

DELEGATED REPORT

Application No:	P/25/0264
Site Address:	Y Goedwig Cardiff Road Treharris CF46 5NB
Development:	Non material amendment to application P/25/0151 for alterations to fenestration and roofs, to include biodiversity enhancements required by condition 3 and to vary wording of conditions 4, 6 & 8 to change the timings for submission of information
Case Officer:	Rebecca Owens
Application Expiry Date:	12th March 2026
Consultation reply date expired:	3rd November 2025

APPLICATION SITE

The application relates to a site located within a residential area of the settlement boundary. The site comprises a large detached dwelling with separate garage located on an elevated plateau within its generous curtilage. The main amenity space is located to the front of the site with access gained from the highway to the front via a private driveway to the east of the site that leads to a large hardstanding to the rear. The site is bound by a highway to the front, other dwellings and an undeveloped wooded area that forms part of an allocated ancient woodland and contains a Tree Preservation Order (TPO). There are also protected TPO trees located to the front of the site within the front garden area and a Site of Importance for Nature Conservation to the north. The site and part of the wider surrounding land also forms part of an allocated site for housing within the Local Development Plan.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to planning permission P/25/0151 for alterations to the fenestration and roofs. The following changes are proposed:

- The ridge height of the annex would be increased by 0.45m to a height of 5.52m and the pitch of the front roof plane would be altered.
- Changes to the positioning and style of roof lights in the extension and the insertion of a new rooflight into the main rear roof plane of the dwelling
- The canopy roof connecting the annexe to the main dwelling would be changed from a pitched roof to a flat roof.
- The replacement of two windows in the eastern elevation of the annexe with a single window.

- The replacement of two windows in the rear elevation of the annexe with two French doors.
- A change to the rear window in the rear elevation of the extension.
- The fenestration on the eastern elevation of the extension would be increased in height.
- A window is proposed in the front elevation of the undercroft below the annexe and two walls are proposed either side of the garage door.

In addition, the application seeks to include some of the biodiversity enhancements required by condition 3 of this permission. As such the following details have been provided:

- 1 no. bat box at eaves level on the western side elevation of the existing dwelling. It is indicated that this will be provided before the occupation of the annexe.
- 1 no. bird box at eaves level on the eastern side elevation of the existing dwelling. It is indicated that this will be provided before the occupation of the annexe.
- A 13cm by 13cm hedgehog gap in the fence along the driveway has been indicated.

In addition, the application seeks to vary the wording of conditions 4 (landscaping), 6 (retaining wall details) and 8 (drainage details) to change the timings for submission of information so they are no longer required prior to commencement of works. The applicant has indicated that this is necessary to prevent the delay in the commencement of works while the information required by these conditions is prepared.

PLANNING HISTORY

The relevant planning history is summarised below:

P/25/0151	Erection of residential annexe demolition of existing garage and erection of extension to accommodate replacement garage Granted full planning permission subject to conditions on 23 September 2025
P/17/0365	Variation of condition 1 of planning permission P/14/ 0071 (relating to a residential scheme for 9 dwellings) to extend the time limit for the submission of reserved matters by 3 years Granted outline planning permission subject to conditions on 5 February 2018
P/17/0294	Demolition of existing dwelling (Y Goedwig) and erection of 22 dwellings with associated access road Granted full planning permission subject to conditions on 21 June 2018
P/14/0071	Variation of condition 3 of Planning Permission P/11/0065 (relating to the residential development of the site for 9 dwellings) to extend the time limit for the submission of reserved matters by 3 years Granted outline planning permission subject to conditions on 22 December 2014

- P/11/0065 Variation of Condition 3 of planning consent P/08/0133 (relating to the residential development of the site for 9 dwellings) to extend the time limit for the submission of reserved matters by 3 years
Granted outline planning permission subject to conditions on 5 May 2011
- P/08/0133 Application under Section 73 of The Town and Country Planning Act 1990 to extend the time for the submission of reserved matters for a further 3 year period in respect of planning consent P/03/0476 (Appeal Ref APP/U6925/A/04/1169017 - Condition 3)
Granted outline planning permission subject to conditions on 20 January 2011
- P/06/0379 Construction of new access road
Refused planning permission on 5 March 2012
- P/04/0646 Residential development - 1 house (Outline)
Granted outline planning permission subject to conditions on 25 January 2005
- P/03/0476 Residential development - 9 houses (Outline Application)
Refused planning permission on 21 June 2004 and allowed at appeal on 18 March 2005
- P/01/0229 Residential development (Outline)
Granted outline planning permission subject to conditions on 4 April 2002
- P/98/0037 Outline Application for the erection of one dwelling
Granted outline planning permission subject to conditions on 4 April 2002

It is also noted that there is currently an application under consideration on land to the north of this site for works to trees protected by a Tree Preservation Order (Planning Ref: P/24/0122)

CONSULTATION

The following bodies were consulted and their responses are presented below:

Ecologist No objection

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 were considered in the determination of the original application:

- SW1 Provision of New Homes

- SW2 Provision of Affordable Housing
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection

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 the proposed changes to the roofs and fenestration and the inclusion of the details of the biodiversity enhancements required under condition 3 of the approved scheme under application reference P/25/0151 would represent a non material amendment.

With respect to the changes to the roofs and fenestration, these are considered to be minor changes that would not impact on the overall design or appearance of the approved scheme which remains acceptable. In addition, having regard to the siting of the

development and the changes proposed, it is not considered that these would have any impact on the residential amenities of neighbouring occupiers. Accordingly, the changes to the approved scheme would still accord with Policy SW11 of the LDP.

The details of the proposed enhancements have been considered by the Local Planning Authority's Ecologist who is satisfied that these are acceptable. However, a new condition will be required relating to the details of the pond which have not been provided as part of this application. Having regard to the above, the revised scheme including details of the enhancements would therefore be acceptable and remain in accord with the relevant policies of the Replacement LDP.

The other matter to consider is whether the proposed changes to conditions 4, 6 and 8 are appropriate and acceptable. In this respect it is noted that under the non-material amendment process it is possible to add, remove and amend conditions. It is proposed to change the wording of these conditions to alter the trigger for the submission of information. At present the conditions are pre-commencement and thus do not allow for any works to take place until the information is submitted and agreed. It is requested that these are changed to allow for some works to begin while the required information is compiled. Given the nature of the conditions in question it is considered acceptable for the information to be submitted after commencement of some works and appropriate alternative timescales would not impact on the acceptability of the development.

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 planning permission that would prevent approval of this non material amendment but it would be necessary for conditions to be amended.
2. There have not been any other non material amendments to the permission.
3. No representations were received following the original publicity exercise.

CONCLUSION

In conclusion, the proposed amendments are 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 subject to the following **CONDITIONS**:

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing Title: Proposed Site Plan, Drawing Number: PL01, Received 21 August 2025.

Drawing Title: Proposed Ground Floor Plan, Drawing Number: P02, Received 15 January 2026.

Drawing Title: Proposed First Floor Plan, Drawing Number: P03, Received 15 January 2026.

Drawing Title: Proposed First Floor Plan, Drawing Number: P03, Received 15 January 2026.

Drawing Title: Proposed Lower Ground Floor, Drawing Number: P04, Received 15 January 2026.

Drawing Title: Proposed Front and Side Elevations, Drawing Number: P05, Received 28 January 2026.

Drawing Title: Proposed Rear and Side Elevations, Drawing Number: P06, Received 28 January 2026.

Drawing Title: Proposed Side Elevations, Drawing Number: P07, Received 15 January 2026.

Drawing Title: Proposed Front Context Elevation, Drawing Number: P08, Received 15 January 2026.

Ecology Technical Note produced by BE Ecological Ltd. Dated 17.09.2025, Received 17 September 2025

Ecological enhancement details, Drawing Number: ECO-01 (V4), Received 28 January 2026.

Bat box location on western elevation, Received 28 January 2028

Bird box location on eastern elevation, Received 28 January 2028

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Prior to first occupation of the annexe hereby approved, details of the proposed pond together with a timescale for its provision, shall be submitted to and approved in writing by the Local Planning Authority. The pond 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.

4. Prior to first occupation of the annexe hereby approved, a scheme of landscaping, shall be submitted to an approved in writing by the Local Planning Authority. This shall include details of the proposed wildflower area, planting beds, hedgerow and new trees illustrated on drawing number PL01. The scheme shall also include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and

seeding seasons following the occupation of the annexe or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

6. Before works commence on the construction of any retaining wall which exceeds 1 metre in height, details, including structural calculations and facing materials shall be submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. Prior to the laying of any hard surfacing or commencement of any works above finished floor level, a scheme for the disposal of surface water shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the annexe development and retained in perpetuity.

Reason - To ensure adequate disposal of surface water drainage in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. Prior to the occupation of the annexe hereby approved, bat and bird boxes shall be provided in accordance with the details approved under condition 2 and these shall be retained in perpetuity thereafter.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The developer is advised that that decision must be read in conjunction with the original decision notice (planning ref: P/25/0151). Conditions 1, 5 and 7 are still applicable and must be complied with. Condition 2 has been amended on this decision notice to refer to the plans and details submitted as part of this non-material amendment application. Condition 3 has been amended to refer only to the enhancements of which full details were not submitted as part of this application. Conditions 4, 6 and 8 have been amended to alter the trigger for the submission of information and finally condition 9 has been added in relation the enhancements which have been approved.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 09.02.2026