

DELEGATED REPORT

Application No: P/26/0132

Site Address: Cotham
Heol-y-mynydd
Cefn Coed
Merthyr Tydfil
CF48 2NQ

Development: Lawful Development Certificate for a proposed single storey rear extension

Case Officer: Marlene Ferreira

Site Visit: 9th July 2026

Application Expiry Date: 12th August 2026

Consultation reply date expired:

APPLICATION SITE

The application site relates to a semi-detached dwelling, Cotham, Heol Y Mynydd in the area of Cefn Coed. The dwelling, finished with slate roof tiles, rendered elevations and UPVc windows, is set back significantly from the front highway and is not served by any extensions. Its primary elevation fronts the rear garden and its rear elevation faces the front highway. Parking is provided along the front highway, off Heol Y Mynydd, by means of an existing driveway.

DESCRIPTION OF DEVELOPMENT

This application is for a lawful development certificate in respect of a proposed single storey extension to the rear 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. For clarity, the rear elevation is that which is opposite the principal elevation. Thus, in this instance, since the principal elevation faces the rear garden, the rear elevation is that which is facing the front highway (as noted above).

The submitted plans illustrate that a new flat roof extension (with roof lantern) would be constructed at the rear of the property. The extension would be finished with a black edpm roof, rendered elevations and UPVc windows. It would measure 5.7m wide, 3.9m deep and 3m in height. It seeks to provide an extended kitchen/dining area.

PLANNING HISTORY

The council's records do not show any other relevant or recent planning history relating to this property which would be relevant to the consideration of this application.

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;*
- (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;

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.1 a). The proposed extension would be within 2 metres of the boundary and would have a 3m high flat roof and as such would comply with part A.1 b), c) and d). The extension would extend beyond the rear wall of the original dwellinghouse, would have a single storey, but would not extend more than 4 metres from the rear wall, and its height would not exceed 4 metres. As such, it would comply with part A.1 i). 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

CONDITIONS:

None

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 24th July 2026