

DELEGATED REPORT

Application No: P/25/0179

Site Address: 114 Cilhaul
Treharris
CF46 5HT

Development: Creation of parking area in front garden with associated retaining works

Case Officer: Rebecca Owens

Application Expiry Date: 30th September 2025

Consultation reply date expired: 10th October 2025

APPLICATION SITE

The application relates to a mid-terraced dwelling located within the settlement boundary. The site is located off a narrow highway with a turning area at the top. It is bound by this highway to the front and on all other sides by other dwellings

PROPOSED DEVELOPMENT

Full planning permission is sought for the creation of a parking area within the front garden which would require excavation of the existing front lawn and associated retaining works.

The parking area would be 5.257m in width by 5.9m in depth and would be surfaced in concrete with a drainage channel along the one side and the front edge adjacent to the highway. There would be retaining walls around the three remaining sides, finished with fare faced concrete blocks. It is also proposed to relocate the existing steps adjacent to the north eastern boundary with retaining works also required along a section of the boundary line.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application.

CONSULTATION

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

Engineering and Highways No objection

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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)

Local Planning Policies

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

- SW4: Settlement boundaries
- SW11: Sustainable design and Placemaking
- EnW1: Nature Conservation and Ecosystem Resilience
- EnW2: Internationally and Nationally Protected Sites and Species
- 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 4, Sustainable Design.
- Note 5, Nature and Development.
- Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

Principle

The application site is located within the settlement boundary and as such the principle of development is acceptable subject to other relevant policies and material planning considerations.

Character and visual amenity

No concerns are raised with respect to the impact of a parking area and associated works on the character and appearance of either the property itself or indeed the wider streetscene. As such the proposal would accord with Policy SW11 of the LDP.

Residential amenity

It is not considered that the parking area itself would have any harmful impact on the residential amenities of the neighbouring occupants. Whilst there would be some noise from the vehicles and light from headlights, it is not considered that this would cause any harmful disturbance given that the parking area would be at a lower level than the neighbouring dwellings and any headlights and engine noise would be limited to a very short period of time when parking and leaving the site. Similarly, the re-profiling and retaining works are not likely to have any overbearing impact or create and overshadowing or loss of light to the adjoining properties. In this respect it is noted that no representations were received following the publicity exercise. The proposal is therefore found to be in accord with Policy SW11 of the LDP

Parking and highway safety

The proposed parking area would be accessed via the highway to the front of the site which is a no through road with a turning head at the top. The highway comprises of just a carriageway with no pavements on either side and appears very narrow in width. There are limited vehicle accesses onto this road which are largely around the wider turning area or with the ability to use this area to manoeuvre into and out of the spaces. However, the Head of Engineering and Highways has considered the proposal and is satisfied that the parking area could be safely accessed and egressed without there being a harm to highway and pedestrian safety. In addition, it is noted that the property does not currently benefit from any off street parking and on street parking to the front is not possible due to the narrow carriageway. As such the proposal would provide off street parking to meet the needs of the property.

With respect to surface water discharge, the plans include two low profile soak away channels (one along the front of the driveway adjacent to the highway and one along the lower side of the driveway). The Head Engineering and Highways considers that these are appropriate to prevent surface water discharge onto the highway but has requested a condition relating to the exact details of the channels and their installation to ensure that they are effective.

Accordingly the proposal is found to be acceptable in respect to parking and highway safety considerations.

Ecology

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes the creation of a domestic parking area on an area of maintained lawn, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

Conclusion

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-

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

Accordingly the following recommendation is made:

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

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

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

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

Drawing Title: Proposed Elevations & Plan, Drawing Number: 0012 Rev. B, Received 25 September 2025.

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

3. **BEFORE** works commence on site, a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. **BEFORE** works commence of site, sections through the soak away channels and details of their installation shall be submitted to and approved in writing by the Local Planning Authority. The soakaway channels shall be constructed in accordance with the approved details before the parking area is brought into use and shall be retained in perpetuity.

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

5. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

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

INFORMATIVES

1. 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.

2. 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.

3. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

4. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

5. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 14.10.2025