

# DELEGATED REPORT

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| <b>Application No:</b>                  | <b>P/25/0279</b>  |
| <b>Site Address:</b>                    | <b>54A And 54B<br/>High Street<br/>Dowlais<br/>Merthyr Tydfil<br/>CF48 3PW</b>  |
| <b>Development:</b>                     | <b>Refurbishment of existing flats to include new rear dormer, alterations to windows and doors, improvements in fire proofing and repairs to rear garden wall.</b> |
| <b>Case Officer:</b>                    | <b>Marlene Ferreira</b>   |
| <b>Site Visit:</b>                      | <b>6<sup>th</sup> November 2025</b>   |
| <b>Application Expiry Date:</b>         | <b>16th December 2025</b>   |
| <b>Consultation reply date expired:</b> | <b>13th November 2025</b>   |

## APPLICATION SITE

The application site relates to a two-storey property located off the High Street in the area of Dowlais. The property, which is sited hard up to the pavement, has been subdivided into two flats, one at ground floor and one at first floor. These are served by a shared rear garden area. Direct access to the rear garden is provided from the ground floor flat. Access from the first floor flat is achieved via the lane that runs alongside the gable end of 53A and 53B High Street, and across the garden area serving these adjoining occupiers.

The property lies amongst other residential properties comprising a mix of flats and dwellings of a similar scale and appearance, however with varying ridge heights. Indeed, the property lies in a predominant residential area.

## PROPOSED DEVELOPMENT

This application seeks planning permission to construct a dormer and alter the windows at the rear of the property.

The proposed dormer, which would allow for an increase to the height of the rear projection, would measure 4.5m wide, 4.15m deep and 1.9m in height. The additional height would enable the installation of two new larger windows, measuring approximately 0.9m wide and 1.5m in height, to replace the two smaller existing windows. The proposed dormer would be finished with slate tiles to its roof and cheeks.

The proposal also includes internal works to the flats, such changes to the internal arrangement/layout, installation of new bathroom and kitchen cabinets, new sockets, light fittings and fireproofing throughout, installation of new fans and sensors, new carpets, new replacement timber steps, insulation works within the roof etc.

Externally, the works include improvements to the rear garden path, lifting and re-laying of patio slabs, repairs to garden wall, application of new render to property elevations and the installation of new composite front door, etc.

The proposed internal and external works as described, would not require planning permission and as such, have not been considered in the assessment of this application.

The description of works also refers to the erection of a timber shed in the rear garden, however, the plans submitted with the application do not include any details of the shed and as such, this will not be assessed as part of this application.

## PLANNING HISTORY

The council's records do not include any 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 and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. Two letters of objection were received (from the same residents). The concerns raised have been summarised below:

- If granted, it would result in loss of privacy to our property;
- Dormer windows will be much larger in size, and at this height, will directly overlook our living room, kitchen, utility room, and a bedroom and bathroom, as well as our garden;
- This application is for a flat, with the upper windows being used as living areas, adding to the loss of privacy;
- There is a vulnerable adult living at the property, and this loss of privacy could make them even more vulnerable.

Ward members were consulted in respect of the objection received, however, they have not requested that the application be considered at Planning Committee. As such, the application will progress to be determined under delegated powers by the Director of Neighbourhood Services.

## POLICY CONTEXT

### National Development Framework

- Future Wales: The National Plan 2040 (February 2021)

### National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

### Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

## PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed alterations to the rear of the property would result in acceptable form of development with regards to their impact upon the character and appearance of the property and the wider street scene. The impact upon residential amenity and ecology are also important considerations.

### Character and Appearance

The rear elevation of the existing property would be prominently altered by virtue of the proposed works, which would include the provision of a dormer and the installation of new larger windows.

Whilst it is acknowledged that these works would not appear subtle, it is recognised that the proposed dormer, due to its proportionate scale and design, and the new windows, given their size and appearance, would amount to sympathetic alterations. Furthermore, these works would reflect the rear elevation of other properties within the street, which also comprise rear dormers and larger rear windows. As such, the proposal would appear compatible with the rear street scene and would therefore be fitting to its surrounding context.

The proposal would amount to an acceptable form of development which would not detract from the character or appearance of the existing property or the wider area and would accord with LDP Policy SW11.

### Residential Amenity

The application property adjoins the boundary with Maes yr Awel, a bungalow, located to the south, and this is the neighbouring property most likely to be impacted by this proposal.

It is acknowledged that the proposed dormer would be located directly to the rear of Maes Yr Awel and as such, the addition of new larger rear facing windows would provide overlooking opportunities into the rear garden serving Maes Yr Awel. It is important to note however, that the proposed dormer would not project any closer to this neighbouring property. Thus, whilst it is acknowledged that the objections received state that the

installation of new larger windows would result in the loss of privacy to the neighbouring rear garden and property, it should be noted that the new windows would remain at the same distance and provide a similar extent of overlooking as the existing windows. Thus, this proposed arrangement would not be considered significantly more harmful than the existing and would therefore not warrant the refusal of the application. Indeed, this nature of development and relationship is already well established along the street, i.e. the rear windows of 53A and 54B High Street already overlook the rear garden/property of Maes yr Awel.

The proposed dormer and new larger windows to the rear of the property would not be considered to significantly harm the privacy or amenities of these adjoining occupiers and would therefore accord with LDP Policy SW11.

### Ecology

The proposed development was considered by the Council's Ecologist and it was requested that a Preliminary Roost Assessment (PRA) for bats and nesting birds be submitted in support of the application. Given the nature of proposal, the request for a PRA would be considered unreasonable in this instance. However, enhancement works in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' would be requested by a suitably worded condition, which could be added to any planning permission granted.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). However, due to the scale and nature of the development, the submission of a GIS would be deemed disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided (as mentioned above) which would contribute to the wider green infrastructure objectives. Thus, the proposed development would be considered acceptable and accord with LDP Policy EnW1.

### Responses to Representations

The planning concerns raised in the letters of objection have been addressed in the relevant sections above. In respect of other concerns raised, these have been addressed below:

- The existing property is sub-divided into two flats. The proposed development does not relate to a change of use, and as such, the use of the property as flats is not a consideration under this application.
- Changes to the internal layout/arrangement of flats would not require planning permission and as such, these changes (as discussed above) have not been assessed under this application.

## CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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:**

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:

- General Arrangements as Proposed Drawing Number HIS054-A-002 rev B, received: 21st October 2025;
- Elevations and Section as Proposed Drawing Number HIS054-A-004 rev A, received: 21st October 2025.

**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, to include 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.

## **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**



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**Director of Neighbourhood Services**

**DATE: 12.12.2025**