

DELEGATED REPORT

Application No: P/26/0188

Site Address: 32 Cilhaul
Treharris
CF46 5HT

Development: Non-material amendment to planning permission P/25/0336 to re-position the first floor en-suite window from the side elevation to the rear elevation (in association with internal alterations)

Case Officer: Rebecca Owens

Application Expiry Date: 20th October 2026

Consultation reply date expired:

APPLICATION SITE

The application relates to a semi-detached dwelling located within a mainly residential area in the settlement boundary. The site occupies a prominent corner position and is bound by a highway to the front and side and other dwellings

PROPOSED DEVELOPMENT

Permission is sought for a proposed non material amendment to planning application P/25/0336 to reposition a first floor window from the south western side elevation into the rear elevation to allow for an internal reconfiguration of the ensuite.

PLANNING HISTORY

The relevant planning history is detailed below:

P/25/0336 Erection of two storey rear extension
 Granted planning permission subject to conditions on 5 February 2026

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

Policy SW11: Sustainable design and place making of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 was relevant to the determination of the previous planning application and will again be considered. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

Welsh Government Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission (July 2014)

The guidance advises that a non-material amendment will depend on factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and the surrounding area, which will vary from one application to another.

In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. The guidance also identifies four tests, which local planning authorities may wish to consider when assessing and determining whether a proposed change would qualify as a non-material amendment. These are as follows:

- is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
- would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- would the interests of any third party or body be disadvantaged in planning terms; or,
- would the proposed change conflict with national or development plan policies?

These four tests have been used in the determination of this application, as set out below.

REASONS FOR REACHING THE RECOMMENDATION

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission.

Main issues:

The main issue in determining this application is whether or not the repositioned window would constitute a non-material amendment to the development approved under application reference P/25/0336. In this respect, the main consideration would be the impact of the change on residential amenity and character and visual amenity.

The application site occupies a prominent corner plot with both the front and south western side elevations fronting onto the adjoining highway. As such, despite being located to the rear of the site the extension would be readily visible from the public realm. Despite facing towards the adjoining street, it is not considered that the loss of the first floor window in the side elevation would have a significant visual impact and no concerns are therefore raised in this respect. It is noted that its introduction into the rear elevation would somewhat

unbalance the symmetry in the rear fenestration of the extension but given that this is a less prominent elevation and that the existing rear elevation has poor window and door alignment it is not considered that this would harm the character or visual amenities of the dwelling or indeed the area in general. As such it considered to be an acceptable change.

With respect to residential amenity, the repositioned first floor window would be located on the rear elevation, as opposed to the previously approved location on the side elevation. As such its impact on residential amenity would be different. It is noted that the approved plans already include a first floor window in the rear elevation which would look towards the rear gardens of the dwellings to the rear of the site known as 30 and 33 Cilhaul. However, this window would be set back from the shared boundaries and views from it would be interrupted by the outbuilding within the application site itself and those belonging to 31 and 33 Cilhaul. It is not considered that the introduction of an additional first floor window in this elevation would have a significantly greater impact in terms of overlooking and loss of privacy than the window approved in the previously application, particularly as it would serve an ensuite and thus a non-habitable room. The proposal would therefore still accord with Policy SW11 of the LDP in respect to residential amenity.

For the above reasons the change is considered to be a minor amendment that would remain in accord with Policy SW11 of the Replacement LDP.

Other Considerations:

The following have been taken into account in considering the application and in reaching the recommendation set out below.

1. There are no conditions on the original permission which would prevent this non-material amendment.
2. There have not been any other amendments to the originally approved development.
3. No objections were received following the original publicity exercise.

CONCLUSION

In conclusion, the proposed amendment is considered to be acceptable and would constitute a non-material amendment to the originally approved scheme. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

CONDITIONS/REASONS:

None.

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 4th September 2026