

DELEGATED REPORT

Application No: P/25/0286

Site Address: Brook View
Commercial Street
Bedlinog
Treharris
CF46 6RE

Development: Certificate of lawfulness for proposed side extension

Case Officer: Marlene Ferreira

Application Expiry Date: 23rd December 2025

Consultation reply date expired:

APPLICATION SITE

The application site relates to a detached dwelling, Brook View, located off Commercial Street in the area of Bedlinog. The property, which is finished with rendered elevations and slate roof tiles, is served by a private rear garden area which abuts the Cwm Bargoed Site of Interest for Nature Conservation. A level parking/driveway area is also provided to the front/side of the property.

DESCRIPTION OF DEVELOPMENT

This application is a lawful development certificate in respect of a proposed single storey extension to the side of the property. The application has therefore been submitted to determine whether the proposed extension is 'permitted development' under the Town and Country Planning (General Permitted Development) (Amendment) Order 2013.

The submitted plans illustrate that a new small scale pitched roof extension would be constructed at the side of the property. It would measure 3.9m wide, 5.4m deep, with a 2.2m eaves height and a 4m ridge height, and would provide a utility, WC and store area.

PLANNING HISTORY

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

CONSULTATIONS

None are applicable under certificate of lawfulness applications.

PUBLICITY

None are applicable under certificate of lawfulness applications.

POLICY CONTEXT

As a certificate of lawfulness is sought for the proposed extension, the planning merits of the proposal are not under consideration. The planning policies are therefore not relevant to the assessment of this application.

PLANNING CONSIDERATIONS

This application, in respect of the proposed extension, is considered under Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (Amendment) Order 2013. Part 1, Class A allows an extension to the property subject to the following conditions:

A.1 *a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

(b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(d) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and—

(i) the height of the eaves of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 3 metres; or

(ii) the height of any part of the enlarged part which is within 2 metres of the boundary of the curtilage of the dwellinghouse would exceed 4 metres;

(e) the enlarged part of the dwellinghouse would extend beyond a wall comprised in the principal elevation of the original dwellinghouse;

(f) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the existing dwellinghouse, and would be nearer to the highway than—

(i) the wall comprised in that side elevation which is nearest to the highway; or

*(ii) any point 5 metres from the highway;
whichever is the nearer to the highway;*

(g) the enlarged part of the dwellinghouse would extend beyond a wall comprised in

a side elevation of the original dwellinghouse, would have a single storey and—

(i) the enlarged part of the dwellinghouse would exceed 4 metres in height; or

(ii) the width of the widest part of the resulting dwellinghouse would exceed the width of the widest part of the original dwellinghouse by more than 50%;

(h) the enlarged part of the dwellinghouse would extend beyond a wall comprised in a side elevation of the original dwellinghouse, would have more than one storey, either in its own right or if considered together with any part of the existing dwellinghouse, and—

(i) the enlarged part of the dwellinghouse would be within 10.5 metres of any boundary which is—

(aa) a boundary of the curtilage of the dwellinghouse; and

(bb) opposite the relevant side elevation;

(ii) the enlarged part of the dwellinghouse would be set back, by less than 1 metre, from the point nearest to that part in any wall comprised in the principal elevation of the original dwellinghouse; or

(iii) the width of the widest part of the resulting dwellinghouse would exceed the width of the widest part of the original dwellinghouse by more than 50%;

(i) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have a single storey and would —

(i) extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres; or

(ii) exceed 4 metres in height;

(j) the enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwellinghouse, would have more than one storey, either in its own right or if considered together with any part of the existing dwellinghouse, and—

(i) the ground floor storey would extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 4 metres;

(ii) the first floor or higher storey would extend beyond the relevant part or, as the case may be, any of the relevant parts of the rear wall of the original dwellinghouse by more than 3 metres; or

(iii) the first floor or higher storey would be within 10.5 metres of any boundary which is—

(aa) a boundary of the curtilage of the dwellinghouse; and

(bb) opposite the rear wall of the dwellinghouse;

A.3 *(a) the appearance of the materials used in the walls, roof or other element of any exterior work must so far as practicable match the appearance of the materials used in the majority of the equivalent element of the existing dwellinghouse.*

The proposed single storey extension would not result in a development which would exceed 50% of the total curtilage area and as such would comply with part A.1a). The proposed extension would not be within 2 metres of the boundary, its eaves height would not exceed 3 metres and its ridge height would not exceed 4 metres. As such, it would comply with part A.1 b), c) and d). The extension would not extend beyond the principal elevation or the rear elevation and would comply with part A.1e), i) and j). The proposed extension would extend beyond a wall comprised in the side elevation, but it would not be nearer to any highway, would not exceed 4 metres in height (or contain more than one storey), and it would not exceed the width of the original dwelling by more than 50% (as noted above). As such, it would comply with part A.1 (f), (g) and (h). The proposed extension would not extend beyond the rear elevation or have more than 1 storey as noted earlier. As such, it would comply with part A.1 (i) and (j). The development does not include any works to the elevations of the property, such as changes to materials or external wall insulation. The proposed extension would be finished in matching materials and finishes and as such, would comply with part A.3 (a). The proposed extension therefore satisfies the above relevant conditions and would be classed as permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013.

Furthermore, it should be noted that the Council does not hold any records which suggests that there are restrictive conditions or that the removal of permitted development rights have been enforced on this particular property. Thus, it is considered that the evidence submitted adequately indicates that the proposed development would be classed as permitted development. Accordingly, it is recommended that a certificate of lawfulness be issued.

RECOMMENDATION: BE APPROVED

The proposed extension constitutes 'Permitted Development' by virtue of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 19.12.2025