

DELEGATED REPORT

Application No: P/25/0195

Site Address: 5 Edwards Terrace
Quakers Yard
Treharris
CF46 5DA

Development: Erection of rear balcony

Case Officer: Rebecca Owens

Site Visit: 19th August 2025

Application Expiry Date: 8th September 2025

Consultation reply date expired: 4th August 2025

APPLICATION SITE

The application relates to a mid-terraced dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, dwellings on either side and undeveloped land to the rear which is allocated as a Special Landscape Area (SLA 4: Pontygwaith) and contains a Site of Importance for Nature Conservation (SINC 57: Berthlwyd).

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a balcony off the rear elevation of the dwelling. The balcony would be 1.35m in depth by 4m in width and at a height of 2.65m above the garden level. It would be enclosed with a 1m high, wrought iron balustrade and would be supported by two posts. A new doorway is also proposed in the rear elevation to provide access to the balcony.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application.

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and a site notice was displayed within the vicinity of the site.

Following this publicity exercise two letters of objection were received from a neighbouring property and five letters of support.

The main concerns raised within the objections are summarised below:

- The balcony would allow for views directly into the neighbouring garden and impact on privacy;
- It would be oppressive and create an overbearing and claustrophobic environment
- The development would impact on the mental health of the neighbour;
- The development would create noise pollution as a result of its use which would disturb the peace and calm of the neighbours property. There is already disturbance from existing balconies on the rear of other properties;
- Noise and disturbance during construction.
- Vibrations through the neighbouring property as a result of the works which could also impact on the gas boiler of the neighbour along with dust intake.
- Dust would impact ventilation of the neighbouring property
- Determination of the application being unbiased

The letters of support highlight the following points:

- The proposal would improve the appearance of the property and street and therefore improve house prices;
- The balcony is in keeping with others in the area;
- The development would benefit the occupants of the application property by providing light and fresh air to the property and allowing them to enjoy views without the need to go down stairs to access the rear garden.

Local ward councillors have been consulted and they wish the application to be determined under delegated power by the Director of Neighbourhood Services.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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)

Local Planning Policies

Policies SW11: Sustainable design and place making, CW1 Historic environment and EnW5: Landscape Protection of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 is relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The proposed balcony would be discretely located to the rear of the property where it is noted that there are a number of other balconies present. In addition, it is considered to be of a modest design and scale which would not appear an overly prominent addition that would harm the character of the property itself. Having regard to the above, no concerns are raised with respect to its visual impact or impact on the character of the wider area which it is recognised borders a Special Landscape Area (SLA 4: Pontygwaith). As such the proposal is found to accord with Policies SW11 and EnW5 of the LDP.

Regard has also been had for the impact of the development on the residential amenities of the neighbouring occupants. In this respect it is noted that raised platforms and balconies can result in overlooking to neighbouring gardens and an associated loss of privacy. Indeed, it is recognised that there would be some impact in this respect from the proposed balcony which would allow for views across the gardens of the neighbouring properties. However, it is noted that balconies are a feature of the rear street scene and that there is already an element of overlooking between neighbouring properties from these and existing rear windows. Indeed the dwelling to the south east of the application site (4 Edwards Terrace) already benefits from a balcony and the proposed balcony, which would only be set approximately 0.2m in front the boundary line, would be erected adjacent to this. It is acknowledged that there would be clear views between the two balconies but similar arrangements can be found elsewhere in the rear streetscene and this could be overcome in the future with the erection of a privacy screen. In addition, views from the proposed balcony back towards the rear windows of 4 Edwards Terrace would be at an angle and would not to be to an extent that would be deemed overly harmful. It is also noted that this neighbouring occupant has submitted a letter of support. Having regard to this, the impact on 4 Edwards Terrace with respect to overlooking and loss of privacy is on balance found to be acceptable.

The balcony would be set off the boundary with the property to the north west, known as 6 Edwards Terrace by approximately 1.2m. This and its modest depth would ensure that views towards the rear windows of this dwelling from the balcony would be angled and sufficiently obscure to ensure that there would be no significant loss of privacy to the internal rooms. Whilst it is recognised that the balcony would allow for views over the garden, having regard to the modest size of the balcony, its set back from the boundary, views from existing windows and the fact that there are a number of existing balconies that have the same impact within the rear streetscene it is not on balance considered that the impact would be sufficiently harmful or to an extent that would warrant the refusal of the application on such grounds.

It is acknowledged that objections have been received from this adjoining neighbour and each of the main points raised are addressed below:

- As noted above, it is recognised that the balcony would allow for views across this neighbouring garden. However, this is already overlooked to an extent by rear windows. In addition there are a number of other balconies present in the rear street scene. Having regard to this and the modest size of the balcony it is not considered that the additional impact would be significant enough to warrant the refusal of the application.
- Given that the balcony would, be set off the boundary by 1.2m and is of a modest depth of just 1.35m, it is not considered that it would have an overbearing impact or

be an oppressive feature. Indeed, permitted development rights would allow for a larger extension, closer to the boundary which would have a greater impact than the proposed balcony.

- It is recognised that the objector has indicated that the development would impact on their mental health but as highlighted above, having considered the size and setting of the development it is not considered that its impact would be harmful enough to warrant refusal of the application on residential amenity grounds.
- Use of the balcony would not create noise that would be different to, or greater than, typical use of the adjoining gardens. Any excessive noise above that to be expected from resident use would be a matter for the Environmental Health department.
- Given that the proposal is for the creation of a doorway and erection of a balcony, construction is not likely to result in significant noise and disturbance.
- Given the nature and scale of development it is not considered that excessive vibrations or dust would be generated. Furthermore, any damage to property as a result of the works would be a private matter between the parties concerned.
- It is not considered that the erection of a balcony would generate dust to an extent that would be harmful or cause nuisance to neighbouring occupiers
- All planning applications are considered on their individual planning merits and decisions are made on that basis without bias to individual parties.

It is recognised 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, which only includes a modest balcony on the rear elevation, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Drawing Title: Plans and Elevations as Existing and Proposed, Drawing Number: 2025/0035/0001, Received 14 July 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, including 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 01.09.2025