

DELEGATED REPORT

Application No:	P/25/0251
Site Address:	106 Heolgerrig Heolgerrig Merthyr Tydfil CF48 1TD
Development:	Proposed replacement dwelling
Case Officer:	Kate Glover
Site Visit:	8th October 2025
Application Expiry Date:	11th November 2025
Consultation reply date expired:	13th October 2025

APPLICATION SITE

The site is an area of land measuring approximately 537m² and contains a 2 storey cottage which is located in the northwest of the application site. The dwelling is in a state of dilapidation and modest in size, scale and traditional in character and appearance. The external materials include rendered elevations and concrete tile roof. Along the northern boundary of the site are trees and a hedgerow and an area of scrub, and another area of scrub is situated along part of the southern boundary.

The existing vehicular and pedestrian access is provided via an un-adopted lane to the south of the site that links to Heolgerrig Road.

The topography of the area results in ground levels generally sloping downwards, from west to east and the ground level also falls away behind the northern boundary.

The site is in a residential area and positioned between Trehafod (west) and Plot 1 which is part of a residential development for 2 dwellings, which were recently granted planning permission. The rear amenity areas of No.s 3 and 2 Cae Deri (north) are adjacent to the rear boundary of the site, and No.s 6 and 7 Crud Yr Awel (south) are located on the other side of the un-adopted access road, with the rear elevations and gardens of these properties facing the application site.

The site is located in a residential area and the houses adjacent to the site and within the wider street scene vary in size, scale and design, and include two storey dwellings and dormer bungalows. The external material used on the elevations of these dwellings is primarily render, although the adjacent property on Plot 1 appears to be completed externally and is finished with in orange coloured brick/cladding and incorporates light coloured cladding on the principal elevation.

PROPOSED DEVELOPMENT

The proposal is for the demolition of the existing detached dwelling and its replacement with a 2 storey, detached, 3 bedroom dwelling and garage. The main part of the dwelling would measure approximately 17.63m long, 5.67m wide, 5.16m to eaves level and 7.24m to ridge height. A 2 storey feature entrance/hallway would project from the principal elevation and would include large areas of glass and rooflights, and the elevations would be clad with the light-coloured timber. The rest of the principal elevation would for the most part, be finished in a mixture of the dark-coloured timber cladding and a smaller section would be finished with render. The side (east) elevation would be finished in the light-coloured timber cladding and the rear elevation in the dark cladding. The side (west) elevation would be finished in render, and the property would have a slate roof, and black coloured window, door frames, roof goods and rainwater goods.

The side (east) elevation would at first floor level, incorporate a large area of glazed bi-folding doors, a balcony with a glass safety barrier, and to enclose the sides of the balcony, there would be vertical sections of material from eaves to ground level.

A garage to accommodate one car, would be located to the west of the proposed dwelling and an enclosed link from the garage to the house would be provided at the rear of the property.

Access/egress and parking for 2 cars would be provided close to the site's access on to Heolgerrig Road.

A section of gabion baskets measuring approximately 2m long and 0.5m wide, would be installed at the rear of the site and appear to be located within the northern boundary which contain trees and hedgerow.

PLANNING HISTORY

The relevant planning history is summarised below:

- | | |
|-----------|--|
| P/18/0105 | Erection of 2 dwellings
Outline consent approved 17 May 2018 |
| P/21/0182 | Erection of two dwellings
Reserved Matters approved 22 Jun 2022 |

CONSULTATION

Planning Policy Officer:	No objections
Head of Engineering and Highways:	No objections
Planning Ecology Officer:	Concerns.
Environmental Health Manager:	No objection subject to conditions.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties.

No letters of objection were received following this publicity exercise. However, a letter was received which raised a query regarding the responses given on the application form as to whether there are any trees/hedges within the site and whether there are trees or hedges on land adjacent to the development that could be influenced by the proposal or might be important to the local landscape character. It is highlighted in the letter that there are trees along the shared boundary and that they have declined any offer for them to be removed as this would remove the natural boundary between the properties which needs to be maintained.

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 (TANs). The most relevant TANs to this application are as follows:-

- TAN 5, Nature Conservation and Planning, September 2009
- TAN 18, Transport, March 2007
- TAN 12, Design, March 2016

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 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 EnW2: Internationally and Nationally Protected Sites and Species
- 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 (March 2012)

- Note 2: Planning Obligations (March 2012)
- Note 4: Sustainable Design (July 2013)
- Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, impact upon the character and appearance of the property and the street scene, impact upon the residential amenity of neighbours, parking and highway safety, ecology, land contamination, retaining features and planning obligations.

Principle of Development

The proposal would be located within the settlement boundary, where the principle of development is acceptable and meets with the requirements of policy SW4. However, the proposal must comply with other plan policies and material considerations.

Planning permissions P/18/0105 and P/21/0182 (listed above) granted consent for 2 dwellings (Plots 1 and 2) each with associated amenity and parking areas for 3 cars. The site location plan for this application (P/25/0251) incorporates an area of approximately 133sqm, which includes land associated with the development of Plot 1, and in particular the parking area. During the site visit it was observed that the development of Plot 1 is substantially complete, although the approved parking area has not been set out in accordance with the approved plans. The impact of the development on the adjoining site is material to this planning application as a significant area of the land associated with Plot 1's parking area and garden would be required for a large portion of the proposed dwelling and its garden area. No Section 73 application(s) or other application to vary planning permission P/21/0182 has been submitted to the Council. As such, the impact of this proposal on the approved development is a material planning consideration in terms of potential highway/parking implications. Non-compliance with the approved plans and breaches of the planning permissions would be a matter for investigation by the enforcement team.

Design and Visual Impact

In respect of the proposed dwelling's scale and mass, the house and garage would measure approximately 17.63m long, with an overall height of approximately 7.24m to ridge height and in comparison, to its neighbours would be the longest property. The ridge height would be approximately 1.46m lower than Trehafod and approximately 1.45m higher than Plot 1. In relation to the wider street scene it is noted that the proposed dwelling would not be significantly higher than the 2 storey dwellings in the surrounding area and the ridge height would follow the drop in ridge heights of the properties down the hill. As such the mass and height of the property would not be significantly greater than the neighbouring built development.

Turning to materials, the Design and Access Statement (DAS) submitted in support of the proposal lists the different external materials used on the neighbouring properties and refers to Plot 1 and the use of timber cladding, render and fibre cement.

As noted above the majority of the properties adjacent to and in proximity to the site, are finished in render, whereas Plot 1 includes orange coloured brick/cladding on the elevations and light-coloured cladding on the principal elevation. The plans approved in

relation to P/21/0182 show that all the elevations of Plot 1 should have dark-coloured timber cladding, and whilst it is acknowledged that the construction of the building may not have been completed, windows and doors have been installed and would indicate that the external envelope of the building is complete.

With regard to the proposed replacement dwelling, the inclusion of render is acknowledged; however, its extent is minimal and largely concealed by the projecting entrance and hallway. As a result, it would not be visible from most viewpoints into the site. Timber cladding which is both dark and light coloured would be the primary material and clearly visible. If the majority of the elevations were proposed to be rendered, this approach would provide cohesion with most of the nearby dwellings, and the use of timber cladding on the entrance/hallway would result in an attractive visual relief and would result in an acceptable form of development. The use of light coloured timber on the hallway and end gable, with an expanse of dark cladding between, would create a patchwork of colours and would not be visually harmonious. In respect of the DAS and the justification for using timber cladding, Plot 1 cannot be relied upon as in reality timber has been used sparingly on the elevations of this property. Further to this only dark coloured cladding was approved, not the current mix of external materials, and Plot 1 is a bungalow and is less intrusive in the street scene than the proposed two storey dwelling.

Therefore, the introduction of a building finished in a mixture of coloured cladding would result in a form of development that is not appropriate to its local context in terms of character and appearance.

The hedgerow and trees that are along the northern boundary provide an attractive contribution to the character and appearance of the site, street scene and wider area. The site location plan does appear to include the northern boundary and the ecological reports submitted in support of the application, note the location of hedgerow and trees and their contribution in supporting wildlife, including bats. The concerns of the member of public regarding the content of the application form in relation to trees and the application form are noted and regardless of the application form, the impact on trees is a material planning consideration.

A site plan shows that, the rear elevation of the proposed dwelling would be a few meters from the hedgerow, and a small section of gabion baskets are to be installed into the boundary. The sections illustrate that the hedgerow is growing on top of a raised bank and is unlikely to be affected by the proposed dwelling in the long term. However, no sections have been submitted to demonstrate the works required to construct the gabion retaining feature and enable an assessment on the potential loss of trees and hedgerow. As such, further information is needed to assess the impact of the works associated with installation of the proposed gabion baskets.

In summary, the use of a mixture of different coloured timber cladding over the majority of the proposed dwelling would result in a harmful visual impact on the area and local context and detract from the general street scene and townscape. In addition, there is a lack of information in relation to the works required to insert the gabion baskets and the potential visual impact which may be caused by the loss of hedgerow and trees. Accordingly, the proposal is contrary to the requirements of LDP policy SW11.

Residential Amenities

As noted above, the dwelling would sit between Trehafod (west) and Plot 1 of the adjacent new residential development (east) and these are the properties most effected by the proposal.

In respect of Plot 1, as noted above the planning merits of the current application are stymied by the fact that the plans submitted in support of the proposal take land which is associated with permissions reference P/18/0105 and P/21/0182. In relation to the plans submitted in support of the current planning application, the proposed dwelling would be approximately 9.4m from the boundary of Plot 1 and there are no significant concerns regarding potential overbearing as a result of the development. However, the proposed expanse of glass at first floor level and the provision of a balcony which is essentially an outdoor amenity area would result in a significant degree of overlooking and loss of privacy in relation to Plot 1's private rear amenity area.

Turning to Trehafod, the proposed garage is built hard on this property's boundary and the proposed dwelling would be approximately 5.8m distant from the boundary and 12.56m from Trehafod's nearest side elevation. In the elevation that would face Trehafod, there would be inserted 2 first floor windows. Due to the distance between the side elevation of the proposed dwelling and Trehafod and given that the land to the side of Trehafod can be observed from the public highway the proposal would not result in a significant degree of overlooking, loss of privacy and or result in an overbearing form of development.

In relation to No.s 3 and 2 Cae Deri (north), the rear elevation of the proposed dwelling would be set back from the shared boundary at distances of approximately 2m at the shortest and approximately 3.65m at the greatest and the majority of the hedgerow and trees which are positioned along the shared boundary would be retained. No.s 3 and 2 have the benefit of large amenity areas and the dwellings are located approximately 44m and 70m respectively from the site. Given the separation distances involved, the large amenity areas and the planting along the shared boundary, the proposal would not result in a significant degree of overlooking, loss of privacy and or result in an overbearing form of development.

In respect of No.s 6 and 7 Crud Yr Awel (south), the principal elevation of the proposed dwelling would be approximately 15.74m from the boundaries of No.'s 6 and 7 and approximately 24.6m from the rear elevations of these properties. Given the separation distances involved, the large amenity areas and the planting along the shared boundary, the proposal would not result in a significant degree of overlooking, loss of privacy and or result in an overbearing form of development.

In summary, the expanse of glazing and first floor balcony proposed on the east elevation of the proposed dwelling and the short distance to the boundary and rear amenity space of the neighbouring dwelling would result in an unacceptable level of overlooking and a loss of privacy for the future occupiers of Plot 1. Accordingly, the proposal is contrary to the requirements of LDP policy SW11.

Highway Safety and Parking

It is noted that the unadopted road serving the application site, is narrow, has limited passing areas and does accommodate any formal on-street parking.

The Head of Engineering and Highways raises no concerns in relation to the proposed replacement dwelling as the existing dwelling would generate traffic movements and

parking can continue to be accommodated within the site, and the proposed garage and 2 No. off-street parking spaces meet the requirements of CSS Wales Parking Standards 2008.

The proposed replacement dwelling would result in a reduction in the number of parking spaces available for Plot 1, and no justification has been provided to demonstrate the acceptability of the reduced parking area in terms of parking provision and highway safety. The reduction in parking space could lead to informal parking within passing places, which would further narrow the carriageway and create congestion. This situation may also result in vehicles having to reverse significant distances to allow others to pass, increasing the risk of conflict and obstruction on the road for drivers and pedestrians. As such, the proposal fails to meet with the requirements of LDP Policy SW11.

Ecology

The Preliminary Ecological Appraisal Report (PEA) that has been submitted in support of the proposal and identifies roosting potential in the dwelling to be demolished and a Bat Survey has been submitted, along with a Green Infrastructure Statement (GIS).

The PEA notes that there are recordings of great crested newts (GCN) close to the site and the presence of a water bodies close to the site. The PEA goes on to state that the site has limited connectivity to areas where GCN have been recorded and a site-specific method statement for site clearance works would be appropriate. The hedgerow along the northern boundary of the application site is identified as a species poor hedgerow, although it also identified as the most species rich area on the site and providing important habitat connectivity, supporting nesting birds, foraging opportunities for bats, and shelter for various small mammals. The PEA also identified areas of scrub adjacent to the northern boundary hedgerow and along a small section of the southern boundary and within the site it identifies amenity grassland, stone piles and wood piles which are habitats that may provide basking areas and refugia for a number of species.

The Bat Survey identifies that the existing dwelling is a roost for low numbers of Common pipistrelle bats and that two species of bats (Myotis spp. and Common pipistrelle) were recorded commuting and foraging along the hedgerow and treeline along the northern boundary of the site. The Survey states that the demolition of the existing dwelling will require a European Protected Species (EPS) licence from Natural Resources Wales and the hedgerow and trees provide connectivity with a nearby stream and woodland/trees in the area.

The Green Infrastructure Statement (GIS) states that the existing hedgerow at the rear of the site would be incorporated into the proposal and acknowledges the loss of an area of overgrown bramble scrub which is adjacent to the hedgerow. The GIS also references the presence of bats and the importance of the northern hedgerow in commuting and foraging, and recommends a number of ecological enhancements though planting, hedgehog holes, provision of bird boxes and mitigation for the loss of a bat roost via provision of bat boxes. The GIS also states that a lighting plan is needed to ensure ecologically sensitive areas remain dark during the construction phase and for the lifetime of the development.

The Planning Ecologist has not raised any objection to the proposal but has raised concerns regarding a lack of detail in relation to compensation and enhancement measures and advises that revised ecological information is required to clarify, which measures relate to compensation, which must be considered and set out initially, and

which measures relate to enhancement which are measures over and above compensation.

The installation of gabion baskets and the need to protect the hedgerow and trees for reasons of visual impact are set out above. However, the impact on the hedgerow and trees is also important for reasons of ecology and the protection of a habitat used by bats. The ecological reports do not provide any assessment in relation to the installation of the gabion baskets, nor has any tree survey been submitted in support of the proposal.

PPW states that... *“Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where individual or groups of trees and hedgerows are removed as part of a proposed scheme, planning authorities must first follow the step-wise approach as set out in paragraph 6.4.15. Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss as identified through an assessment of green infrastructure value including biodiversity, landscape value and carbon capture). Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost. The planting position for each replacement tree shall be fit to support its establishment and health, and ensure its unconstrained long-term growth to optimise the environmental and ecological benefits it affords.”*

The Local Planning Authority have a duty to take action towards securing the maintenance and enhancement of ecology/biodiversity and to mitigate against the effects of climate change. Without further information clarifying compensation and mitigation for the loss of a bat roost and potential loss of the trees and hedgerow a full assessment on potential impacts on ecology cannot be made. Accordingly, the proposal is contrary to the requirements of LDP Policies EcW1, EcW2 and EcW3.

Retaining features

As noted above gabion baskets are proposed to be provided along the northern boundary of the site and the application does not include any indication on the purpose of the basket.

Notwithstanding the concerns regarding the basket's potential impact on the hedgerow and trees as set out above, the baskets may be required for retaining land and further information is required to understand and assess the impact of the proposed baskets. As such, the proposed development is contrary to Policy EnW4 of the adopted Merthyr Tydfil Replacement Local Development Plan.

Contaminated Land

The Environmental Health Manager does not object to the proposal and notes that the site is within 250m of potentially contaminated land, and historic maps show some fill features on site. The Manager recommends a condition to control the daily construction times and conditions to investigate and, if necessary, remediate potential land contamination.

No significant concerns have been raised and therefore the proposal meets the requirements of LDP Policy EnW4.

Planning Obligations

Policy SW9 relates to planning obligations. Given that the proposal is for a single dwelling, 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 (at £25 per sqm index linked).

Response to representations

It is acknowledged that a representation has been received with concerns in relation to the removal of trees along the northern hedgerow, this matter has largely been addressed in the above sections of this report. The following additional comment is made in response to the points in relation to matters relating to the removal of trees and hedgerows:

Impact on trees and hedgerows in relation to a development and pre-emptive site clearance are material planning considerations. However, in general terms, the local planning authority cannot control or take action for the removal of trees which are not subject of a tree preservation order or in a conservation area, or hedgerows which are not in countryside and covered by the Hedgerows – Hedgerow Regulations 1997. Any private agreements or other legal processes, such as the Party Wall Act, are matters which falling outside of the planning regime.

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.

Given the concerns raised in relation to the loss of privacy, impact of the proposed on the adjacent residential development, it was considered unreasonable to request further information in relation to alternative materials for the external cladding, the potential loss of hedgerow and trees and matters relating to ecological compensation and mitigation, and biodiversity enhancement. It should also be noted that that matters of external materials and loss of privacy were raised in the officer’s pre-application advice.

Having regard to the policy context above, the proposal is considered to be unacceptable and the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following **REASONS:**

1. The proposed dwelling, due to its siting and design, which incorporates into its east elevation a large expanse of glazing and a balcony at first floor, would result in an unacceptable level of overlooking and a loss of privacy to the detriment of the residential amenity of the future occupiers of the adjoining property to the east. As such the proposed dwelling is contrary to Policy SW11 of the adopted Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031.

2. The proposed dwelling, which includes a range of material finishes and the dominant use of timber cladding, would have a harmful and discordant impact on the character and appearance of the area and would fail to enhance the general street scene. As such, the proposed dwelling is contrary to Policy SW11 of the adopted Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031.
3. Insufficient information has been submitted to enable the ecological impact of the proposed development and compensation measures to be fully assessed for the loss of a bat roost. As such, the proposed development is contrary to Policies EcW1, EcW2 and EcW3 of the adopted Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031.
4. Insufficient information has been submitted to demonstrate that the construction of the gabion basket retaining wall, along the northern boundary of the site, would not result in the loss of trees and hedgerow, to the detriment of the visual amenities and the ecological value of the site. As such, the proposed development is contrary to Policies SW11, EnW1, EnW2, EnW3 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031, Planning Policy Wales 12 and The Environment (Wales) Act 2016.
5. Insufficient information has been provided to assess the impact of the proposed development on the parking provision associated with the adjacent property (Plot 1) and the consequent potential harm to the free flow of traffic and highway safety for both vehicles and pedestrians using the unadopted highway serving the site. As such, the proposed development is contrary to Policy SW11 of the adopted Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016 - 2031.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 10.11.2025