP.

Regard has also been had for the impact of the development on the residential amenities of the neighbouring occupiers. In this respect it is noted that the extension would be erected in close proximity to the shared boundaries with the dwellings bounding the site. It is also acknowledged that one letter of objection was received following the publicity exercise which raised concerns with respect to overbearing impact, loss of light and a loss of privacy due to overlooking. These will be considered below.

The proposed extension would be erected hard on the boundary with the dwelling to the north known as 4 Luther Street. It is recognised that this would introduce two storey development along the boundary for depth of 5m which would also run alongside a narrow section of garden that sits between the annexe of 4 Luther Street and the boundary with the application site. It is noted that the extension would have a greater impact than the existing single storey annexe but with an eaves height of just over 5.7m and at a depth of 5m it is not considered that it would be overbearing. Indeed, this is a common arrangement found between terraced properties. Being located to the north of the application site it is recognised that the extension would result in some additional overshadowing for part of the day to the section of garden between the extension and the neighbouring annexe. However, on balance it is not considered that this would be harmful or would result in a significant loss of light to the neighbouring windows. In terms of overlooking, it is noted that the existing rear elevation features two first floor windows with the window nearest to this neighbouring property being a small opening serving a boiler room. The proposed extension would have two first floor windows in its rear elevation serving a bedroom and as such would afford greater views over the neighbouring garden. However, the level of overlooking would not be considerably more than exists from the first floor windows of 5 Luther Street over the garden of number 4. Furthermore this level of overlooking is common between terraced dwellings.

With respect to the dwelling to the south (2 Luther Street), the proposed extension would be erected alongside the single storey annexe of this property, projecting past this by approximately 0.6m. Having regard to this arrangement, the extension would not have an overbearing impact or result in any unacceptable overshadowing or loss of light. In addition, it is not considered that the first floor windows would result in a significant increase in overlooking to the rear garden than that already experienced from the existing window. In addition, as outlined above, the views would be typical of those commonly found between terraced dwellings. As such it is not considered that there would be any harmful loss of privacy to 2 Luther Street.

It is highlighted that there are dwellings located to the rear of the site which are separated from it by the rear lane. These dwellings also occupy a lower level. Having considered the arrangement and the distance between these properties it is not considered that the development would result in any overlooking or loss of privacy to their gardens or rear windows beyond levels currently experienced or to a point where a refusal of permission could be justified on such a basis.

The objector also raised concerns with respect to noise and disruption including dirt, dust and smells during construction that would have a detrimental impact on living conditions as well as impact from traffic. It is acknowledged that the erection of the extension would result in some disruption to local residents in terms of noise and possibly dust/dirt. However, this would be for a temporary period and it is not considered that the level of disruption would be significant enough to cause harm to living conditions to a point where a refusal of planning permission could be justified. To minimise the impact in this respect a condition can be included to ensure that works only take place during reasonable hours

of the day. It is also recognised that construction can sometimes result in large vehicles or vans within the area. This can not be controlled by the planning authority but any indiscriminate parking or blocking of the highway can be dealt with outside of the planning system.

Having carefully considered the above, the impact of the development on residential amenity is not deemed to be harmful enough to warrant the refusal of the application on such grounds. Thus, on balance the extension is found to be acceptable and in accordance with Policy SW11 of the LDP.

It is noted that the local planning authority's Ecologist has indicated that the scheme should be accompanied by a Preliminary Roost Assessment for bats and nesting birds. It is acknowledged that the development would impact of the main roof of the dwelling but the nearest recorded roost for bats (an unidentified pipistrelle) is 526m from the site. Whilst this does not negate the possibility of bats using the dwelling, having regard to this distance and the level of work that a householder can undertake without planning permission (which would include an attic conversion and full replacement of roofing tiles), it is not considered justified to requested that this information be submitted. However, to ensure the developer is aware of the protection afforded to bats and nesting birds it is recommended that informatives outlining this are included on any permission issued.

In line with chapter 6 of Planning Policy Wales (edition 12), the application has been supported by a Green Infrastructure Statements (GIS). This highlights that the extension would be erected on an area of decking and as such would not result in the loss of any green infrastructure. In addition integrated bat and bird boxes are proposed on the extension to provide a net benefit to biodiversity and ecological enhancement. These would be secured by condition and would contribute to wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:**

CONDITIONS/REASONS:

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 Ground Floor Plans, Drawing Number: LS-02 Rev. B, Received 19 June 2026.

Drawing Title: Proposed First Floor Plans, Drawing Number: LS-03 Rev. B, Received 19 June 2026.

Drawing Title: Proposed Elevations, Drawing Number: LS-04 Rev. B, Received 22 June 2026.

Drawing Title: Site Plans, Drawing Number: LS-05 Rev. A, Received 19 June 2026.

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

3. Before the extension hereby approved is brought into beneficial use, bat and bird boxes shall be provided in accordance with drawing number LS-04 Rev. B and these shall be retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. The materials to be used in the construction of the external surfaces of the extension 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.

5. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 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.

3. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

4. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-
 - i) work on an existing wall shared with another property;
 - ii) new building on the boundary with a neighbouring property; or
 - iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 9th July 2026