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Application No.
P/25/0223

Date
18th August 2025

Determining Authority
MTCBC

Proposed Development

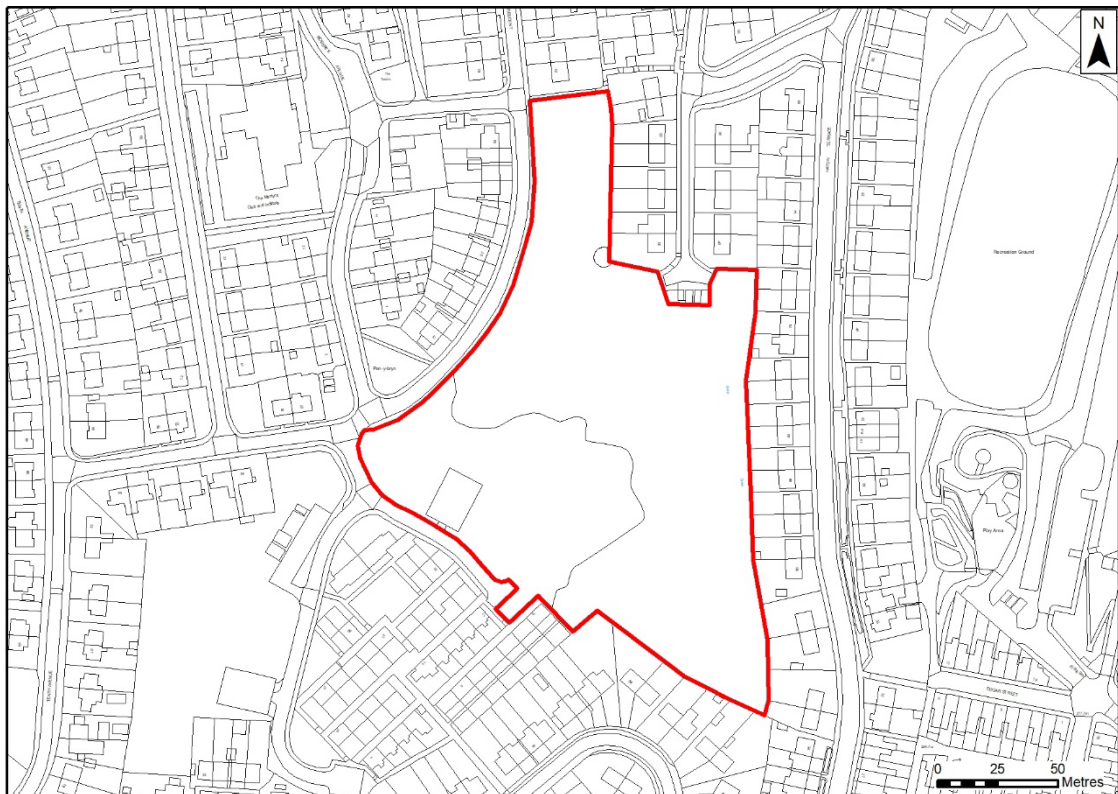
Location

Name & Address of Applicant/Agent

Residential development comprising 47 homes, landscaping, informal open space and associated engineering works.

Land adjacent to Hillcrest and Mitchell Crescent
Penydarren
Merthyr Tydfil
CF47 9JF

Mr Lee Roberts
c/o Mr Sam Courtney
LRM Planning Ltd.
22 Cathedral Road
Cardiff
CF11 9LJ



P/25/0223

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APPLICATION SITE

This application relates to an irregular shaped site measuring approximately 1.4 hectare and located in the residential area of Penydarren. The site can be broadly characterised as an area of grassland with scattered trees and vegetation, that generally slopes down (steeply in places) from west to east. The site also includes a small area of hardstanding in the south-west corner that is currently being used informally for parking.

The site is bound to the west by the highway serving Mitchell Crescent with residential properties on the opposite side that overlook the site. To the south is a group of dwellings that form part of Hillcrest which are served by a steep highway that runs along part of the southern boundary. This area is also partly bound by some of the properties along Garden City where their rear gardens back on to the site. To the north is a group of dwellings that form part of Marshall Crescent with a turning area and garages backing on to the site. To the east is Hayden Terrace of which their rear gardens back onto the site.

PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of 47 homes, together with informal open spaces and associated landscaping and engineering works. The submitted layout plan illustrates a range of house types would be accommodated with a mixture of areas for informal recreation, shared surfaced areas and a central pedestrian link crossing through the site from west to east connecting Mitchell Crescent to an area of natural landscaping.

In response to the topography of the site and the surrounding context, it is noted that there would be effectively 3 storey (dual fronted) properties along the western boundary that are built into the embankment to present two storey dwellings that have a typical frontage onto the main highway (Mitchell Crescent), some incorporating flats at the lower ground level where these would be accessed from an area of public open space to the rear. Similarly, through the centre of the site would be a block of flats that would appear as two storey properties from one side and three storey on the other. Elsewhere there would be two storey dwellings and a bungalow. The development would cater for a total 24 No. two bedroom dwellings, 4 No. three bedroom dwellings and 19 No. one bedroom flats.

Each property would incorporate an area of private amenity space generally to the side or rear and some of the properties would also include an area of shared open space to the front. The south-west part of the site would include a larger area of open space which would be landscaped with trees and grassed embankments that reflect the change in levels. Elsewhere across the site, there would be a number of planted verges and embankments to provide green infrastructure within the development which would also form part of a sustainable drainage scheme. Through the centre of the site would be a series of connected plateaus that are landscaped to provide areas of open space that link to an area of natural landscaping to the east.

A detailed landscaping proposal has been provided which includes orchard tree planting along the pedestrian access in the northern part of the site, as well as grassed

areas and rain gardens along the boundary with Mitchel Crescent. The open spaces would include a range of shrub planting, wildflower grass and tree planting. Tree planting would also be introduced alongside the access road within the site. Along the northern and east boundaries of the development hedgerow planting would be introduced together with tree planting, which would sit adjacent to the existing areas of natural vegetation which is to be retained. Throughout the site a series of raingardens would be provided alongside the access road.

The submitted plans illustrate the proposed dwellings along Mitchell Crescent would be served by the adjoining highway, with each plot having a private drive that can accommodate 2 parking spaces. The main access serving the rest of the development would be via Hillcrest with a new road that loops through the site. The northern section of the access has been designed as a shared surfaced areas where pedestrian movement is more open and not limited to defined footways. Due to the change in levels within the site, parking for each property would be provided either in bays alongside the highway or in a small dedicated parking area. Within the site, one parking space would be provided for each of the residential units with 4 visitor parking spaces.

As part of the highway works, a new footpath would be constructed alongside Mitchell Crescent and Hillcrest that connect to the pedestrian routes within the site. A footpath would also be provided through the natural landscaped area that connects Hillcrest to Marshall Crescent.

In support of the planning application the following documents have been submitted:

Planning Statement
Drainage Statement
Preliminary Ecological Assessment
Ecological Impact Assessment
Reptile Survey Report
Green Infrastructure Statement
Landscape Specification and Management Plan
Geotechnical and Geoenvironmental Report
Archaeological and Heritage Statement

PLANNING HISTORY

There is no relevant planning history relating to the application site, to be taken into considerations in the merits of the proposed development.

CONSULTATION

Head of Engineering and Highways	-	No objection subject to conditions relating to a construction traffic management plan, cycle facilities, lighting, parking, retaining works, footpaths and access.
Planning Policy Officer	-	No objection.

Planning Ecologist	-	No objection subject to conditions relating to lighting, precautionary working method statements, ecological management plan, ecological enhancements and invasive species.
Environmental Health Manager	-	No objection subject to conditions relating to construction hours, dust management and land contamination.
Strategic Housing Manager	-	No objection.
Welsh Water	-	Holding objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to nearby residential properties on 21.08.2025, site notices were displayed within the vicinity of the site and surrounding area on 18.09.2025 and a notice was displayed in local newspaper on 21.08.2025.

As a result of this publicity exercise 1 letter of objection was received which raised the following concerns:

- The development would result in the loss of the open aspect enjoyed from the properties adjacent to the site.
- The development would have an impact on property values.
- The submitted plans have no consideration for the residents of Mitchell Crescent.
- It is requested that the three tier houses be positioned lower down in the site to minimise any impacts.
- It was noted that the houses are intended to be used to provide accommodation for homeless people, who could have complex needs.

POLICY CONTEXT

National Planning Policy

Future Wales - The National Plan 20240: sets out the national development framework with 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.

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking: supports growth and regeneration of towns and cities that contribute towards building sustainable places and support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centre and public transport and integrated green infrastructure.

Policy 7 – Delivering Affordable Housing: supports development that contributes to the delivery of affordable housing where there is an identified need which provides an opportunity for all members of society, especially those unable to afford to buy on the open market.

Policy 9 – Resilient Ecological Networks and Green Infrastructure: seeks to ensure the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure in order to promote and safeguard the functions and opportunities they provide. This includes securing the maintenance and enhancement of biodiversity to achieve net benefits.

Policy 12 – Regional Connectivity: sets the priority for improving and integrating active travel and public transport to improve regional connectivity. The Active Travel Act supports the creation of comprehensive networks for local walking and cycling routes that connect places and people. Investment to develop integrated bus networks and increase modal shift to sustainable travel, including the improvements to the south-east Metro.

Planning Policy Wales, Edition 12, February 2024:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development and its re-use will promote sustainability principles.

Para 4.0.3 seeks to ensure new development is designed in a way that minimises the need to travel, reduced dependency on the private car and enable sustainable access to employment, local services and community facilities. This is achieved through integrating development with sustainable transport and maximise the provision and use of sustainable forms of travel.

Para 4.1.26 – 4.1.35 highlights the importance of promoting walking and cycling and how this supports valuable social and recreational opportunity which is integral to place making. Active travel routes should be identified, safeguarded and incorporated into development to make walking and cycling the preferred option for shorter everyday journeys, such as to and from places of work and education.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Para 4.2.18 notes that maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.

Para 4.2.26 – 4.2.35 sets out the need to consider the requirements for affordable housing provision that responds the identified need in the area, including the appropriate mix of housing.

Para 4.5.1 – 4.5.7 considers recreational spaces are vital for our health, well-being and amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax. Formal and informal open green spaces should be protected, which not only enhance the quality of life, they also contribute to biodiversity, the conservation of the historic environment, nature and landscape.

Para 6.2.1 – 6.2.3 sets out the importance of green infrastructure as a network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. The Wales Environment (Wales) Act 2016 provides context for the delivery of multi-functional green infrastructure, particularly in protecting, maintaining and enhancing biodiversity and the reliance of ecosystems.

Para 6.4.11 – 6.4.14 highlights the need to follow a step-wise approach to maintain and enhance biodiversity, build resilient ecology networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimised, mitigated and as a last resort compensated for. Enhancements should be secure on site over and above what is require for mitigation and compensation for any negative impact.

Para 6.4.35 – 6.4.36 highlights the need to have appropriate regard to protected species and their habitats. Where necessary ecological surveys should be carried out to confirm whether protected species are present and an assessment of the likely impact of the development.

Para 6.4.37 – 6.4.42 acknowledges that trees, hedgerows, groups of trees and areas of woodland are of great importance for biodiversity and connecting habitats for resilient ecological networks, as well as make a wider contribution to the landscape character, culture, heritage and a sese of place. The impact on such features should be carefully assessed and protected and the removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits.

The PPW I supported by a series of Technical Advice Notes (TAN):

- TAN 2 Planning and Affordable Housing
- TAN 5 Nature Conservation and Planning
- TAN 12 Design
- TAN 18 Transport

Local Planning Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

The relevant LDP Policies are:

- 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 SW10: Protecting and Improving Open Spaces
- Policy SW11: Sustainable Design and Placemaking
- Policy SW12: Improving the Transport Network
- Policy CW1: Historic Environment
- Policy EnW1: Nature Conservation and 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

The following supplementary planning guidance (SPG) is applicable:

- Guidance Note 1: Affordable Housing (March 2012)
- Guidance Note 2: Planning Obligations (March 2012)
- Guidance Note 4: Sustainable Design (July 2013)
- Guidance Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

Principle of development

The application site lies within the settlement boundary and the 'Primary Growth Area' where new development is supported and encouraged by Policy SW4 of the LDP.

In order to sustainably grow the population within the County Borough, Policy SW1 of the LDP acknowledges that provision for 2250 additional homes is required. In addition to this, Policy SW2 of the LDP indicates that during the plan period, development proposals will be expected to deliver up to 253 affordable dwellings across the County Borough, to contribute to the identified level of housing need.

Under Policy SW3 of the LDP, which considers the sustainable distribution of new homes across the County Borough, the application site is allocated for residential development for approximately 40 dwellings. It is also intended that the development would provide for 100% affordable housing, which would be managed by the applicant (Merthyr Housing Association). This would meet the objectives of Policy SW9 of the LDP which seeks at least 10% provision of on-site affordable housing on sites of more than 10 residential units. Additionally, it is acknowledged that the proposal has been developed closely with the Council's Strategic Housing team for the provision of affordable housing in line with the local needs and in consideration of the existing area and community cohesion. As such the Strategic Housing Manager has indicated that the proposal is fully supported. Accordingly, the principle of the development is

acceptable and it is evident that the proposal would meet the strategic objectives of the above mentioned LDP policies.

Design approach

The area surrounding the application site is primarily characterised as residential in nature with dwellings positioned at various levels due to sloping environment. There is a mixture of house types and styles that include various architectural features within the vicinity. There are semi-detached two storey dwellings along Mitchell Crescent that incorporate porches, canopies and bay windows. Due to the change in levels some of the dwellings are elevated above the highway and some are set below the highway with sloping gardens. Consequently, most of these properties have no driveways and rely on street parking. Within Hillcrest there is a mixture of terraced properties and bungalows, which are generally of a modest design. Again, these properties have sloping gardens due to the level differences and generally rely on street parking. Marshall Crescent includes semi-detached dwellings, some elevated and positioned below the highway. Considerable retaining works are also noted in this area due to the change in levels. Similar characteristics are noted along Hayden Terrace with a mixture of semi-detached and terraced properties on varying ground levels. The material finishes of the dwellings surrounding the site varies from render, pebbledash and cladding on the elevations and concrete roof tiles. Brickwork is a notable material used on boundary walls and larger retaining walls.

A Design and Access Statement (DAS) has been submitted with the planning application that sets out the design approach for the development of the site. A number of factors have significantly influenced the design of the site, notably the change in levels due to the sloping nature and the need to ensure the development is accessible for all.

The scheme has sought to provide an appropriate street frontage along Mitchell Crescent to reflect the general pattern of development in the area, with the construction of what would appear along this street as two storey dwellings with front gardens. To minimise the impact on the highway, these dwellings would also have private driveways to minimise additional parking pressures. In response then to the topography, these dwellings would be of a split level design with some incorporating additional living space or flats at a lower ground level with a frontage onto an area of public open space. This is considered to appropriately reflect the need for dual aspects on either side of the residential units to provide interesting and active frontages. A similar approach is proposed through the middle of the site where there would effectively be split level flats provided. To the one side the block of flats would appear as a row or two storey terraces with a flat on the ground floor and first floor levels, both accessed from the front. Flats would then be provided at the lower ground level with separate access to the rear.

Along the northern and eastern boundaries of the site the development would essentially back on to the existing vegetation to be retained. It is noted that along the eastern side, the development would be set back from the existing properties along Hayden Terrace which are positioned at a lower level. This helps to provide a degree of separation due to the level differences, which is further softened by the landscaping scheme.

It is evident that the layout of the development is largely informed by the topography of the site, resulting in dual frontages to help create interesting and quality streets and maximise the efficient building forms. The layout of the development has also taken careful consideration of the need to retain features of ecological value and to ensure the development can deliver net benefits, which has considerably reduced the area of the site that could be developed.

In regard to material finishes, the dwellings in the surrounding area largely comprise of rendered elevations. However, in the DAS it is noted that brickwork has been selected for the proposal in part for its durability and to maintain the appearance of a quality development. In this instance it is considered that the use of brickwork also contributes to the placemaking within the site, which reflects the particular design approach and site constraints. Given the variations in the general appearance of the existing dwellings in the surrounding area, it is considered that the use of brickwork would not adversely impact on the character of the area.

The general layout of the site follows a pragmatic approach to the site constraints and makes good use of the land to provide much needed housing. Despite the constraints it successfully incorporates meaningful areas of open space that contribute to its place making qualities and provides areas for informal recreation. The scale of the buildings directly responds to the topography and makes good use of the change in level to sensitively incorporate appropriate frontages that helps integrate the development within the surrounding area, whilst providing an appropriate streetscene within the site.

Overall, the design approach to the development of the site is deemed to be acceptable and it would not give rise to an unacceptable impact on the character or appearance of the surrounding area. Therefore, the proposal complies with Policy SW11 of the LDP.

Residential amenity

The application site is surrounded by residential properties, some of which are positioned above and below the levels of the site. To the west, some of the proposed dwellings along Mitchell Crescent would be located opposite the existing residential properties with a separation distance of approximately 20m-23m between the front elevations. In this area the proposed dwellings would be set back from the existing highway by approximately 8m to accommodate a new 2m wide footpath and front gardens. Whilst it is acknowledged that the development would greatly change the outlook for these properties, in that they currently enjoy open views across the site, the siting of the dwellings would follow the general pattern of development in the area where residential properties are often located on either side of the street. Given the separation, it is considered the development would not give rise to adverse overbearing or overlooking concerns.

In regard to the impact on the properties to the east along Haydn Terrace, the development would be positioned some 33m to 78m away from their rear garden boundaries and some 46m to 91m away from their rear elevations. This is deemed to be appropriate given the elevated nature of the site in relation to these properties and it is not considered that significant overbearing or overlooking concerns would arise.

Similarly, an appropriate separation would be provided between the development and Garden City to the south-east, which would be at least 22m away from their rear garden boundaries and 45m away from their rear elevations.

To the south, the properties that form part of Hillcrest are positioned at similar levels across the sloping topography and they largely present gable ends towards the development, with the exception of two properties that have a frontage towards the site. The layout of the proposed development is such that it also presents gable ends towards Hillcrest. The proposed block of flats would be positioned closest to these properties and although it would in part appear as three storey, it would also be constructed into the slope of the site. As such, its scale would not be dissimilar to that of two storey properties. The existing dwellings that front the site would effectively have views down the proposed street and would be approximately 23m away from the block of flats and 34m away from the dwellings proposed along Mitchell Crescent. The proposed flats would also be approximately 18m away from the gable ends along Hillcrest. Given the separation distances and layout of the development it is not considered that the proposal would give rise to adverse overbearing or overlooking concerns.

In regard to the existing dwellings along Marshall Crescent, the development would in part be positioned at a higher level as it extends across the site. However, the proposed dwellings would be positioned some 20m away from the adjacent rear gardens and at least 28m away from the properties along Marshall Crescent. Additionally, there would be an area of intervening vegetation to be retained, along with proposed hedgerow and tree planting which would soften any views. Given the separation and orientation of the properties, it is not considered that there would be an adverse overbearing or overlooking impact.

Taking into consideration the proposed layout and scale of the development and the general separation with the existing properties surrounding the site, it is not considered that there would be an adverse or unacceptable impact on the local amenities. Therefore, the proposal complies with Policy SW11 of the LDP.

Ecological and green infrastructure

An Ecological Impact Assessment has been submitted in support of the application, which considers the ecological value of the site and any features of particular interest, which is supplemented by a separate Reptile Survey Report. It has been identified in the Ecological Impact Assessment that the site largely comprises of semi-improved grassland with scattered trees, scrub and bramble scrub notably along the south-east, east and northern boundaries of the site.

The Ecological Impact Assessment has noted that the development of the site has the potential to cause disturbance to bats that may be commuting or using the site for foraging and that there is a need to ensure dark corridors to areas of vegetation is maintained. Similarly, the development has the potential to disturb nesting birds and result in the loss of potential nesting and foraging habitat. In terms of reptiles there is potential for the development to cause injury/harm, result in the loss of commuting and foraging areas and habitat fragmentation.

To address these concerns appropriate measures can be put in place to ensure sensitive clearance of vegetation in parts of the site and the appropriate timing of such works, which can be secured by condition. A considerable area of land and vegetation along the south-east, east and northern parts of the site would be retained which have the greatest ecological value within the site and would need to be protected during the construction phase. To compensate for the loss of habitat environments, a number of ecological enhancements have been proposed, which would include the installation of integrated bird and bat boxes on the proposed dwellings, the planting of native hedgerows, the creations of hedgerow wildflower habitats, wildflower meadow habitats and wetland wildflowers. Any boundary fencing is to include gaps to be hedgehog friendly and two reptile hibernacula would be provided in the existing habitats to be retained.

It is acknowledged that the Council's Ecologist is satisfied with the ecological surveys undertaken and has raised no objection to the development. Whilst there would be some impact on the identified habitats, any harm would be suitably mitigated to minimise such effects with appropriate ecological enhancements to provide an overall net benefit to biodiversity. This would be secured by a series of conditions relating to external lighting to maintain dark corridors and management plans. Additionally, the survey of the site has identified a couple of areas of Japanese Knotweed, being a non-native invasion species, which will need to be appropriately eradicated to prevent it from spreading. This can be addressed as part of a strategy for its removal that can be secured by condition. For the above reasons, the development would comply with Policies EnW1 and EnW2 of the LDP.

Highway implications

The submitted plans illustrate the proposed dwellings positioned along Mitchell Crescent would be served directly off the existing adopted highway with separate driveways for each plot. The rest of the development would initially utilise the adopted highway serving Hillcrest, of which two points of access into the site would be formed, connected by a new access road that effectively loops through the site. The new access road would be designed to meet highway adoption standards with a 5.5m wide carriageway, footpaths on either side and a 7.5m wide shared surface area in the northern section of the site. Where the pedestrian route extends through the centre of the site, appropriate crossing points would be emphasised with changes in the levels of the carriageway and a change in material finishes.

It is acknowledged that the Head of Engineering and Highways has indicated that the proposed highway arrangement and layout of the development is acceptable and would be subject to further highway agreements as part of the adoption process. In this regard it is noted that the points of access into the site would provide appropriate visibility for drivers entering and leaving the site. The Head of Engineering and Highways has considered the impact in terms of traffic movements and has noted that whilst there would be an increase, this would not have a detrimental impact on the highway network which would have capacity to accommodate the development.

In regards to the parking provision, the dwellings along Mitchell Crescent (being 2 and 3 bedrooms units) would each have 2 parking spaces on driveways. Elsewhere within the site (comprising 1 and 2 bedroom units) 1 parking space would be provided for

each dwelling/flat and although they would be situated alongside the road, the parking bays would remain private and would not form part of the adopted highway. The Head of Engineering and Highways has indicated that sufficient parking provision has been provided within the site in accordance with the CSS Wales Parking Standards.

In order to provide suitable pedestrian links from the site to the surrounding area, a new 2m wide footpath would be constructed on the boundaries of the site along Mitchell Crescent and Hillcrest, which would be subject to further highway agreements and adopted as part of the wider highway network.

Within the vicinity of the site it is acknowledged that there are proposed active travel routes situated to the west of the site running in a north/south direction and within the vicinity of the site this extends from Haydn Terrace to the south and continues north along Roberts Avenue. Additionally, as part of the wider network there is a proposed active travel route along Galon Uchaf Road to the west and along Rocky Road to the east. In this regard the proposed development is ideally located close to these active travel routes, where appropriate links would be made directly from the site to help encourage a modal shift to more sustainable forms of travel and support health living. Additionally, there are 3 bus stops within a 100m walking distance of the site which can support sustainable travel by public transport.

For the above reasons, it has been adequately demonstrated that the development of the site would not give rise to any significant highway safety concerns, and that proposed access arrangement would meet appropriate highway standards. Therefore, the proposal complies with Policy SW11 of the LDP.

Landscaping and open space

A detailed landscaping scheme has been set out in the submitted plans which highlights the existing areas of vegetation and trees to be retained across a considerable proportion of the site, as well as the proposed features to be introduced within the public and private spaces across the development.

It is proposed that a native hedgerow would be planted to the rear of the dwellings along the northern, eastern and southern boundaries of the site. Notably to the north and east of the site a total of 17 trees would be planted along with wildflower planting. This is intended to help integrate the proposal with the existing areas to be retained and to help reinforce and enhance the natural buffer between the development and the existing properties along Haydn Terrace which would be at a lower level.

Within the site, a number of soft landscaping features would be introduced, such as grass embankments, street trees and bioretention areas, that would contribute to the quality of the environment and to help soften the hard landscaped areas that in part arise from the amount of engineering works involved to address the sloping nature of the site.

An area of open public space would be incorporated into the scheme with amenity grass, embankments and trees that can be utilised for informal recreation and play. Additionally, planting would be introduced along the southern and western boundaries

to offer interest within the streetscene and provide front garden areas which reflects the character of the area.

It is acknowledged at present that the site is particularly open and prominent, which would evidently change as a result of the development. It is noted that a large area of the site to the east and north would be retained and that the area to the east would remain open to the public and enhanced as part of the development. It is accepted that the development would result in the loss of grassland which could already be used for informal recreation and that some provision is maintained within the development for this to continue. It is acknowledged that Ifor Park and Sandy Park (to the north-east and east respectively) are also within walking distance of the site, as well as playing fields to the west. In this regard the development would incorporate pedestrian links through the site that link to Marshall Crescent that would improve connectivity with the surrounding area.

Whilst the development would change the characteristics of the site, the use of appropriate soft landscaping helps to integrate the proposal into the surrounding environment, which largely comprises a built environment. As such, the proposal is not considered to have an unacceptable impact on the landscape character of the area. Therefore the proposal complies with Policy SW11 of the LDP.

Ground conditions

A Geotechnical and Geoenvironmental Report has been submitted in support of the application which reviews the ground conditions of the site. Following a series of initial exploratory boreholes it is noted that the southern part of the site comprises an area of made ground relating to past quarry works. To address this issue, it would be necessary for the soft ground material to be excavated and replaced with well compacted granular material. In the area where quarry backfill material has been identified, it is noted that steel bore piles would likely be necessary in order to provide suitable foundations for the development. In areas outside of the backfill material, more traditional foundation design would be appropriate, which could include reinforced concrete strips. Although the development of the site presents some challenges due to the ground conditions and its sloping nature, it has been adequately demonstrated that the development of the site would not pose any significant concerns and that appropriate engineering techniques would sufficiently mitigate any constraints. Additionally, it is noted that the foundation design for the buildings would also be subject to appropriate building regulation compliance.

In the site investigation it has been identified that parts of the site are subject to land contamination. To mitigate for this, in the areas of the site that are to be developed and not covered by buildings or hard surfaces, there would be a need for appropriate barriers/ membranes to be used along with 600mm of clean soil in exposed areas such as the soft landscaped areas and gardens. In this regard it is noted that the Environmental Health Manager has not raised any objection subject to conditions to secure the appropriate mitigation measures. Additionally, it is noted in the Pre-application Consultation Report that Natural Resources Wales did not raise any significant concerns with land contamination, noting that there was a low risk to controlled waters. Accordingly, the development of the site would not give rise to

significant environmental risks or concerns and would comply with Policy EnW4 of the LDP.

Sustainable drainage

A Drainage Strategy Statement has been submitted which considers the features that would be put in place to appropriately manage surface water drainage across the site. It should be noted that this would also be subject to a separate application for approval by SAB (Sustainable drainage Approval Body). Due to the land contamination identified, which includes elevated levels of PAHs (Polycyclic Aromatic Hydrocarbons), lead and arsenic, the strategy indicates infiltration methods are to be ruled out. Instead, a series of interconnected bioretention features would be used which are lined to protect the water environment from any contaminants. Across parts of the site exposed channels would be used to transfer the surface water to bioretention areas (comprising of granular material and planting) and these are intended to be functional but also provide an interesting feature of the landscaping scheme, as well provide ecological benefits. The water channels would also extend through some of the public open spaces to add further interest. Additionally, in the south-east part of the site an attenuation system would be provided to store water below ground before being discharged off-site. The system would be designed so that the discharge rate is no greater than the pre-development runoff rate to avoid any impact on the existing systems.

It is acknowledged in the response from Welsh Water that they offer a holding objection to the development. In their response it is noted the development is deemed to be acceptable in that there is capacity in terms of foul water drainage and water supply and whilst there may be Welsh Water assets within the vicinity of the site, these could be appropriately repositioned. However, in regard to surface water it is noted that SAB approval is required and at present there is no agreement with Welsh Water to discharge the surface water off-site. Prior to any agreement being made, Welsh Water has indicated that additional information would be required. This issue does not appear to be unsurmountable and that an appropriate engineering solution can be reasonably justified. It is noted that there are a number of steps the developer would have to go through to demonstrate that the surface water cannot first be wholly managed within the site, before it can consider any discharge into an existing sewer system. As noted above, the ability to utilise soakaway systems on site appears to be restricted due to the ground conditions. This would be a matter that needs to be demonstrated as part of the SAB and building regulation process, of which Welsh Water would be further consulted on the matter. Therefore, in this instance whilst the concerns raised by Welsh Water are noted, it is considered in this instance that the matter can be appropriately addressed as part of the SAB process, which would need to be approved before any works can commence on site. Therefore, the proposal complies with Policy EnW4 of the LDP.

Representations

In response to the points raised as a result of the publicity exercise, the following comments are made:

- It is accepted that the development of the site would inevitably result in a loss of the current open aspect of the site, particularly as it allocated for housing development. The views across the site would not be protected and the loss of views is not a material planning consideration. Additionally, the development would provide an appropriate frontage along Mitchell Crescent both in terms of its scale and appearance.
- The submitted plans and Design and Access Statement clearly set out the design approach of which particular regard has been given the siting, scale and appearance of the development and how it seeks to integrate with the surrounding properties.
- The siting of the proposed dwellings and their scale has evidently been a careful approach to ensure the development can deliver an appropriate scheme. Although some of the dwellings would be three storey, they would only appear as two storey along Mitchell Crescent.
- The future occupants of the dwellings would be outside the control of the planning process and is not a material planning consideration.
- The potential impact on the value of properties in the vicinity of the site is not a material planning consideration.

CONCLUSIONS

The development of the site would have a positive contribution towards the delivery of much needed affordable housing and would meet the objectives of the local development plan. The design of the development has been carefully considered to enable its appropriate integration with the surrounding area, while tackling challenging constraints with the sloping nature of the site. Regard has been given to the ecological value of the site and the need to provide net benefits to biodiversity, which has been appropriately incorporated into the landscaping and green infrastructure plans. Additionally, the development would not give rise to any significant highway safety concerns and is well placed close to public transport and proposed active travel routes.

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 is deemed to be acceptable and complies with the relevant national and local planning policies. Accordingly, 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 documents:

Site Location Plan - Dwg No. 0001 S4 Rev P2
Proposed Site Plan (Roof Plan) - Dwg No. 1000 S4 Rev P14
Proposed Site Plan (Tier One) - Dwg No. 1001 S4 Rev P7
Proposed Site Plan (Tier Two) - Dwg No. 1002 S4 Rev P8
Proposed Site Plan (Tier Three) - Dwg No. 1003 S4 Rev P8
Type A + B 1B2P (LFG Flat) & Type B 2B4P (UGF House Type) - Dwg No. 2000 S4 Rev P5
Type C 1B2P Walkup Flats Floor Plans and Elevations - Dwg No. 2100 S4 Rev P4
Type D 2B3P (Assisted Bungalow) - Dwg No. 2200 S4 Rev P5
Type E 2B4P (House Type) End Type - Dwg No. 2300 S4 Rev P5
Type E 2B4P (House Type) Mid Type - Dwg No. 2310 S4 Rev P4
Type G 3B5P (House Type) - Dwg No. 2500 S4 Rev P5
Type F 2B3P (Mews House Type) End Type - Dwg No. 2410 S4 Rev P4
Type F 2B3P (Mews House Type) Mid Type - Dwg No. 2400 S4 Rev P4
Brick Type Key Plan - Dwg No. 1011 S3 Rev P2
Proposed Site Sections - Dwg No. 0005 S4 Rev P1
Proposed Highway Adoption Extents - Dwg No. 509 Rev A
Engineering Sheet 1 of 2 - Dwg No. 100-1 Rev E
Engineering Sheet 2 of 2 - Dwg No. 100-2 Rev E
Detailed Soft landscaping Proposals - Dwg No. TDA.3019.02(A)
Landscape Specification and Management Plan (Updated November 2025)
Green Infrastructure Statement (Updated November 2025)
Ecological Impact Assessment V3.0
Preliminary Ecological Assessment V1.0
Reptile Survey Report V1.0
Geotechnical and Geoenvironmental Report (Ref 200625-17412-03)

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

3. Demolition, remediation and 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.

4. **No development, including site clearance**, shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should include:

- The means of access into the site for all construction traffic,
- The parking of vehicles of site operatives and visitors,
- The management of vehicular and pedestrian traffic,
- Loading and unloading of plant and materials,
- Storage of plant and materials used in constructing the development,
- Wheel cleansing facilities,
- Dust suppression and monitoring,
- The sheeting of lorries leaving the site.

The CTMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason - To ensure necessary management measures are implemented during construction and to accord with Policies SW11 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

5. **Prior to any construction works commencing on site** details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height shall be submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details.

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.

6. **Prior to the occupation of any residential unit** hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the respective residential unit.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping (Dwg No. TDA.3019.02 A) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and managed in accordance with the Landscape Specification & management Plan. If 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 - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **Prior to the occupation of any residential unit hereby approved**, a hard-landscaping scheme setting out the details/samples of the material finishes for any hard surfaced areas and street furniture that form part of the areas of public open space and shared surfaced areas, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. **Before any site clearance works commence on site**, an Invasive Non-Native Species (INNS) Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Invasive Non-native Species Strategy shall be fully implemented in accordance with the approved details prior to the commencement of any works.

Reason - To prevent the spread and ensure the eradication of highly invasive species to accord with Policy EnW4 of the Merthyr Tydfil County Borough Replacement Local Development Plan.

10. **Prior to the installation of any external lighting**, a detailed lighting scheme that conforms to current best practice lighting guidance, shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include, but not be limited to:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be maintained around and through the site, linking up to adjacent offsite dark areas, together with dark routes for access to any bat boxes and connectivity to nearby foraging areas;
- details of the siting and type of external lighting to be used together with the proposed colour temperatures;
- Isolux drawings setting out the light spillage in key sensitive areas;

The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. **No development shall take place**, including any ground works or vegetation clearance, until a Construction Environmental Management Plan - Biodiversity

(CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B will include, but not be limited to:

- A risk assessment of potentially damaging construction-type activities;
- Identification of biodiversity protection zones and areas where invasive species have been identified;
- A Precautionary Working Method Statement (PWMS) for bats, reptiles, hedgehog and nesting birds;
- Identification of practical measures, both physical measures and sensitive working practices to avoid impacts during development;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- Biodiversity management details of tree and hedgerow protection, species and habitat protection, avoidance and mitigation measures;
- Use of exclusion fences, protective barriers and warning signs;
- Cross referencing with other relevant ecological documents; and
- Details of the responsible person to ensure compliance with the CEMP-B.

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

12. **Prior to construction works commencing on site** details of the proposed biodiversity/ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- updated elevations to illustrate the location of the integrated bird and bat boxes;
- details of the proposed reptile hibernacula;
- details of invertebrate boxes (must be made of a woodcrete rather than timber);
- details for the provision of gaps in boundaries for passage of hedgehogs and other species; and
- a timescale for its implementation.

The enhancements must be clearly mark on the relevant plans, drawings and elevations and used to inform the lighting scheme for the development and ensure wildlife boxes are not illuminated. The development shall be carried out in accordance with the approved details.

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

13. **Prior to the occupation of any residential unit**, details for the construction of a 2m wide footway along the boundaries of the site with Hillcrest and Mitchell Crescent shall be submitted to and approved in writing by the local planning authority. The footway shall be carried out in accordance with the approved details and completed prior to the occupation of any residential unit.

Reason - In the interests of highway safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. **Prior to the occupation of the residential units**, details for the provision of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The cycle facilities shall be implemented in accordance with the approved details prior to the occupation of the residential units.

Reason - To ensure there is adequate facilities provided to encourage sustainable modes of transport, to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason - To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks, to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

16. **Prior to the occupation of any residential unit** a scheme for the submission of verification reports across the development to demonstrate the completion of the remedial mitigation measures, as set out in the Geotechnical and Geoenvironmental Report (Ref 200625-17412-03), including capping soils in private gardens and public open spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason - To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to accord with Policy EnW4 of the Merthyr tydfil County Borough Replacement Local Development Plan.

17. **Prior to commencement of development** a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;

- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure an appropriate level of affordable housing is delivered in accordance with Policies SW2, SW9 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The applicant should be made aware that the proposed scheme will require a highway agreement and should therefore contact the council's Highway Development Control Team regarding the approval of a Section 38 Agreement in relation to any of the proposed construction of the proposed adopted highway and the approval of a Section 278 Agreement in relation to any of the proposed construction on the existing adopted highway. This must be obtained separate to this planning permission.
2. The applicant is advised, under the Schedule 3 of the Flood and Water management Act 2010, to contact the Sustainable Drainage Approval Body (SAB) in regards of any separate permissions necessary for the sustainable management of on-site surface water. Further details can be found on the Council's website www.merthyr.gov.uk

The applicant is advised to contact Dwr Cymru Welsh Water as part of their SAB application in respect of any surface water connections to the existing sewer system.

3. 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.

4. 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.