

# DELEGATED REPORT

<b>Application No:</b>	<b>P/25/0132</b>
<b>Site Address:</b>	<b>20 Cae'r Wern Ynysfach Merthyr Tydfil CF48 1AE</b>
<b>Development:</b>	<b>Single storey rear extension and side porch, change of use of land to the side of property to residential garden and 2m timber fence</b>
<b>Case Officer:</b>	<b>Kate Glover</b>
<b>Site Visit:</b>	<b>21st May 2025</b>
<b>Application Expiry Date:</b>	<b>12th August 2025</b>
<b>Consultation reply date expired:</b>	<b>11th June 2025</b>

## APPLICATION SITE

The application site is situated in a cul-de-sac which is part of a larger residential estate, called Cae'r Wern. The property is No. 20 Cae'r Wern and is a semi-detached property with front and rear gardens and off-road parking. The external materials of the property are brick elevations, uPVC window and door frames, and concrete roof tiles. To the side of the site is an area of grassed amenity space and which is available to the general public, on the east side of this area is a footpath which is not designated as a public right of way but connects the cul-de-sac to other areas of the larger residential estate.

At the rear of the site is an area of land which is allocated as public open space in the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031, the site is also within the settlement boundary as designated in the LDP.

## PROPOSED DEVELOPMENT

This application seeks planning permission to enlarge the residential amenity area of the dwelling by changing the use of the public amenity area to the side of the application site, erect a 2m high boundary fence and construct single storey extensions on the side and rear elevations of the property.

The area of land which would be subject to the change of use, measures approximately 42m<sup>2</sup>, and the 2m high boundary fence would be positioned along the rear and side boundaries and a small section along the front boundary. The proposed plans show that the fence would be a wooden, close boarded in materials and design.

The proposed side extension would be lean-to in design, used as a porch and measure approximately 1.39m wide, 2.28m deep, 2.56m to eaves level and 3.20m to ridge height. The proposed rear extension would also be lean-to in design, used as a sunroom and

measure approximately 5.92m wide, 2.85m deep, 2.62m to eaves level and 3.77m to ridge height. No windows are proposed to be inserted into the west elevation of the extension which would face the neighbouring property. The external materials for both extensions would match those on the existing dwelling.

Details of proposed biodiversity enhancement have been provided in the form of an area of flowering lawn at the rear of the site and the provision of a bat box and a sparrow terrace which would be located on the side elevation (east) of the property.

## PLANNING HISTORY

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

## CONSULTATION

Planning Policy Officer: No objections

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

## POLICY CONTEXT

### National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

### National Planning Policies

Planning Policy Wales (Edition 12, February 2024) (PPW12).

### Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW13 Protecting and Improving Local Community Facilities
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4 - Sustainable Design
- Note 6 - A Design Guide for Householder Development

## PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to principle of development, impact on a public space, impact on the residential amenities of neighbours, visual impact and ecology.

As noted above the site is located within the settlement boundary and would meet the requirements of LDP Policy SW4. The Planning Policy Officer has not raised any objections to the proposal, noting that the proposed garden area would not encroach on to the land allocated as public open space and therefore the proposal meets the requirements of LDP Policy SW13. As such the principle of development is acceptable.

Whilst the principle of development is acceptable, consideration must be given to the extension of the garden, the erection of a 2m high boundary fence and the resultant visual impact, the loss of public space and impact on the adjacent footpath. Criteria 1 and 2 of LDP Policy SW11 states that development will be required to:

*“1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;*

*2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;”*

It is noted that the formal hard surface of the footpath is situated between two strips of land and this layout is particularly noticeable where the footpath runs between houses and their associated boundary fences and walls. The fence proposed to be erected along the side boundary of the enlarged garden would be set back from the edge of the hard surface of the footpath by approximately 0.6m and, therefore, would be similar to the arrangement of footpath and set back noted above. As such, the position and height of the boundary fence is acceptable and would not result in a tunnelling effect which would be detrimental to the appearance of the area or users of the footpath. Permitted development rights will be removed to ensure that this area of land remains open and the erection of fences, side extensions and outbuildings cannot take place without planning permission.

In respect of the visual impact of the proposed extensions, it is noted that these additions would be modest in scale, character, appearance and the proposed materials would not detract from the application property or the wider setting.

Turning to the potential impact on the residential amenities of neighbouring properties. The side extension to provide a porch is modest in size and scale and there are no concerns in relation to overlooking, overbearing or loss of light in respect of any neighbouring dwellings. In respect of the proposed rear extension, the property most affected would be No. 19 Cae'r Wern which is the other half of the semi-detached pair. The proposed extension would project alongside the boundary of No. 19 by approximately 2.85m and the eaves and ridge heights would be 2.62m and 3.77m respectively. The extension would have minimal impact on No. 19 and the proposed extension would not result in a significant degree of overbearing, loss of light or loss of privacy.

It should also be noted that neighbouring properties were consulted, and no letters of representation were received.

The Planning Ecologist has suggested that biodiversity enhancement is incorporated into the proposal. As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, it is noted that ecological enhancements are incorporated into the plans and the enhancements be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

## CONCLUSION

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (“the WBFG Act”) has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act. Accordingly, the following recommendation is made:

### **RECOMMENDATION: BE APPROVED** subject to the following **CONDITIONS**:

1. The development shall begin not later than five years from the date of this decision.

**Reason** - To comply with Section 91 of the Town and Country Planning Act 1990.

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

Drawing Title: Site Plans, Drawing No. CW-04, Rev B, Received on 29 July 2025

Drawing Title: Proposed Elevations, Drawing No. CW-03, Rev B, Received on 29 July 2025

Drawing Title: Proposed Plans, Drawing No. CW-02, Rev A, Received on 13 May 2025

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

3. **Prior to the development hereby approved coming into beneficial use** the flowering lawn mix, bat box and sparrow terrace shall be provided in accordance with approved plans Drawing Title: Site Plans, Drawing No. CW-04, Rev B, received on the 29 July 2025 and Drawing Title: Proposed Elevations, Drawing No. CW-03, Rev B received on the 29 July 2025. The flowering lawn mix, bat box and sparrow terraces shall be maintained as such in perpetuity.

**Reason** - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no extensions, garden sheds, gates, fences, walls, other means of enclosure or structures of any kind (other than any hereby permitted) shall be erected or constructed on or over the strip of land positioned between the proposed fence and the site boundary as shown on approved plan Drawing Title: Site Plans, Drawing No. CW-04, Rev B received 29 July 2025, without the prior express permission of the Local Planning Authority.

**Reason** - To preserve and enhance the visual amenities of the locality in accordance in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

*G. Davies*

**RECOMMENDATION ENDORSED**

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**Director of Neighbourhood Services**

**DATE: 30<sup>th</sup> July 2025**