

DELEGATED REPORT

Application No:	P/24/0288
Site Address:	29 Vernon Close Penyard CF47 0HY
Development:	Demolish existing conservatory and garage and construct new single storey rear extension and detached garage with pitched roof
Case Officer:	Marlene Ferreira
Site Visit:	23rd January 2025
Application Expiry Date:	17th February 2025
Consultation reply date expired:	27th January 2025

APPLICATION SITE

The application site relates to a semi-detached bungalow located in Incline Top. The property, which has been altered by means of a single storey side and rear extension, lies on a relatively large corner plot. The dwelling benefits from a small enclosed private garden area to the rear, a small courtyard to the front and a large driveway/garden area to the side. The side garden/driveway, which is accessed via a front and side vehicular entrance, serves the parking requirements of the dwelling. Other alterations to the dwelling include the erection of outbuildings within the side garden/driveway area, comprising of a detached garage, a shed and a summerhouse.

The application dwelling, lies in a street of residential dwellings, all of which relate to bungalow properties, many of which have been altered by means of front and/or rear dormer extensions and/or side and/or rear extensions.

PROPOSED DEVELOPMENT

This application seeks planning permission to demolish the existing conservatory to the rear and the garage and outbuildings to the side and construct an extension to the rear of the property and a large detached garage to the side of the property.

The proposed extension would measure 5.085m wide, 4m deep with a 4.3m ridge height. It seeks to provide a sunroom and would be finished in render. The proposed garage would feature two garage doors and would measure 7m wide, 8.4m deep with a 3.6m ridge height. It seeks to provide a secure parking area for the applicant's caravan and would be finished in render. The plans also indicate that a bat and bird box would be installed on the rear elevation of the garage.

PLANNING HISTORY

The following planning history is relevant to this site:

P/05/0094- Erection of front and rear dormer windows – Refused: 14th April 2005

P/05/0304 - New front and rear dormer extension – Approved: 22nd July 2005

P/05/0382 - Retention of side kitchen extension incorporating alteration to extension's roof – Approved: 1st September 2005

CONSULTATION

Consultations were not carried out under this application.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining neighbouring properties. No letters of representation were received following 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 proposed development, in terms of their siting, scale and design, would comprise an acceptable form of development with regards to their impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity and ecology are also important considerations.

Character and Appearance

The proposed extension is a small scale addition to the rear of the property. Thus, given its small scale, matching material finishes and discrete siting, it would appear as an acceptable addition, which would not be considered to have any detrimental impact on the character and appearance of the property or that of the wider street scene. Indeed, this form of development is prevalent amongst neighbouring nearby properties.

In respect of the proposed garage, this would result in the addition of a large structure to the side of the dwelling. Whilst this would appear prominent when viewing the property within the street scene, it would not amount to an unsightly or incongruous form of development. The garage is a single storey structure with a pitched roof design, comprising a low eaves height of 2.4m and a low ridge height of 3.6m. In addition, it would not project any further forward than the original dwelling's frontage and would be finished in matching materials. As such, the structure would not dominate the existing property or detract from its appearance when viewed within the wider street scene. Indeed, the addition of a large structure to the side of the property to replace a smaller garage, a summer house and a shed, to store a caravan, would result in a more appropriate form of development which would appear more visually pleasing and reduce 'visual clutter' when viewing the dwelling from the front and side street scenes.

The proposed extension and garage would therefore amount to an acceptable development in this instance, which would not be deemed to cause any significant harm to the character or appearance of the existing dwelling or that of the surrounding residential estate. As such, it would accord with LDP Policy SW11.

Residential Amenity

Regard has been had for the impact of the proposal on the residential amenities of the surrounding residents. In this respect, it is noted that the neighbouring property to the rear, 28 Vernon Close, and the adjoining neighbouring property to the side, 30 Vernon Close are the properties most likely to be impacted by this proposal.

With regards to 28 Vernon Close, it is noted that the rear extension would sit close to the dividing boundary with this neighbouring property. However, it would amount to a single storey extension and as such, would not appear overbearing upon these neighbouring occupiers. Whilst it would comprise a large rear facing window which extends into the gable, and the dividing boundary at the rear of the property comprises a fence which, in part is lower than 2m. It should be noted that a 2m high fence could be erected at any time without planning permission to prevent any direct overlooking into the rear garden of these neighbouring residents. Furthermore, the top of the window within the gable could be conditioned to be fitted with obscure glazing and as such, the erection of a fence and this condition, would ensure that the privacy between neighbouring properties could still be safeguarded. Indeed, the existing conservatory already allows for substantial overlooking of this neighbouring rear garden. Thus, in this instance the erection of the rear extension would be deemed acceptable.

It is also noted that the proposed garage would be located immediately adjacent to the side dividing boundary with this neighbouring dwelling. As such, it would cause some loss of light to the two existing windows on that property's side elevation. However, it should be recognised that the garage would have a low eaves height of 2.4m and a maximum ridge height of 3.6m. Thus, whilst it would cause some overshadowing to the side of this

neighbouring property, this would not be deemed significantly detrimental to warrant the refusal of the application. Indeed, the erection of a 2 metre high fence, which does not require planning permission, along this boundary could also cause loss of light to these existing windows. Furthermore, this neighbouring dwelling already has a flat roof single storey side extension adjacent to this boundary, which would further reduce the impact of the proposed garage. Thus, the proposed garage would therefore be deemed acceptable in this instance.

In respect of 30 Vernon Close, it is acknowledged that given its siting, the garage would not have any impact on this neighbouring boundary. In terms of the rear extension, it is noted that this would be located in very close proximity to the dividing boundary between these two dwellings. However, the proposed extension, given its eaves height and ridge height, would not be considered to have any significant overbearing impact on this neighbouring dwelling, particularly since this neighbouring property also has a single storey flat roof rear extension. It is recognised however that a new side window would be erected to face this neighbouring property, which seeks to benefit and maximise from natural light from the south. The plans however indicate that this would be a high-level fixed window fitted with obscure glazing. Thus, on this basis, there would be no direct overlooking into this neighbouring garden and the private amenities of this neighbouring property would be safeguarded as a result of this proposal.

The proposed development has not resulted in the receipt of any representations in terms of objections or concerns from nearby occupiers. Thus, the proposed extension and garage would be considered to have an acceptable relationship with these adjoining properties and as such, would 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 that the works are proposed on a residential property, where many developments can be undertaken without planning permission, the request for a PRA would be considered unreasonable in this instance. However, it is noted that a bird and bat box would be provided, as indicated on the proposed plans. These enhancement works would be in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' and would therefore be welcomed.

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 therefore be considered acceptable and accord with LDP Policy EnW1.

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:

- Proposed Plans Drawing Number VC-03, received: 23rd December 2024;
- Proposed Elevations Drawing Number VC-04, received: 23rd December 2024;
- Proposed Site Plan Drawing Number VC-06, received: 23rd December 2024.

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

3. Before the development hereby permitted is brought into use, the south (side) facing high level window of the rear extension and the top section of the rear (east) facing window (comprised within the gable) of the rear extension, shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority, and shall be non-opening. The windows 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.

4. Prior to the beneficial use of the extension and garage hereby approved, the enhancement measures proposed, as annotated in the submitted plans (Proposed Elevations, Drawing Number VC-04, received: 23rd December 2024), shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance 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



Director of Neighbourhood Services

DATE: 07.02.2025