

DELEGATED REPORT

Application No:	P/22/0129
Site Address:	18 Heol Corn Du Swansea Road Merthyr Tydfil CF48 1BW
Development:	Proposed re-profiling of rear garden including associated retaining works
Case Officer:	Nia Chard
Application Expiry Date:	20th July 2022
Consultation reply date expired:	28th June 2022

APPLICATION SITE

This application related to a detached dwelling located within the residential development of Beacon Heights, Swansea Road. The site is bound to undeveloped land to the west, dwellings to the north and east, and the highway of Heol Corn Du to the south. The rear garden consists of two main area, a level lawn and patio and a parcel of land which slopes down steeply in a northern direction towards the rear boundary with the neighbouring property of 9 Clos Cribyn.

PROPOSED DEVELOPMENT

This application seeks full planning permission to re profile part of the rear garden and to erect a retaining walls to the west and north of the site.

The proposed retaining wall to the west of the site would measure 3.5m in height and 7.3m in width, and would replace gabion baskets which are currently in place. To the north of the site a new retaining wall is proposed. Here, the garden falls away towards the boundary of the site with 9 Clos Cribyn, the proposal would create a level area at the lower garden level, with a maximum depth of 5.1m and 16m in width, the existing 1.8m high boundary fence (along the boundary with 9 Clos Cribyn) would be retained. The proposed retaining wall would measure 9.5m in width and would return at a 45 degree angle towards the western boundary of the site for a further 2.5 m. The retaining walls would be 1.6m in height. The proposal also includes the erection of steps to the new levelled garden area.

PLANNING HISTORY

P/10/0193	Erection of detached dwelling Granted planning permission subject to conditions on 13 September 2010
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CONSULTATION

Head of Engineering No objection following submission of calculations

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notice were 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) Note No. 6 – A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The application relates to development within the private rear garden of a residential dwelling within the settlement boundary and as such, the principle is acceptable subject to compliance with other relevant policies and material planning considerations. With respect to this application, the main considerations are visual and residential amenity, which are discussed below.

The proposal seeks to replace a steeply sloping area of garden with a new levelled garden. As part of the works, an embankment would be removed and the land levelled to create a flat lower garden area. In order to facilitate this new levelled garden a retaining wall with a height of 1.6m would be erected. The majority of the retaining wall would be hidden from view by the existing 1.8m boundary fence. A new retaining wall is also proposed to the west of the site. This retaining wall will replace existing gabion baskets. As such, it is not considered that the development would have an adverse impact on the character or visual amenities of the dwelling or indeed the wider area.

Regard has also been had for the potential impact of the development in the amenities of the surrounding residents. In this respect it is noted that the development would be constructed adjacent to the boundaries with 9 Clos Cribyn and 19 Heol Corn Du. As highlighted above, the proposal includes the construction of a new retaining wall in order to create a level garden which would be lower than the existing embankment. As such, from an overlooking prospective, the scheme would reduce the overlooking impact on the neighbouring properties. The new retaining wall would be 1.6m in height, this would be screened by the existing 1.8m boundary fence. Given this, it is not considered that the development would give rise to a harmful overshadowing or overbearing impact. It is also noted that the occupiers of the neighbouring properties have not raised any objections to the scheme.

Having regard to the above considerations, the proposal is found to comply with Policy SW11 in terms of both visual and residential amenity.

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:

Retaining wall calculations received 27.6.2022
Proposed Cross Section received 25.5.2022
Proposed Side Elevation received 24.6.2022
Proposed Rear Elevation received 25.5.2002
Proposed Site Plan received 25.5.2022
Site Location Plan received 25.5.2022

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

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

30/6/22