

DELEGATED REPORT

Application No: P/25/0036

Site Address: 2 Melrose Houses
Cardiff Road
Troedyrhiw
Merthyr Tydfil
CF48 4LQ

Development: Erection of front garden wall

Case Officer: Kate Glover

Site Visit: 25th February 2025

Application Expiry Date: 9th April 2025

Consultation reply date expired: 18th March 2025

APPLICATION SITE

The application site relates to a dwelling which is located on Cardiff Road, Troedyrhiw. Due to the topography of the area the front garden slopes steeply downwards from the principal elevation of the dwelling to the front boundary wall, and to accommodate the changes in ground levels, the front garden contains several terraces. During the site visit it was noted that the boundary wall along the front of the application site has collapsed. However, the plans show that the ground level behind the wall was up to 1.88m higher than that of the adjacent pavement. Plans also show that the external facing of the boundary wall was natural stone. The front of the garden has little in the way of green infrastructure and the terraces are grassed.

The application site is part of a terrace of houses which also sit above the road and the neighbouring properties contain similar terraces in their front gardens and front boundary walls which retain the ground behind. It is noted that for a number of the dwellings to the north of the site, the boundary walls are natural stone but also include decorative elements and pillars. However, the boundary wall of the application site and the direct neighbours' properties have more simple walls which are finished with natural stone.

The application site is within the settlement boundary as identified by Local Development Plan Policy SW4.

PROPOSED DEVELOPMENT

This application seeks full permission to rebuild the retaining wall along the front boundary of the dwelling. Planning permission is required because the original boundary wall measured approximately 1.88m high and the proposed boundary wall would measure approximately 2.25m high. The plans show that the two terraces that are positioned behind the boundary wall would be consolidated, and this would result in an increase in the ground level at the front of the site. As such, the boundary wall would need to be

higher to accommodate the increased ground level. Structural design calculations have been submitted in support of the proposal.

The proposed boundary wall would be finished in natural stone.

PLANNING HISTORY

The relevant planning history is summarised below:

P/21/0372 Demolish existing garage to the rear and construct new larger garage
Granted 17 Feb 2022

P/23/0041 Demolish existing garage and construct new garage
Granted 24 Mar 2023

CONSULTATION

Head of Engineering and Highways: No objection

PUBLICITY

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

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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) (PPW12).

Local Planning Policies

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

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 5, Nature and Development
- Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate are principle of development, impact upon the character and appearance of the property and the street scene, impact upon the residential amenity of neighbours, highway safety and ecology.

The proposal would be located within the front garden of 2 Melrose Houses and is within the settlement boundary. The principle of development is acceptable and meets with the requirements of policy SW4.

The proposed increase in the height of the boundary wall is a modest change and as the wall would be finished in natural stone the scale and appearance of the proposal would not be detrimental to the visual qualities of the property or wider street scene.

Due to the location, form and scale of the proposal there would be little if any impact on the residential amenities of the adjacent dwellings. It is also noted that no representations were received following the publicity exercise.

The Head of Engineering and Highway has not raised any issues in relation to highway safety and the structural design calculations for the wall have been found to be acceptable.

In relation to ecology, local planning authorities seek to ensure that green infrastructure is protected, enhanced and the effects of climate change mitigated. The proposal raises no significant concerns in this regard given that the terraces are finished in grass and nature/extent of development proposed. The development would have minimal impact upon green infrastructure or biodiversity interests and would not have any significant impact upon climate change. Given the nature of the proposal, which largely seeks to repair the front boundary wall and the limited impact on the environment, ecological enhancements have not been sought in this instance.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 document:

Drawing Number: MR-01 (Existing and proposed plans), Received on 12 February 2025

Drawing Number: MR-02 (Elevations and sections), Received on 12 February 2025
Calculation package for the retaining wall, Job Reference Number: AUX400, Revision C01, Received on 12 February 2025

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

3. The stonework to be used in the construction of the external surface of the wall shall match the colour, size and coursing of the front boundary walls of the adjacent dwellings (1 and 3 Melrose Houses).

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

INFORMATIVES

1. 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.

2. 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

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DATE: 08.04.2025