

DELEGATED REPORT

Application No:	P/24/0153
Site Address:	6 Shirley Drive Heolgerrig Merthyr Tydfil CF48 1SE
Development:	Front and rear dormers with alterations
Case Officer:	Kate Glover
Site Visit:	5th July 2024
Application Expiry Date:	22nd August 2024
Consultation reply date expired:	26th July 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. It is noted that one bedroom is at ground floor level and the other in the roof space. A window near the apex of the side elevation provides light to the first-floor bedroom.

External materials of the property comprise rendered elevations, concrete tile roof and uPVC window, door frames and roof goods.

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 dormer roof extensions on the rear and front roof pitches.

Each of the proposed dormer roof extensions would be flat roofed, with a slight incline and would be incorporated into the majority of the roof area. Each dormer roof extension would measure approximately 3.61 m deep, 2.59 m high and 6.96m wide. The volume of each dormer roof extension would be 32.54 m³. Proposed external materials are grey cladding on the elevations, EPDM grey coloured roofing and uPVC window frames and roof goods.

There would be two windows in each of the dormer roof extensions. The proposal would provide floor space for four bedrooms. In addition, a bathroom would be incorporated into the first floor. The window that currently serves the first-floor bedroom would instead serve a bathroom.

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 and a site notice was displayed within the vicinity of the site.

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.6 Shirley Drive.

It is considered that 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 which are a variety sizes, designs and external materials.

It is considered that the proposed dormer roof extensions would not form an incongruous addition to the property or affect the setting wider built environment. It is considered that the grey coloured cladding proposed to be used on the elevation of the proposal is appropriate to the application property and the wider setting.

A condition can be used to secure the colour of the external elevations of the proposed dormer roof extensions.

It is considered that the proposal meets with the requirements of LDP Policy SW11.

Residential Amenities

Careful consideration has been given to the potential impact on the residential amenity of the surrounding occupants.

The application property is positioned between No.s 8 and 4 Shirley Drive and opposite No.s 11 and 13 Shirley Drive. At the rear of the application property are the rear gardens of No.s 3, 4, 5 and 6 Exeter Close.

In terms of overbearing development and loss of light, it is considered that due to their size and location, the dormer roof extensions would not have any significant impact on No.s 8 and 4 Shirley Drive.

Turning to overlooking and loss of privacy and the front dormer roof extension. At the closest point, there is approximately 33m between the dormer roof extension and the principal elevations of No.s 11 and 13 Shirley Drive. It is considered that the proposal would have minimal impact on these properties due to the separation distances involved.

In terms of loss of privacy and the rear dormer roof extension, it is noted that there is potential for overlooking into the rear amenity areas of No.s 8 and 4 Shirley Drive and No.s 3, 4, 5 and 6 Exeter Close.

Officers also mindful that each of the proposed roof extensions has a volume of 32.54m³. If it were not for the combined volume exceeding 50m³, the rear roof extension could constitute permitted development. In addition, Officers note the urban location and interrelationship between the dwellings. As such, it is considered that the degree of overlooking would not be sufficiently significant to warrant a refusal in this instance.

Turning to the proposed bathroom and window located in the side elevation. It is noted that the side elevation looks over the boundary of No. 4 Shirely Drive. It is considered reasonable that the window is obscurely glazed and non-opening. A condition can be used to secure this measure.

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

It is considered that 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, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

It is considered that 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:**

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 plan:

Drawing Title: Proposed New Front and Rear Dormer Extensions with Alterations,
Drawing Number: Shirley 6 01, Received on 28 June 2024.

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and 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. **Before the development hereby permitted is brought into use**, the first floor window in the side elevation shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 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.

RECOMMENDATION ENDORSED

p.p. 

Director of Neighbourhood Services

DATE: 21st August 2024