

DELEGATED REPORT

Application No:	P/24/0204
Site Address:	34 Blaen Dowlais Dowlais Merthyr Tydfil CF48 3RB
Development:	First floor rear extension
Case Officer:	Marlene Ferreira
Site Visit:	5th September 2024
Application Expiry Date:	16th October 2024
Consultation reply date expired:	18th September 2024

APPLICATION SITE

The application site relates to a mid-terraced dwelling, 34 Blaen Dowlais, located in Dowlais. The property, which sits hard up to the front highway, has been extended to the rear by means of a single storey addition. The rear garden/patio is raised slightly and adjoins an adopted lane which runs along the rear of the property. Unrestricted on-street parking is provided along the highway to the front of the dwelling.

The property lies in a street of terraced dwellings, of a similar scale and design, many of which have also been extended to the rear by means of single and/or two storey additions.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a first-floor extension above the existing flat roof rear extension.

The first-floor extension would follow the footprint of the existing rear extension and would measure 3.8m wide, 3.8m deep with a 6.15m ridge height. The extension combined with the internal reconfiguration of the property would provide an additional 2 bedrooms at first floor. The extension would be finished with concrete roof tiles, rendered elevations and UPVc windows.

PLANNING HISTORY

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

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. No letters of representations have been received as a result of this publicity exercise.

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

Supplementary Planning Guidance (SPG)

SPG Note No. 6 – A Design Guide for Householder Development (September 2015)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposal, in terms of its siting, design and scale, would be an acceptable form of development with regards to its impact upon the character and appearance of the property and the street scene. The impact upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed first floor extension would be located to the rear of the dwelling and would therefore not be visible from the front of the property. As such, it would not disrupt the character or appearance of the existing street scene. Whilst a first-floor extension would amount to a prominent addition when viewed from the neighbouring gardens and the rear lane, it should be noted that single storey and two-storey extensions, as explained above, are already prevalent to the rear of the properties along this street. In addition, the extension which would be finished in matching materials, would also be of a similar scale and appearance to the two-storey projection existing to the rear of the adjoining dwelling 33 Blaen Dowlais. The proposed development would therefore be in context with the character and appearance of the rear lane and would not cause any adverse harm to

character or appearance of the property or the wider area. As such, the proposal would accord with LDP Policy SW11.

Residential Amenity

The proposed development would sit between 33 and 35 Blaen Dowlais and these are the neighbouring properties most likely to be impacted by the proposed development.

With regards to 33 Blaen Dowlais, as noted above, this property is already served by a two-storey rear extension. Thus, the majority of the proposed development would run alongside this neighbouring extension, and as such would not have an overbearing impact on these neighbouring occupiers or cause any significant loss of light to their rear garden area. Whilst it is noted a new first floor rear window would serve the new first floor bedroom, which would overlook the rear garden of this neighbouring property, the extent of overlooking would be very similar to that which can be achieved from the neighbour's existing extension into the rear garden of the application dwelling. Furthermore, this arrangement is already frequent and very common amongst neighbouring terraced dwellings. Thus, the impact of the proposed extension on this neighbouring dwelling would therefore be acceptable.

With regards to 35 Blaen Dowlais, it is acknowledged that the proposed extension would be somewhat overbearing on this neighbouring dwelling and cause some loss of light to the side windows of their ground floor rear extension. However, it should also be noted that the proposed extension's eaves height would only measure 4.75 metres, which would then slope away from this neighbouring property with a maximum ridge height of 6.15 metres. Thus, any overbearing impact or loss of light would not be deemed significant. It is also acknowledged that the new rear first floor window of the proposed extension would also result in some loss of privacy to this neighbouring garden, however, the extent of overlooking from the proposed window when compared to the existing rear first floor window would not be considered significantly greater or harmful. Indeed, as explained above, this relationship is very common within terraced streets. Thus, whilst the proposed extension would have some impact on these neighbouring occupiers, it would not be considered to significantly detract from their privacy or amenities and would therefore not warrant the refusal of the application in this instance. Indeed, no letters of representation were received following the publicity exercise carried out.

The proposed development and its relationship with adjoining occupiers is therefore considered acceptable and would comply with LDP Policy SW11.

Ecology

The Council's Ecologist has reviewed the application and requested that a Preliminary Roost Assessment (PRA) be submitted in support of the application. However, given the scale and nature of development, the submission of a PRA would be considered disproportionate and unreasonable.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, the submission of a GIS would also be deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancements will be requested by condition, which would contribute to the wider green infrastructure

objectives. The proposed development would therefore be considered acceptable and would accord with LDP Policy EnW1.

CONCLUSION

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

Finally, 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:

- Sheet: Proposed Plans and Elevation, Drawing no: BD-02, received: 21st August 2024

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

3. 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.

4. **Prior to works commencing 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 - In the interest of biodiversity to accord with Policy EnW1 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



Director of Neighbourhood Services

DATE: 19.09.2024