

DELEGATED REPORT

Application No:	P/25/0254
Site Address:	46 Garden City Penydarren Merthyr Tydfil CF47 9YT
Development:	Construct two storey side garage extension
Case Officer:	Marlene Ferreira
Site Visit:	8th October 2025
Application Expiry Date:	19th November 2025
Consultation reply date expired:	20th October 2025

APPLICATION SITE

The application site relates to an end of terraced dwelling, 46 Garden City, in Penydarren. The modest two-storey dwelling, which features a hipped roof design, rendered elevations, and a front canopy extension over the front door and bay window, is set below the level of the front highway and is served by a small enclosed front garden/courtyard and a private rear garden area. On-site parking is also provided to the southern side of the dwelling by means of a driveway, (which slopes down from the front to the rear of the site) and provides 1 vehicular parking space.

Whilst the dwelling is positioned diagonally on the plot, it has a strong and consistent building line, both with the adjoining terraced properties to the northeast and the semi-detached fronted properties to the southwest.

The properties surrounding the application dwelling remain largely original, however, a few, including the application dwelling have been extended by means of rear single storey and two-storey additions.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a two-storey garage extension to the side of the property.

The double height garage would measure approximately 2.6m wide, 5.3m deep with a 6m ridge height. The garage would feature a flat rubber roof with glazed lantern, brickwork elevations and roller shutter door. Since the size of the proposed garage could not accommodate a car, it is assumed that this would be used for motorcycle parking and domestic storage.

It was noted during the site visit that work on the garage building has commenced, since the base of the garage had been built up and laid out, providing a level surface to meet the level of the front highway.

PLANNING HISTORY

The following planning history is relevant to this property:

P/23/0097 – First floor rear extension – Approved: 22nd May 2023

P/11/0122 – Retention of first floor rear extension – Approved: 28th June 2011

P/11/0017 – Erection of first floor rear extension – Approved: 17th March 2011

CONSULTATION

Consultations were not carried out under this application.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to the adjoining properties. Three letters of objection were received following this publicity exercise. The concerns raised have been summarised below:

- The application plans do not accurately represent the existing buildings on-site;
- The applicant has built random extensions on his property and has been working late into the night, creating noise and nuisance for nearby occupiers. The applicant regularly breaches planning regulations regarding permitted working hours, and this ongoing disregard for planning restrictions demonstrates a lack of respect for both regulatory requirements and the impact on neighbouring residents;
- The proposed development would significantly impede natural light to my property, causing material harm to my residential amenity;
- This proposal is not a garage. The application states a proposed garage, yet the door dimensions shown on the plans are insufficient to accommodate a vehicle. This inconsistency between the stated use and the actual specifications further undermines the reliability of the application;
- During the applicants last building project, scaffolding was erected over the adjoining property without any permission. When requesting its removal, the applicant refused to allow the scaffolding company to dismantle it. As a result, the scaffolding remained on the neighbours property for nine months against their will. Legal action was not pursued due to financial constraints. This demonstrates a pattern of disregard for property boundaries and neighbours' rights, and raises serious concerns about how any future construction would be conducted;

- The applicant has failed to comply with conditions attached to previous planning permissions;
- The ongoing building works, disturbances, noise, hostile and intimidating environment due to the applicants behaviour have had a severe detrimental impact on the neighbour's health and wellbeing. There are concerns about the potential continued harassment which could occur if this application is approved;
- The Council needs to investigate the existing unauthorised development on the site and take appropriate enforcement action where breaches are identified. The applicant has continued to carry out inappropriate extensions to his property showing poor workmanship and a complete disregard for building regulations, i.e. poor footings, no wall ties, no vertical dcp, no cavity, etc. Complaints have been made to the council but nothing has been done to stop him;
- Whoever buys this house in the future will have nothing but trouble and the repair costs will be down to Merthyr Council;

Ward members were consulted in respect of the objections received, however, they have not formally 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

- The Future Wales – the National Plan 2040

This document 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)

Paragraph 3.3 refers to good design and states that *'...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.'*

Paragraph 3.9 refers to character and states that *'...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...'*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

- Technical Advice Notes (TANs)

TAN 12: Design (2016) – This TAN advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Paragraph 4.16 and 4.17 state that *‘...achieving good design is the responsibility of all those involved in the design process...who should consider how each aspect of the design process meets the objectives of good design and responds to local context...’*

Local Planning Policies

- The Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031

Policy SW4: Settlement Boundaries;

Policy SW11: Sustainable Design and Placemaking;

Policy SW11 is the main primary consideration and points 1 to 3 are particularly relevant and state that new development should *‘...be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density; integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape; and, not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design...’*

- Supplementary Planning Guidance (SPG's)

SPG 6 – A Design Guide for Householders (September 2015)

The SPG notes that *‘...any extension or alteration to your property should be sympathetic to its surroundings in terms of its scale, siting and appearance, to ensure it complements neighbouring properties and the wider street scene...’*

‘...the size, shape and siting of an extension to your house must be of an appropriate height and form that is in keeping and subservient to the existing building and its setting...’

In respect of two-storey side extensions, the SPG recognises that *‘...Side extensions are often visually prominent and have the potential to greatly impact on the character of the building and the wider streetscene. Therefore, a side extension requires a sensitive approach to its design to ensure it integrates well with the surrounding area and respects the character and appearance of the house...’*

‘...two storey side extensions will often have a greater impact on the building by the very nature of their increased height and the affect it would have on the roof of the dwelling...’

‘...The appropriate width of a side extension will largely depend on the size of the house. In most cases, where a side extension is greater than 50% of the total width of the front elevation of the house, it will increasingly appear less subservient..’

‘...The spaces between buildings, particularly where there is a uniform layout, can be an important element that contributes to the quality of the street and the sense of spaciousness. Side extensions that substantially fill in the gap between buildings can result in an effect that erodes the character of the street with the impression of larger buildings of a greater mass...’

The SPG goes on to discuss the roof design and explains that *‘...the roof design of a side extension should match the dwelling in terms of its style, pitch and materials incorporating a lowered ridge line. This will ensure that it relates well to the building and does not present an inconsistent feature within the street scene. In most cases a single pitched, hipped or gabled roof will be more appropriate than a flat roof...’*

The SPG also refers to the arrangement of windows and acknowledges that *‘...regard should be given to the effect on the fenestration pattern of the building to ensure the extension is of a sympathetic design. The arrangement of windows and doors on the extension should match the house (in terms of their size, style and materials), while maintaining a similar solid wall to opening ratio to achieve a balanced and consistent appearance...’*

PLANNING CONSIDERATIONS

The dwelling is located within an established residential area in the settlement boundary, as such the principle of extending the property is acceptable subject to compliance with relevant policies and material planning considerations. Therefore, the key issues to consider under the assessment of this application relate to whether the proposed two storey garage extension, would be acceptable with regards to its impact upon the character and appearance of the area, residential amenity and ecology.

Character and Appearance

The proposed two-storey extension would undoubtedly result in a visually prominent addition to the property which would also be readily visible within the wider street scene. It is acknowledged that the proposed extension, which, as noted earlier, would measure 2.6m wide, and would therefore not exceed 50% of the width of the existing dwelling. It is also acknowledged that its roof height would be set well below that of the original property. However, the extension (which due to the angled positioning of the existing dwelling) would be located on a very prominent side elevation and would be flush with the dwelling's front façade. Furthermore, it would comprise a flat roof design. Its proposed scale and design would result in a bulky and alien form of development and the proposal would therefore fail to appropriately integrate with the character and appearance of the existing property. In addition, combined with the proposed lantern roof feature, brickwork elevations, roller shutter door and lack of fenestration, it would further accentuate its poor design and relationship to the existing property.

The proposed garage extension would therefore result in a development which, by virtue of its inappropriate scale, design and finishes, would be completely at odds with the appearance of the dwelling and would represent an insensitive form of development which

would significantly detract from the character and appearance of the existing property and the surrounding area. As such, it would not accord with the guidance set out under SPG Note 6 or LDP Policy SW11.

Residential Amenity

The proposed extension would be located to the southern side elevation of the application property and would therefore lie adjacent to 44 Garden City. This is the neighbouring property most likely to be impacted by the proposed development.

The proposed two-storey extension would bring the application property closer to the boundary with this neighbouring dwelling. However, it would only extend along part of the side of the original application dwelling and would therefore not extend to the full depth of the original dwelling or its existing rear extension. Furthermore, it would be angled away from this neighbouring property, given the positioning of the original dwelling on the plot. This arrangement would therefore ensure that the proposed extension does not appear significantly overbearing upon the neighbouring property. It would also prevent any loss of light to the rear garden area serving these neighbouring occupiers. Whilst it is recognised that the proposed extension would cause some loss of light to the northern side facing windows of this neighbouring property, this would not be considered to have a significant impact, given the position of the extension, which would be angled away from the dividing boundary, as noted earlier. In addition, the absence of any windows to the side and rear elevations of the proposed extension would ensure that no loss of privacy would result from the proposed extension upon these adjacent occupiers.

It is therefore considered that the proposed two storey side garage extension would not result in any significant overbearing, loss of light or loss of privacy impact upon the nearest neighbouring 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 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 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.

Responses to Representations

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

- The application plans appear to accurately represent the proposed development, in this instance, a two-storey side garage extension. Plans of other existing buildings on the site would not necessarily be required in order to make a fair assessment of the proposal, which was not required in this instance;
- Any development carried out has the potential to result in noise and disturbance to nearby residents. Such disruptions cannot be avoided. It should be noted however that this tends to be for a temporary time only and would cease to impact residents once the development is completed. A condition can be imposed to restrict the working hours to help minimise any impact. If there is a statutory nuisance this would be a matter for the Council's Environmental Health Section;
- Any damage caused to the property of residents and the unauthorised entry onto private property, is a civil matter between the parties involved and cannot be controlled by the planning authority;
- Any matters relating to building regulation consent cannot be considered under the assessment of a planning application. Building regulation consent is covered under separate legislation and any breaches would be a matter for the council's Building Control;
- Any threats, violence or harassment which may be experienced by neighbouring occupiers is a matter that cannot be controlled by the planning authority. This would be matter that needs to be addressed by the police;
- Applications can be submitted retrospectively, following the commencement of works. Should the application be refused, it would then be a matter for the Council's Planning Enforcement section to consider;
- Any works approved by the local planning authority must be carried out in accordance with the approved plans and documents. It is the responsibility of the applicant/developer to ensure that such works are carried out appropriately.

CONCLUSION

The proposed two storey side garage extension, for the reasons discussed above, would have a detrimental impact on the character and appearance of the existing dwelling and wider area. As such, the proposed development would not accord with the relevant policies.

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 it 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 REFUSED for the following **REASONS:**

1. The proposed side extension, by virtue of its scale, design and finishes, would result in an insensitive and incongruous form of development that would fail to respect the character and appearance of the existing dwelling and the wider area. The proposal would therefore be contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 18.11.2025