

DELEGATED REPORT

Application No:	P/25/0285
Site Address:	Car Park Hornbeam Close Gurnos Merthyr Tydfil CF47 9BW
Development:	The erection of Passivhaus modular residential units, laundry, bin store, landscaping, parking and associated works
Case Officer:	Kate Glover
Site Visit:	13th November 2025
Application Expiry Date:	10th June 2026
Consultation reply date expired:	13th May 2026

APPLICATION SITE

The application site comprises an existing area of hardstanding currently used as a car park, together with adjacent areas of amenity grassland and trees. The site is bounded by the Gurnos Ring Road (north), open space (east), Hornbeam Close (south-east), the site access (south) and Fernhill Close (west). In terms of topography, the site is located on a plateau, with the land sloping downward towards Fernhill Close and rising towards the east. The most pronounced level changes are to the north and west, where the land falls towards the Ring Road and Fernhill Close.

In terms of green infrastructure, aside from the access point, the site is surrounded by amenity grassland and contains seven trees located close to the northern and southern boundaries.

The site is positioned within an established residential area at Gurnos, and close to residential properties on Hornbeam Close (southeast) and Penyfan View (southwest). The A465 Heads of the Valleys Trunk Road lies approximately 20.5m to the north.

PROPOSED DEVELOPMENT

The proposal seeks full planning permission for the erection of four single-storey modular dwellings (three one-bed and one two-bed), together with an associated laundry room, bin store, four parking spaces and four cycle hoops. A shared amenity area would be located within the central and northern portions of the site, incorporating landscaping, planting and SuDS features. Two pedestrian access points into the site, (one ramped and the other with steps) would be provided from the Gurnos Ring Road.

Mitigation for the loss of amenity grass and biodiversity enhancement would be achieved via both the planting and provision of bird boxes on Units 1 and 4.

The application has been supported with a parking survey, parking management/ownership statement, noise impact assessment, green infrastructure statement, arboricultural report

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.

Planning Ecology Officer: No objection subject to conditions.

Head of Engineering and Highways: No objection subject to conditions

Environmental Health Manager: No objection subject to conditions.

Dwr Cymru/Welsh Water: No objections subject to a condition.

Department for Economy and Infrastructure Transport: No objections.

PUBLICITY

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

Three letters of objection were received following the publicity exercise. The main material points of the letters received have been summarised below:

- Loss of parking and increased congestion
- Loss of bin collection area which the parking area is used for
- A single day parking survey, significant changes have occurred since the survey
- Noise and disruption during construction
- Cumulative impacts from nearby past and future infrastructure projects
- Impact on a home-based business

Other matters raised by the objector

- Loss of view
- Existing vermin issue would be exacerbated by the biodiversity enhancement
- Vehicles too far to be seen or car alarms to be heard

Due to the objections received this application has been referred to the local Ward Councillors to inform them of the responses received in relation to this application. It has not been requested that the application be presented to the planning committee. As such,

it will be determined under the delegated powers by the Director of Neighbourhood Services.

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) (PPW).

The policies in PPW are supported by Technical Advice Notes. The most relevant to this application are as follows:-

- Technical Advice Note 12: Design (March 2016) (TAN12)
- Technical Advice Note 11: Noise (October 1997) (TAN 11)

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:

- Policy SW1: Provision of New Homes
- Policy SW2: Provision of Affordable Housing
- Policy SW3: Sustainably Distributing New Homes
- Policy SW4: Settlement Boundaries
- Policy SW9: Planning Obligations
- Policy SW11: Sustainable Design and Placemaking
- Policy SW12: Improving the Transport Network
- Policy EnW1: Nature Conservation & Ecosystem Resilience
- Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- Policy EnW4: Environmental Protection

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

- Note 1, Affordable Housing
- Note 2, Planning Obligations
- Note 4, Sustainable Design
- Note 5, Nature and Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, impact on character and appearance on the street scene, highway safety and parking, residential amenity, ecology and planning obligations.

Principle of Development

The site lies within the settlement boundary and Primary Growth Area where residential development is acceptable in principle, subject to compliance with relevant policies.

The proposal would deliver four residential units and is therefore consistent with Policies SW1 and SW4.

Visual Impact

The development comprises modest, single-storey dwellings and, due to the topography of the site, the units would be staggered from west to east, with Plots 2 and 1 positioned at the lowest level and the laundry room at the highest point. The difference in roof heights between the laundry room and Units 1 and 2 would be approximately 1.4m.

The laundry room would have a square footprint measuring approximately 1.4m per side and an overall height of approximately 3.0m. The one-bed units would measure approximately 9.3m by 4.3m, and the two-bed unit approximately 8.9m by 6.5m. All units would have a height of approximately 3.3m.

The external surfaces would be finished predominantly in white render, with black windows and rainwater goods, grey roofs and areas of timber-effect vertical cladding around entrances. Red brick plinths are also proposed due to the stepped platforms required by the site's levels.

Whilst the flat-roofed modular form differs from surrounding pitched roof properties, the scale is modest and the use of render reflects the prevailing materials within the area. The extent of contrasting materials is limited and would not dominate the overall appearance.

Landscaping and boundary treatments would soften the development and assist in its integration within the surrounding area. On balance, the proposal would not result in significant visual harm particularly given the proposal is for a residential development in a residential area. Accordingly, the proposal meets the requirements of LDP Policy SW11.

Highway Safety and Parking

The Head of Engineering and Highways does not object to the proposal. They are satisfied with the number of parking spaces to be provided and raise no concerns in relation to the scope of the parking survey which demonstrates sufficient capacity within the surrounding area, and the development would not lead to unacceptable highway impacts. They also note that the parking area is privately owned and cannot be relied upon by residents for parking.

The Head of Engineering and Highways notes the ramped footpath linking with the adopted footpath that runs along the edge of the site and Gurnos Ring Road, and

requested a condition to ensure full details of the footpath/ramp are submitted and approved.

In relation to this matter, it is noted that the surrounding area is served by a formal pavement along the Ring Road. However Fernhill Close does not benefit from any pavements, and the proposal would not therefore, result in any deterioration of existing pedestrian provision.

The ramp which would be located on the northwest side of the site, as well as steps proposed to be located on the northeast of the site, would provide additional pedestrian routes into the site. However, the application does not propose that either of these features are formally adopted and no requirement for adoption has been identified. The proposed ramp would primarily serve the occupiers of the development and would remain a private access within the site, and whilst it is acknowledged that other individuals may be able to use the route in practice, this does not alter the function or status as internal access arrangements.

Planning conditions must meet the established tests of necessity and reasonableness. In this instance, the provision of a ramped footpath is not required to make the development acceptable and does not mitigate any identified harm arising from the proposal. As such, the development would remain acceptable in planning terms without the provision of an adopted or adoptable standard access points and the condition would not meet the tests of Circular 016/2014. Should the applicant need to redesign the ramp the opportunity to do so could be achieved via an appropriate route which could be via full planning permission, a variation of condition or non-material amendment.

Accordingly the no highway safety or parking requirement concerns have been raised and the proposal meets the requirements of LDP Policy SW11.

Residential Amenity

In terms of residential amenity, two aspects are considered: the impact on existing residents and the living conditions of future occupiers. It is noted that no objections have been raised by the Environmental Health Manager.

Turning first to potential impact on the current residents. Concerns have been raised in relation to the loss of parking, loss of refuse collection space and impact during the construction phase, and this matter is set in particular against the recent works along the Heads of the Valleys and proposed works to be carried out by Dwr Cymru Welsh Water.

In relation to the loss of a parking area, loss of parking is addressed above. The purported loss of a refuse collection has not raised any concerns as a result of consultation with statutory consultees. Further to this, as with the use of the area for parking cars, the site is not a public area which could have formal use as a refuse collection area. As such, the matter is afforded limited weight in the determination of the application.

In terms of its potential impact on the amenity of the nearby dwellings Penyfan View lies to the southwest and No. 12 is the dwelling closest to the site and therefore the most likely to be affected by the proposal. In regard to overlooking and loss of privacy due to the orientation and layout of proposed Unit 1, it is noted that 2 windows would be provided in the rear elevation and would face towards No. 12. The windows would be positioned approximately 16 metres from the boundary of No. 12, with the side elevation of the

dwelling approximately 26 metres distant. The bathroom window would be obscurely glazed and non-opening above 1.7m and in relation to the kitchen window the separation distances are noted.

In terms of overbearing, the roof of Unit 1 would be approximately 0.5m below the ridge height of No.12. Given the layout of the proposal and separation distances involved with No.12 and the other dwellings on Panyfan Close there would be no significant impact in terms of loss of privacy, overlooking or overbearing.

In relation to potential impact on the occupiers of Hornbeam Close, the ground slopes steeply upwards on the north/northeast boundary of the site and this results in the ground level of the Close being approximately 2.4m above that of the development. The roof of the proposed laundry room would be approximately 0.35m above the ground level of No. 2. The windows in the principle elevation of Unit 1 would face towards No.2. However, the separation distance would be approximately 45.5m. As such there would be no significant increase in overlooking, loss of privacy or overbearing in relation to the dwellings on the Close.

In respect of noise during the construction period, these impacts would be temporary, and can be mitigated through planning conditions. A cumulative impact caused by the works to the A465 trunk road is not considered to be significantly detrimental as a result of this proposal.

Noise from the residents of the units would not be out of keeping in this residential area. Further to this, the Environmental Health Manager retains additional powers under statutory nuisance legislation during both the construction and operational phases.

Turning to the amenities of the occupants of the proposed development there are no concerns in relation to lack of privacy or overbearing from the existing houses or public areas. As such the proposal meets the requirements of LDP Policy SW11 and TAN11.

Ecology

In terms of ecology, the site comprises predominantly hardstanding with surrounding areas of amenity grassland and scattered trees. These features provide limited ecological value, although they contribute to wider green infrastructure connections in the locality.

The Council's Ecologist raises no objection to the principle of development but recommends a number of measures, including the use of fully native planting, provision of species-rich hedgerows, a 25-year management plan and controls over lighting.

The application is supported by a Green Infrastructure Statement, Detailed Soft Landscape Proposals, an Arboricultural Report and a Landscape Management Plan. The proposals retain all existing trees and the majority of green infrastructure features on the site. In addition, the scheme introduces new tree planting, areas of wildflower grassland, species-rich boundary planting and ornamental planting, which collectively increase the extent and diversity of vegetation within the site. These measures will enhance habitat connectivity and provide improved opportunities for foraging, shelter and movement for wildlife.

Whilst the Ecologist has recommended that all planting should comprise locally native species, it is noted that neither national nor local planning policy requires landscaping

schemes to be exclusively native. Given the urban context of the site and its residential setting, the proposed mix of native and ornamental species is considered acceptable. The scheme nonetheless delivers meaningful biodiversity enhancement through the incorporation of species-rich planting, retention of existing trees and creation of new habitats.

The submitted Landscape Management Plan provides a framework for the establishment and maintenance of planting for a 10-year period. It is noted that when comparing the Landscape Management Plan with the Site Layout Plan, there is a different arrangement of landscaping within the shared amenity area. To address this matter, a condition can be used to secure the submission and approval of a revised and detailed Landscape Management Plan and scheme of planting. A planning condition can be used to confirm the planting scheme and longer-term habitat establishment and management, broadly in line with the Ecologist's recommendation, without requiring full adherence to a 25-year period.

The proposals also include further biodiversity enhancement through the provision of bird boxes integrated within Units 1 and 4. Their siting and orientation are considered appropriate, with existing vegetation providing shading where necessary. This represents a proportionate biodiversity enhancement measure.

In respect of lighting, no external lighting details have been provided. The site is located within an established urban area influenced by existing street lighting from the Gurnos Ring Road and the nearby A465, and therefore does not represent a dark or ecologically sensitive environment. Whilst it is acknowledged that artificial lighting can impact nocturnal species, particularly bats, it is not considered reasonable or necessary to impose detailed controls over internal domestic lighting. However, it is appropriate to secure details of any external lighting by condition to ensure that potential impacts are minimised.

Overall, the scheme follows the stepwise approach set out in Planning Policy Wales by retaining existing features, minimising impacts, and providing mitigation and enhancement through new planting and habitat creation. The development will result in a net enhancement of green infrastructure and biodiversity within the site.

Accordingly, whilst not all of the Ecologist's detailed preferences are fully addressed, it is considered that the proposal meets the requirements of Policy EnW1, Planning Policy Wales and Section 6 of the Environment (Wales) Act 2016. Any outstanding matters can be satisfactorily secured through appropriately worded planning conditions.

Planning Obligations

Policy SW9 relates to planning obligations. Given the nature of the proposal, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. However, Community Infrastructure Levy (CIL) is chargeable on residential development in this part of the County Borough.

Response to Representations

The material planning considerations raised in the letters of objections have been addressed in the relevant sections above. With regards to other concerns raised (which are not planning matters), are addressed below:

- The loss of an outlook or view, in itself, does not constitute a material planning considerations and, as such, cannot be afforded weight in the determination of the application.
- In relation to the impact on a homebased business, the personal circumstances and impacts on an individual's private business are not material planning consideration in this instance. Planning decisions are based on land-use impacts rather than individual hardship or financial consequences.
- In relation to the distance to alternative car parking in relation to walking to properties and vehicle security this point ultimately returns to the established position that the applicant has confirmed there are no rights for third parties to use the parking area, and there are no private agreements in place for its use. Further to this any behaviour in relation to damage or security of vehicles would be a matter for the appropriate authorities such as the Police and is not a material planning in this instance.
- The proposal which includes the erection of bird boxes should not result in an increase in vermin. The existing matter of vermin would be a matter of interest to the environmental health manager.

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.

The proposed development provides housing within the settlement boundary, would not result in unacceptable impacts on residential amenity, is acceptable in highway safety and parking terms and delivers biodiversity mitigation and enhancement. Having regard to the policy context above, the proposal is considered to be acceptable and 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 and document:

Drawing Title: Bin Store Details, Drawing Number: LT2509.04.03, Received on 31 October 2025.

Drawing Title: Proposed Street Sections, Drawing Number: LT2509.04.02 Rev A, Received 23 April 2026

Drawing Title: Proposed Dwellings, Drawing Number: LT2509.04.100 Rev B, Received 29 April 2026

Drawing Title: Proposed Site Layout, Drawing Number: LT2509.04.01 Rev D, Received 29 April 2026

Arboricultural Report by ArbTS - Arboricultural Technician Services Ltd, Received 23 April 2026

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

3. **Prior to the commencement of development**, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

- Full planting plans, including species, sizes, densities and positions
- Details of all trees and hedgerows to be retained and/or planted
- Measures for the protection of retained vegetation
- Details of ongoing management and maintenance.

The approved landscaping scheme shall be implemented in full in accordance with the approved details and shall thereafter be retained and maintained in perpetuity.

Reason - In the interests of the visual amenities of the site and wider area, and to accord with Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

4. In the first planting season (March to May) after any unit hereby approved coming into beneficial use the landscaping scheme approved under condition 3 shall be fully implemented. Any trees or plants which within a period of 5 years from the completion of the 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 - In the interests of the visual amenities of the site and wider area, and to accord with Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

5. Prior to the construction of the plinths supporting the residential units and the laundry room hereby approved, samples including colour and finish of the materials to be used on the external surfaces shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. **Prior to the installation of any external lighting**, a lighting scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme of lighting shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - In the interest of maintaining and enhancing biodiversity and to accord with Planning Policy Wales and Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

7. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. All parking spaces and pedestrian paths shall be surfaced in consolidated materials (not loose stone or chipping).

Reason - In the interests of highway and pedestrian safety and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

9. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

INFORMATIVES

1. The applicant/developer is advised to refer to the advice of Welsh Water/Dwr Cymru received on the 24 November 2025 in relation to asset protection, and connection to the public sewer and location of unrecorded public sewers and lateral drains.
2. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

3. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 08.06.2026