

# DELEGATED REPORT

**Application No:** P/24/0084

**Site Address:** 84 Kingfisher Crescent  
Merthyr Vale  
CF48 4TL

**Development:** Outbuilding in rear garden (Retrospective)

**Case Officer:** Rebecca Owens

**Application Expiry Date:** 4th June 2024

**Consultation reply date expired:** 7th May 2024

## APPLICATION SITE

The application site relates to a detached dwelling located within a new housing development in Merthyr Vale. The site is bound to the front by a highway, dwellings to the southwest and south east and undeveloped land to the north. The profile of the land it slopes gentle down from south east to north west.

## PROPOSED DEVELOPMENT

This application seeks planning permission to retain an outbuilding which has been erected in the rear garden.

The outbuilding is of irregular shape and at its widest measures 5.9m by 8.9m deep with a mono pitch roof with a maximum height of 2.9m. It would provide an office with a utility room and storage area. The summer house will be finished in timber effect composite cladding with an EDPM rubber roof.

## PLANNING HISTORY

None relevant

## CONSULTATION

Consultations were not carried out under this application.

## PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties. One letter of objection was received, which is summarised as follows:

- The building extends along the whole side of the adjoining garden boundary and is overbearing, which feel claustrophobic for the adjoining occupiers.

- The building overshadows the adjoining garden where the patio area is located next to the patio doors.
- There are concern about the drainage. The roof of the building slopes down towards the adjoining garden and has guttering that over hangs.
- Concerns with the potential impact on the value of the adjoining property.

## 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 Count Borough Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Supplementary Planning Guidance (SPG)

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

## PLANNING CONSIDERATIONS

The application site is located within the settlement boundary and as such the principle of development is considered to be acceptable subject to compliance with other relevant policies and material planning considerations.

The outbuilding is located to the rear of the property, as such, it would not have an adverse impact on the character and appearance of the street scene. However, the outbuilding has been erected in very close proximity with the boundary to 83 and 85 Kingfisher Crescent. These are the properties most likely to be affected by this proposal.

The outbuilding is located immediately adjacent to the neighbouring dwelling to the south west known as 83 Kingfisher Crescent. The outbuilding spans the whole width of the boundary with this property and with a maximum height of 2.9m meters and therefore is considerably higher than the dividing boundary fence. As such, the development has a significant overbearing impact on this neighbouring property. At present the outbuilding is finished in white plastic which has a stark appearance in contrast to the boundary fencing with both 83 and 85 Kingfisher Crescent. However it is noted that the submitted plans indicate that the outbuilding would be finished in timber cladding, whilst this is something that could be secured by condition this does not overcome the concern that the outbuilding has an overbearing impact on the neighbouring property. It is also noted that the outbuilding could have been erected at the other end of the garden which would overcome this overbearing impact.

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 should the development be acceptable.

## CONCLUSION

The outbuilding, by virtue of its siting, scale and design, would have an overbearing impact on the neighbouring property of 83 Kingfisher Crescent. As such, it would have a significant detrimental impact upon residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

**RECOMMENDATION:**     **BE REFUSED** for the following **REASON:**

1. The outbuilding, by virtue of its siting, scale and design, would have an overbearing impact on the neighbouring property of 83 Kingfisher Crescent. As such, it would have a significant detrimental impact upon residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

**RECOMMENDATION ENDORSED**

  
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Director of Neighbourhood Services

**DATE: 28.05.2024**