

DELEGATED REPORT

Application No: P/21/0270

Site Address: 14 Beechwood Drive
Heolgerrig
Merthyr Tydfil
CF48 1TH

Development: Proposed retaining wall and fence

Case Officer: Caroline Pulley

Site Visit: 3rd August 2021

Application Expiry Date: 19th October 2021

Consultation reply date expired: 24th August 2021

APPLICATION SITE

The application site relates to a two-storey, detached dwelling located on a corner plot within the residential area of Heolgerrig. The property fronts a north-westerly direction onto the main road. Its rear garden area is visible from the main street serving Beechwood Drive and a narrow access lane, which serves the rear of the application property and four other dwellings. The property has a small enclosed garden on its western side and a driveway. On the eastern side of the driveway is a raised decking area and a conservatory.

The decking stands at a higher level to the rear lane. It is also raised above the level of the neighbouring property to the north-east, 15 Beechwood Drive. Currently, a conifer hedge encloses the rear section of the decking. To the side, the decked area is enclosed by a timber balustrade, below which is a cream rendered wall.

PROPOSED DEVELOPMENT

This application seeks full planning permission to erect a retaining wall and a fence alongside the rear lane boundary and a wall and a fence along the western driveway boundary. This is to allow the decked area to be replaced by a new raised patio area. The submitted plans illustrate that that patio area would be level with the existing driveway and would sit 250mm below the surface of the existing decking. The patio area would extend to the outside edge of the existing conservatory and back to the rear elevation of the main house. It would be enclosed to the rear by a new retaining wall, which would range between 0.9m and 2.4m in height above the level of the lane. Directly above the retaining wall would be a 0.9m high fence. This would give the rear boundary a total height of 3.3m above the lane. Along the western boundary of the driveway, it is proposed to erect a 0.9m high wall and a 1.8m high timber fence and gate, both of which would be positioned behind the wall. The submitted plans also detail a 1.8m timber fence being erected along the eastern edge of the patio. From the east, this fence would sit below the

top of the existing wall and would appear as being 1.3m in height from the neighbouring property (15 Beechwood Drive).

PLANNING HISTORY

There is no recent planning history relating to the property.

CONSULTATION

Head of Engineering: No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed within the vicinity of the site

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 - Design advises that the Assembly 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.

Local Policy

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

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Supplementary Planning Guidance (SPG)

PLANNING CONSIDERATIONS

As mentioned earlier, the proposal seeks to replace a conifer hedge located along the rear boundary with a new retaining wall and timber fence. As part of the works, the rear garden level would be raised to create a patio area, which would be approximately 250mm lower than the height of the existing decking to which it would replace. While the existing conifer hedge does provide a softer boundary treatment to the lane, the proposed retaining wall and fence would not be overly conspicuous from the street. The highest part of the boundary wall and fence would be located on the eastern side of the rear garden. This area is positioned further away from the main street and as such, it would not form a highly visible addition to the area. In addition, a condition would ensure that the timber fencing would be of an acceptable quality which is appropriate to the area. As such, while the loss of the conifer hedge is regrettable, the development would not be so harmful to the character and appearance of the area to warrant the refusal of planning permission.

In terms of residential amenity, although the ground level would be increased, the patio would be lower than the surface of the existing decking. As such, from an overlooking perspective, the scheme would not give rise to any additional impact. It is acknowledged that the timber fencing proposed to be erected along the eastern boundary would measure a total of 3.2m in height when measured from the garden level of the adjoining property (15 Beechwood Drive). However, this section of fencing would be positioned next to the neighbour's driveway and it would also be offset from the neighbouring windows by at least a metre. Given this, it is not considered that this aspect of the scheme would give rise to a harmful overshadowing or overbearing impact. It is also noted that the occupiers of the neighbouring property have not raised any objections to the scheme.

Finally, 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 number 795.001 received on 24.08.2021

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

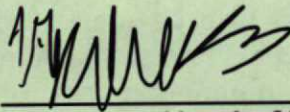
3. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved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

4. **No development shall take place** until details illustrating the type of timber fencing proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

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

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

27/8/21