

DELEGATED REPORT

Application No: P/25/0293

Site Address: 14 Ivy Close
Trelewis
Treharris
CF46 6ET

Development: Proposed conversion of the garage into ancillary living accommodation and replace garage door with a window

Case Officer: Kate Glover

Site Visit: 15th October 2025

Application Expiry Date: 7th January 2026

APPLICATION SITE

The application relates to a detached dwelling located within a residential estate in the settlement boundary. The site is bound by a highway to the front and dwellings to the sides and rear.

PROPOSED DEVELOPMENT

A Lawful Development Certificate is sought to convert an existing integral garage into living accommodation namely a study. This would involve the removal of the existing garage door in the front elevation and the insertion of a new window which would match the design of the other windows the house. The area below the window would then be blocked up and finished with brickwork matching the existing elevation.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

The determination of this application does not include any consideration of the planning merits of the case and there are therefore no local development plan policies that need to be taken into account.

PUBLICITY

The application seeks the determination of whether the proposed operations are lawful and no consultation with nearby properties is therefore required to be undertaken.

POLICY CONTEXT

The determination of this application does not include any consideration of the planning merits of the case and there are therefore no local development plan policies that need to be taken into account.

NATIONAL GUIDANCE

The Development Management Manual provides guidance on the procedural aspects of the development management system.

Welsh Office Circular 24/97: Enforcing Planning Control, Annex 8, deals with 'Lawfulness and the Lawful Development Certificate.'

Paragraph 8.26 states that if the LPA are supplied with information satisfying them that the use or operations described in the application would be lawful, they shall issue a certificate to that effect and, in any other case, they shall refuse the application. The burden of proof is firmly on the applicant.

Paragraph 8.28 advises that a LDC granted under Section 192 shall specify the land to which it relates, describe the use or operations in question (identifying the relevant 'use class' where appropriate), and give the reason why the proposal would be lawful.

PLANNING CONSIDERATIONS

This is an application for a Certificate of Lawfulness for a Proposed Development under Section 192 of the 1990 Act ('CLOPUD') that seeks to establish whether the conversion of an integral garage and alterations to the garage door to provide a window, as detailed in the submitted plans, would be lawful for planning purposes. In effect, the application seeks to establish whether or not the proposal is 'permitted development' and therefore capable of being carried out without the need for planning permission. With relevance to this case, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (as amended) 1995 states that the following development is permitted:

'The enlargement, improvement or other alteration of a dwellinghouse'

The proposed development is considered to constitute 'Permitted Development' by virtue of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 for the following reasons.

1. The garage conversion would not involve an extension of the dwelling or encroach into the dwelling's curtilage.
2. It would not result in an alteration to the roof or affect the height or the eaves of the part of the dwellinghouse to be altered.
3. It would not result in an enlargement of the dwelling.
4. The proposal does not involve any external wall insulation or the provision of a roof terrace, veranda, raised platform or balcony.

5. The proposal does not involve the installation, alteration or replacement of a microwave antenna, chimney, an air heat source pump, solar PV or solar thermal equipment or a flue forming part of a biomass heating system or combined heat and power system.
6. It does not include the installation of shutters.

In addition, the proposed window would match the existing windows and infilled section of wall would be finished using brickwork to match the appearance of the existing house.

It is therefore recommended that the application be approved.

RECOMMENDATION: BE APPROVED for the following **REASON:**

1. The proposed conversion of the garage to additional residential living accommodation 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: 16.12.2025