

DELEGATED REPORT

Application No:	P/24/0231
Site Address:	3 Milbourne Close Merthyr Tydfil CF47 0UH
Development:	New rear dormer and extend front dormer. Single storey side extension.
Case Officer:	Kate Glover
Site Visit:	31st October 2024
Application Expiry Date:	28th November 2024
Consultation reply date expired:	28th October 2024

APPLICATION SITE

The application site relates to a semi-detached property within a housing estate. The two bedroomed property has the benefit of off-road parking and, front and rear amenity areas.

External materials of the property comprise brick elevations, concrete tile roof and uPVC window, door frames and roof goods. All the properties that comprise Milbourne Close include a front dormer and therefore, are an original feature. However, for some of the dwellings, the front dormers of have been increase in width. Further to this all the properties have a first-floor window positioned in the gable and there is a degree of overlooking between the properties from these windows.

In respect of ground levels and the topography of the area, it is noted that the site is located on the side of a hill and the ground levels slope downwards north to south. Further to this the properties that comprise Milbourn Close have been constructed at an angle to the hillside and for this reason, the ground floor levels of each semidetached pair located along the Close is higher than the pair before.

To the rear of the application site is a residential estate known as Cwrt Bevan. As Cwrt Bevan has been constructed further up the hillside than Milbourne close, the ground level of the amenity areas and dwellings are few meters above the dwellings that comprise Milbourne Close.

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 seeks planning permission to construct a dormer roof extension on to the rear roof pitch and extend the existing dormer at the front of the dwelling. Planning permission is also sought for a single storey side extension.

The proposed rear dormer roof extension would be flat roofed, with a slight incline and would be incorporated into the majority of the roof area. The roof extension would measure approximately 4.36m deep, 2.69m high and 7.04m wide. The volume of this dormer roof extension would be 41.28m³.

The existing dormer roof extension at the front of the property would be extended in length from the current 3.92m long to 7.03m long. The height and depth of the extended dormer would follow that of the existing which and be 3.34m deep, 2.13m high. The volume of this dormer roof extension would increase from 13.9m³ to 25.0 m³.

The dormer roof extensions would provide floor space for three bedrooms, a dressing room and a bathroom. The layout of the first floor would be such that two bedrooms would be positioned at the rear of the property and at the front of the property, the extended front dormer would enable an increase in the floor area of an existing bedroom and provide a dressing room. In addition, a first floor bathroom would be positioned in the between the dressing room and rear bedrooms.

Proposed external materials of both roof extensions are hung tiles on the elevations, and uPVC window frames and roof goods. There are no details of the material to be used on the roofs.

The single storey side extension would measure approximately 1.65m wide, 4.21m deep, 2.65m to eaves level and 4.00m to ridge height. A door would be provided on the west elevation. The north-west corner of the extension's roof would be angled so that it does not encroach into the neighbouring property. The plans indicate that the external walls would be rendered. There are no details of the materials to be used on the roof or fenestration.

Details of biodiversity enhancement have been provided and a sparrow terrace and a bat box would be positioned on the west elevation of the property.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

CONSULTATION

Consultations were not carried out as part of this application.

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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) (PPW12).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 5 – Nature and Development
- Note 6 – A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, visual impact, residential amenity and ecology.

Principle of Development

As noted above the site is located within the settlement boundary and within the residential curtilage of No.3 Milbourne Close.

As such, the proposal meets with the requirements of LDP Policy SW4.

Visual Impact

The application property is part of a wider residential estate. It is noted that a number of the nearby properties feature dormer roof extensions, and these additions are a variety of sizes, designs and external materials.

The size and scale of the proposed roof extensions are in-keeping with the design, character and nature of the property and wider area. As such the proposed dormer roof extensions would not form an incongruous addition to the property or affect the setting of the wider built environment.

The single storey extension is modest in scale and nature and would not result in any significant detriment to the character and appearance of the dwelling or the wider area.

The application does not include the details of all the materials proposed to be used on the external surfaces of the development. However, a condition can be used to ensure the external materials match the existing external surfaces of the property.

As such, the proposal meets with the requirements of LDP Policy SW11.

Residential Amenities

Careful consideration has been given to the residential amenities of the surrounding occupants and potential impact caused by loss of light, impacts caused by overbearing and loss of privacy as a result of the development.

The application property is positioned between No.s 2 and 4 Milbourne Close and the application property is opposite No.s 21 and 22 Milbourne Close. The rear boundary of No. 64 Cwrt Bevan is at the rear of the application property.

In respect of No.s 2 and 4 Milbourne close. Due to the size and location of the dormer roof extensions and the single storey, side extension there would not be any significant impact in respect of loss of light or overbearing. There is potential for both No.s 2 and 4 to experience an increase in overlooking and loss of privacy from the windows of the rear dormer extension and, in respect of No.2, from the proposed single storey side extension and the relocated bathroom. In respect of views into the rear gardens from the proposed rear dormer roof extension, it is noted that the application property is in an urban location and there exists a degree of overlooking between properties. Turning to the single storey side extension it is noted that the single storey extension incorporates a door in the west elevation of the extension and this elevation would be approximately 1.2m from the boundary with No.2. the insertion of a door would not significantly increase overlooking into the private living areas of No.2. Further to this, should post development any windows be inserted into the west elevation of the single storey extension, the glazing and opening mechanism of any window would be subject to controls conferred under permitted development rights. In respect of the bathroom window, this window currently serves as a bedroom and there exists a degree of overlooking between No.2 and the application property. A condition to control obscure glazing and mechanism of opening could not be justified in this instance as the proposal would not result in an increase in overlooking or loss of privacy and the bedroom could be converted to a bathroom without planning permission.

In respect of No. 64 Cwrt Bevan, the boundary of is property would be approximately 20m from the rear dormer. Due to the separation distance involved, the proposal would have minimal impact on No. 64.

In addition to the above assessment, it is noted that the proposed rear dormer extension has a volume of 41.28m³ and the rear roof extension could constitute permitted development if it were not for the combined volume of both proposed dormer roof extensions exceeding 50m³.

Turning to No.s 21 and 22 Milbourne Close, which are located some 31m from the application property. The additional window to be provided in the front dormer roof

extension would not result in a significant change to the current levels of overlooking which currently exist between these properties and the application property.

In summary, it is considered that the proposal is acceptable in terms of impact on residential amenity and it noted that no representations were received following the public exercise.

As such, the proposal meets with the requirements of LDP Policy SW11.

Ecology

The planning Ecologist has suggested that a Preliminary Roost Assessment (PRA) should be undertaken to assess potential adverse impacts on protected species and habitats. However, it is noted that the roof space of the property is already used for ancillary residential accommodation and the property could be subject of significant alteration without the benefit of planning permission, and this could include a replacement roof.

It is considered in this instance that given the location and nature of the proposed works it is not proportionate or necessary to require the applicant carryout a PRA. However, an informative should be attached to any consent to inform the applicant of their responsibility when undertaking works in relation to European Protected Species and birds.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, the ecological enhancements can be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

As such, the proposal meets with the requirements of Policy EnW1.

Conclusion

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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:

Drawing Title: Proposed Site Plan, Drawing No: MC-07, Received on 03 October 2024.

Drawing Title: Proposed Elevations, Drawing No: MC-05, Received on 03 October 2024.

Drawing Title: Proposed First Floor Plan, Drawing No: MC-04, Received on 03 October 2024.

Drawing Title: Proposed Ground Floor Plan, Drawing No: MC-03, Received on 03 October 2024.

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

3. The materials to be used on the roof, window frames and door frames of the single storey extension shall match those used on the existing dwelling and the roofs of the dormer roof extensions shall match those used on the existing dormer.

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 Development Plan (2016-2031).

4. **Prior to the development hereby approved coming into beneficial use** the sparrow terrace and bat box, shall be provided in accordance with approved plan Drawing Title: Proposed Elevations, Drawing No: MC-05, Received on 03 October 2024. The sparrow terrace and bat box shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 27.11.2024