

DELEGATED REPORT

Application No:	P/25/0053
Site Address:	17 Sixth Avenue Galon Uchaf Merthyr Tydfil CF47 9UE
Development:	Driveway to the front of the property
Case Officer:	Marlene Ferreira
Site Visit:	6th March 2025
Application Expiry Date:	23rd April 2025
Consultation reply date expired:	26th March 2025

APPLICATION SITE

The application site relates to a semi-detached dwelling, 17 Sixth Avenue, located in the area of Galon Uchaf. The property which has been extended by means of rear extension and outbuilding, appears to have been recently renovated. It is positioned below the level of the front highway and is served by a front grassed garden area, enclosed by a low brick wall, which slopes down gently from the level of the road to the ground level of the dwelling. The property does not benefit from on-site parking. Unrestricted on-street parking is available along the front highway.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a front driveway area.

The driveway would be 8.4m wide and 3.4m deep and would provide 1 vehicular parking space. It would be slightly sloping, at a gradient of 1 in 9, and would be raised by a minimum of 9.2m and a maximum of 1.35m from the level of the property to meet the level of the highway. The sloping driveway would be secured by a low retaining wall.

PLANNING HISTORY

The Council's records do not show any other planning history for this site.

CONSULTATION

The following consultations were undertaken:

Head of Engineering and Highways No objection, subject to conditions.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining neighbouring properties. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: The National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed development, in terms of its siting, scale and design, would comprise an acceptable form of development with regards to its impact upon the character and appearance of the property and the street scene. The impact of the proposal upon residential amenity, ecology and highway safety are also important considerations.

Character and Appearance

The proposed driveway, given its intended purpose, would involve the complete removal of the front brick wall and due to the raised positioning of the driveway and its location immediately off the front highway, it would result in a visible alteration to the property. However, its design, scale and appearance would be similar to other existing front driveway areas in the street and within the wider estate. Indeed, a proposal of this nature is undoubtedly prevalent and frequently found in the Galon Uchaf area.

The proposal would therefore amount to an acceptable form of development in context with the surrounding built environment, and as such, would not be deemed to have any significant harm to the character or appearance of the existing dwelling or that of the surrounding residential area. As such, it would accord with LDP Policy SW11.

Residential Amenity

The proposed development has been considered with regards to its impact upon nearby occupiers. In this instance, it is noted that 15 Sixth Avenue, located to the east, and 19, Sixth Avenue, located to the west, are the properties most likely to be impacted by this proposal.

With regards to 15 Sixth Avenue, it is acknowledged that this property is already served by a raised front driveway area and as such, there would be no significant adverse impact upon this neighbouring property resulting from the proposed driveway, particularly since the driveway is only 3.4m deep and this neighbouring dwelling is located away from the dividing boundary by approximately 2.4m. Thus, it would not be considered to cause any significant overbearing or overshadowing impact upon the front/side windows or front/side garden of this neighbouring property.

With regards to 19 Sixth Avenue, it is acknowledged that this neighbouring property is not served by a front driveway area and like the application dwelling, this neighbouring property would sit below the level of the proposed driveway. However, it should also be noted that the proposed driveway, would not exceed 3.4m in depth and would be located off the dividing boundary with this neighbouring property by approximately 1.4m. Furthermore, the level of the proposed driveway, although raised, would be laid at a similar gradient to the existing grassed front garden area, which in effect could already be used for the parking of vehicles (following the removal of the front wall) without the need for planning permission. Thus, given the proposed depth and height of the proposed driveway and its distance from the dividing boundary, the proposal would not be deemed to have any significant overbearing or loss of light impact upon the front garden and/or front windows of this neighbouring property.

The relationship between the proposed driveway and neighbouring properties either side is therefore considered acceptable. Indeed, it is noted that this is a frequent form of development to the front of nearby properties, as mentioned earlier in the report, and any disturbance/noise associated with the use of the driveway, would be expected in a residential location and would not be deemed to cause significant harm to the privacy or amenities of nearby occupiers. In this respect, it should also be noted that no letters of objections or concerns were raised by nearby or adjoining occupiers. The proposed development would therefore accord with LDP Policy SW11 and EnW4.

Ecology

The proposal has been considered by the Council's Ecologist, and given the nature of development proposed, no survey work has been requested. However, enhancement works in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' have been requested. As such, a suitably worded condition to request such enhancements could be added to any planning permission granted.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). However, due to the scale and nature of the development, the submission of a GIS would be deemed disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided (to be requested by condition) which would contribute to the wider green infrastructure objectives. Thus, the proposed development would therefore be acceptable and accord with LDP Policy EnW1.

Highway Safety

The proposal, as explained above, relates to the provision of a raised parking area to the front of the property, adjoining the front highway.

The Engineering and Highways Manager has considered the proposal in detail, and recognised that its use to serve 1 vehicle, would involve reversing movements to ingress and/or egress the driveway. However, no concerns have been raised in respect of the driveway layout, its size, its associated manoeuvring space or reversing movements onto the front highway. Indeed, the driveway was amended in its layout to satisfy the size requirements for driveways set by the Engineering and Highways Section. Thus, provided that the driveway is laid in consolidated materials, surface water is dealt with appropriately and the retaining wall to secure the driveway is fit for purpose, the Head of Engineering and Highways has not raised any objection to this proposal.

The proposed driveway area would therefore result in an acceptable form of development which would provide an adequate parking space without adversely impacting upon highway safety, pedestrian safety or the free flow of traffic. The proposal would therefore accord with LDP Policy SW11.

CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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 No. 2025-001-SA Rev A, received: 16th May 2025.

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

3. **Prior to the commencement of development** details of the construction of the front driveway/car parking area, as shown on Drawing No. 2025-001-SA Rev A, to include details of surface materials (consolidated) and the disposal of surface water, shall be submitted and approved in writing by the local planning authority. The proposed driveway/car parking area shall be completed in accordance with the approved details and shall remain available for their designated use in perpetuity.

Reason - In the interests of highway safety and to prevent the discharge of surface water onto the public highway, in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **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.

5. **Prior to the commencement of development** a scheme for biodiversity enhancement, to include 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.

6. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 10.06.2025