

DELEGATED REPORT

Application No:	P/23/0118
Site Address:	2 Carn Gwilym Goch Cefn Coed Merthyr Tydfil CF48 2HG
Development:	Detached Dwelling
Case Officer:	Marlene Ferreira
Site Visit:	16th May 2023
Application Expiry Date:	16th November 2023
Consultation reply date expired:	12th October 2023

APPLICATION SITE

The application site, a former vacant parcel of land, slopes down steeply from the northeast to the southwest. The rectangular plot, formerly known as plot 2, measures approximately 0.06 of a hectare and is accessed off a privately owned shared road/turning head, just off Upper High Street, in the area of Cefn Coed.

The site currently accommodates a large two-storey dwelling, sited near the top of the site (following the approval of planning permission P/21/0388), known as 2 Carn Gwilym Goch. Its front elevation appears to be relatively flush with the front elevation of 1 Carn Gwilym Goch, a two-storey property located on the neighbouring plot to the northwest of the application dwelling.

The dwellings surrounding the site differ in scale, design, style, form, detailing and layout. Indeed, the immediate area comprises a mix of properties, including large modern detached dwellings with cladded elevations, sited on large sloping plots set back into the hillside, traditional small scale dwellings comprising natural stone and render finishes within smaller flat sites near the main road, and typical two-storey terraced dwellings which feature prominent front gables and dormers, finished with render and red brickwork elevations. The character of the immediate street scene and area is therefore varied and inconsistent.

PROPOSED DEVELOPMENT

This application seeks planning permission to construct a detached dwelling. Whilst permission was granted on 7th July 2022 for the erection of a detached dwelling, under planning permission P/21/0388, as noted above, the dwelling constructed on-site

varies from that approved under this former application. This current application was therefore subsequently submitted for consideration.

The proposed dwelling which has been constructed on-site still relates to a two-storey property (albeit without a garage) of a similar size, featuring a front gable projection, with the same orientation and located in similar position within the plot. However, there are elements of its design and detailing which have been altered. Indeed, these alterations have been confirmed on-site during the most recent site visit, carried out on 12th March 2026, since the dwelling has been completed and occupied for some time now. It is therefore reasonable to conclude that this application is a retrospective proposal.

The proposed dwelling, which features a two-storey front gable projection with glazed Juliet balcony to its northwestern side, has a maximum width of 12.65m, a maximum depth of 13.8m (including a rear flat roof single storey projection), with an 8.1m ridge height. It is served by a store room, family bathroom, utility room, dining room/kitchen and living room at ground floor, and 3 bedrooms (2 of those en-suite) and a bathroom at first floor. The dwelling also features a first-floor glazed balcony area (which serves bedrooms 1 and 2) along part of its frontage. A raised patio area, also enclosed with glass balustrading, is provided along the front of the property and extends to its full width, since the dwelling's ground level is raised just under 2 metres above the level of the front driveway/parking area, immediately adjacent to the property. To the rear of the property, the rear garden, provided to the north-eastern part of the site, is set out over two levels, a flat level patio area and an upper grassed/gravel area.

The dwelling's primary frontage has been finished in natural stonework, with light brown/red brickwork to the side and rear elevations, including the rear projection. The roof of the property is grey mock slate tiles and the property comprises grey UPVc windows.

The dwelling is accessed off a privately owned shared road/turning head from the existing main road Upper High Street, via a steeply sloping tarmac driveway/access which terminates at the front of the raised patio area at the front of the property. Given the gradient of the slope, gabion baskets have been used in association with the engineering works carried out.

PLANNING HISTORY

The following planning history is relevant to this site, as follows:

P/21/0388 – Proposed dwelling – Approved: 7th July 2022

P/08/0219 – Erection of dwelling (Plot 2) – Approved: 11th December 2008

P/07/0163 – Erection of house (Plot 2) – Approved: 24th May 2007

P/07/0162 – Renewal of outline planning consent allowed on appeal dated 31.03.2004 (Ref APP/U6925/A/03/1136643) to develop the site for residential purposes (outline) – Approved: 14th May 2007

P/06/0304 – New private access road – Approved: 11th August 2006

P/06/0303 – Single private dwelling (Plot 1) – Approved: 21st August 2006

P/03/0520 – Removal of planning condition attached to outline consent ref: P/03/0219, to enable development of the whole of application site - Appeal Allowed: 31st March 2004

P/03/0219 – Residential Development (outline) – Approved: 25th July 2003

CONSULTATION

Head of Engineering and Highways

No objection, subject to conditions.

Council's Ecologist

No objection, subject to the submission of additional information.

Environmental Health Officer

No objection, subject to conditions.

Welsh Water

No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and three site notices were displayed within the vicinity of the site. No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

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

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and states that '*...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development,*

design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...'

Paragraph 3.9 refers to character and states that *'...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...'*

Paragraph 3.14 refers to context appraisal and states that these *'...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...'*

Paragraph 6.4.3 discusses biodiversity and states that *'...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...'*

- Technical Advice Notes (TANs)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that *'...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...'*

TAN 12 – Design (2016)

This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales. Section 2.6 of TAN12 states that *'...Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities...'* Section 4.3 of TAN12 points out *'...Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process...'*

Local Planning Policies

- Merthyr Tydfil Local Development Plan 2006-2021

Policy SW1 – Provision of New Homes

Policy SW3 – Sustainably Distributing New Homes

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

- Supplementary Planning Guidance (SPG):

SPG4 - Sustainable Design, July 2013

SPG5 – Nature and Conservation, May 2015

PLANNING CONSIDERATIONS

The application site is situated in close proximity to other existing residential properties and lies within the designated settlement boundary. New development in this location is therefore considered acceptable and would accord with LDP Policy SW4 provided it complies with other relevant policies and material planning considerations. Indeed, full planning permission for a single dwelling has previously been approved on this site in 2022 under application P/21/0388, as mentioned earlier. As such, the principle of constructing a new dwelling in this location is supported. Thus, the main issues to consider when assessing this application, relate to whether the new dwelling, in terms of its siting, scale and design, would be acceptable with regards to its impact upon the character and appearance of the area, residential amenity, ecology, parking provision and highway safety.

Character and Appearance

The proposed dwelling, as described earlier, has a front two-storey gable projection. This acts as the focal point of the dwelling and combined with its stone facade finish, glazed balconies and front raised patio, adds character and interest to dwelling's primary frontage. Whilst it is acknowledged that the property is a large development, its scale appears proportionate to the size of the plot. Furthermore, its appearance, overall scale and finishes draws reference to the design of the nearby large brickwork and rendered properties located to the southwest of the application dwelling. Indeed, the character of the properties in the area, as explained previously, does vary substantially in respect of siting, scale, appearance, design and detailing and the application dwelling is therefore not considered to appear out of place when viewed within the street scene of Upper High Street. The proposed dwelling is therefore considered to result in an acceptable form of development within this context.

It is important to note that engineering works, with the aid of gabion baskets, have also been undertaken, as explained above, to provide vehicular access to the dwelling, and these works have also been found to be acceptable. Whilst it is acknowledged that substantial engineering works have been carried out, due to the steep sloping nature of the site, it is recognised that an adequate access with an appropriate gradient range and

suitable surface materials has been provided to serve the parking requirements and access needs of the property. Indeed, the access provision of this application dwelling is very similar, particularly in steepness, to the access provision serving the neighbouring property, 1 Carn Gwilym Goch, since this neighbouring dwelling also sits in a similar elevated position. Furthermore, the on-site landscaping, particularly along the raised earth bund at the front of the site, as well as the planted hedgerow along the dividing boundary with this neighbouring property, aids to soften and partly screen the steep engineered driveway/access.

The proposed dwelling and associated works, as constructed, is therefore considered an acceptable form of development, which is sympathetic to its immediate setting and would therefore not be deemed to have any significant or adverse impact upon the character or appearance of the area. As such, the proposed development would accord with LDP Policy SW11.

Residential amenity

The property sits near the top of a steeply sloping plot, adjacent to 1 Carn Gwilym Goch, and this is the neighbouring property most likely to be impacted by the proposed development. It is also recognised that the dwelling has been constructed for at least 2 years and has been completed and occupied for some time, yet no objections or concerns have been raised from nearby occupiers in respect of this development.

The proposed dwelling has been sited so that its front elevation faces a south-westerly direction (towards the main highway). Whilst the two-storey front projection and front patio area extends beyond the front building line of this neighbouring dwelling slightly (at 1 Carn Gwilym Goch), the bulk of the application dwelling, is in fact, situated alongside the side wall of this neighbouring property. A separation distance of approximately between 7m (at its closest point) and 9.5m (at its furthest point) would also be maintained between the side elevation of the application dwelling and the side elevation of this neighbouring property. Having noted the position of the application dwelling and its distance from the neighbouring property, the proposed dwelling, as constructed, does not appear overbearing or cause any significant loss of light to this neighbouring adjacent dwelling. Furthermore, the side elevation facing this neighbouring property does not include any habitable windows and the first-floor en-suite window have been obscurely glazed.

The relationship between the proposed dwelling, as constructed, and this neighbouring property, is therefore considered acceptable and would accord with LDP Policy SW11.

Ecology

This application has been supported with numerous ecology reports/plans including a planting plan, a soft landscape outline specification and planting schedule, and a landscape and ecology management plan. The information submitted illustrates that various protection/mitigation and enhancement measures would be provided on-site, including the planting of hedgerows along some of the boundaries, the erection of a bird box, the provision of hedgehog gaps along the boundaries, the retention of dark corridors for commuting bats, the provision of bat boxes, the carrying out of site clearance within specified time periods only, etc. During the recent site visit, it was evident that some of these measures had already been provided, such as the planting of hedgerows and vegetation along the front of the site and alongside the boundary with 1 Carn Gwilym Goch.

The information submitted has been considered by the Council's Ecologist, who has not raised any concerns or objections in respect of the information presented or the conclusions and recommendations reached. However, further information was requested in support of the application in the form of an up to date ecological survey report of the site and a survey report. This information was requested on the 28th November 2023, and subsequently on the 13th February 2024, 23rd April 2024, 3rd January 2025 and 13th November 2025. However, the outstanding information has not been forthcoming and an updated ecological survey of the site has therefore not been received in support of this application.

It is appreciated that the survey submitted under the last application (P/21/0388) is over 2 years old, and generally, an up to date survey would be required in support of this current application. However, as highlighted above, planning permission was granted for the construction of a dwelling in July 2022. Thus, this proposed dwelling has been largely constructed for approximately 2 years and has been completed and occupied for at least 6 months.

As such, having considered the length of time that the property has been constructed, the previous ecological survey submitted for this site, the fact that an up to date survey has been requested on multiple occasions but has not been submitted and the protection/mitigation and enhancement measures proposed in association with the development, it is considered appropriate to now progress with the application, subject to a condition to ensure that all protection/mitigation and enhancement measures are provided. As such, a suitably worded condition will form part of any permission granted.

On balance and in this instance, the proposed development is therefore considered acceptable and would accord with LDP Policy EnW1.

Parking and Highway Safety

The proposed dwelling, as constructed, is accessed off Upper High Street via a private road/turning head and a steep sloping tarmac driveway/access which leads to the property. The driveway/access provides at least 3 vehicular parking spaces to serve the property. The Head of Engineering and Highways has considered the proposal in respect of on-site parking provision and highway safety and has not raised any objections, subject to the driveway and parking spaces being completed on-site prior to the occupation of the dwelling and the appropriate management of surface water to ensure that it does not overload the highway drainage system. As highlighted earlier in the report, the property is fully completed, occupied, and is served by a permeable tarmac driveway/access with an appropriate gradient which accommodates at least 3 vehicles.

It is also noted that structural calculations were submitted in support of the engineering works carried out to the driveway/access, and it is acknowledged that following consultations with the structures team within the Engineering and Highways Section, further information was requested in respect of the engineering works undertaken. Specifically, the Structures Officer requested that *'...the surcharge loads on the retaining walls be increased to 10kN/m² to account for the vehicles using the carpark and any larger vehicles that may need to use it as well...'* Whilst these comments have been noted, a recent visit to the site revealed that the retaining structures appear sturdy and well established and do not show any signs of weakness or bowing. Indeed, they have been in place for at least 2 years and therefore appear to be fit for purpose. Furthermore, it should

also be recognised that the development relates to a residential dwelling in private occupation and as such, the car park area is for private use only and is therefore very unlikely to be used for larger vehicles. Certainly, the recent site visit carried out revealed, at that time, that the driveway/access was being used for one family sized vehicle only. Thus, in this instance and under these circumstances, the dwelling and associated driveway/access, as constructed is considered acceptable and no further information is required.

The proposed development is therefore not considered to give rise to any adverse highway/pedestrian safety concerns and accords with LDP Policy SW11.

CONCLUSION

For the reasons set out above, the proposed development is acceptable and complies with the relevant policies of the LDP.

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 be carried out in accordance with the following approved plans and documents:

- Carn 02C, received: 9th May 2023;
- Carn 03D, received: 9th May 2023;
- Carn 04D, received: 9th May 2023;
- Carn 05D, received: 9th May 2023;
- Carn 01G, received: 19th October 2023;
- Retaining Wall Section Detail, received: 21st June 2023;
- Gabion Basket detail, received: 21st June 2023;
- Carn Boundary Finishes, received: 28th June 2023;
- Report: Gabion basket retaining wall calculations, received: 18th September 2023;
- Report: Concrete retaining wall structural calculations, received: 18th September 2023;
- Planting Plan, received: 21st September 2023;
- Soft Landscape Outline Specification and Planting Schedule, received: 22nd September 2023;
- Landscape and Ecological Management Plan, received: 19th October 2023.

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

2. Within 2 months of this approval, the protection/mitigation and enhancement measures proposed, as stipulated in the Planting Plan (received 21st September 2023), Soft Landscape Outline Specification and Planting Schedule (received: 22nd September 2023) and the Landscape and Ecological Management Plan (received: 19th October 2023), shall be implemented and shall be retained thereafter in perpetuity.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping 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 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.

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: 25.03.2026