

DELEGATED REPORT

Application No:	P/25/0158
Site Address:	40 Sweetwater Park Trefechan Merthyr Tydfil CF48 2LF
Development:	Retention of gabion baskets erected to re-profile land create elevated patio area
Case Officer:	Rebecca Owens
Site Visit:	10th June 2025
Application Expiry Date:	28th July 2025
Consultation reply date expired:	1st July 2025

APPLICATION SITE

The application relates to a detached dwelling with a generous curtilage that is located in a residential cul-de-sac on the outskirts of the settlement boundary. The site is bound by a shared driveway to the front, other dwellings on either side and developed land to the rear.

PROPOSED DEVELOPMENT

Full planning permission is sought for the retention of gabion baskets that have been erected to re-profile the rear garden. A gabion basket wall has been erected along the west/northwestern boundary of the site which is stepped in height and approximately 3.5 to 4m at its highest.

A further gabion basket wall has been erected adjacent around the south eastern side and rear elevations of the dwelling to create a raised patio. The highest point of this is approximately 1.5m.

PLANNING HISTORY

The relevant planning history is summarised below:

P/98/0302 Detached house
 Granted planning permission subject to conditions on 28 August 1998

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering and Highways No objection

Tree Officer No objection

PUBLICITY

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

Local Planning Policies

Policy SW11: Sustainable design and place making of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 is relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide for Householder Development.

PLANNING CONSIDERATIONS

The gabion basket retaining works to create a raised patio area around the side and rear of the dwelling are discretely located and deemed to be visually acceptable. Furthermore, whilst it is recognised that the gabion basket retaining walls along the west/northwestern boundary are extensive in their length and height, it is recognised that these are located within the rear garden where they are not readily visible from public vantage points. Having regard to this, it is not considered that the works have resulted in any adverse impact on the character or visual amenities of the area or indeed are harming the character of the property itself. As such, the proposal is found to be acceptable in this respect and in accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupants. In this respect it is noted that the site is bound by dwellings on either side. To the west/north west of the site is a detached property known as 40a Sweetwater Park which occupies a higher level than the application site. It is along the boundary with this property that a gabion basket retaining wall has been erected which vary in height with some sections being in excess of 3m. However, as this neighbouring garden is at the higher level, the works are not having any harmful impact on amenities.

There are also two dwellings located along the eastern boundary of the site and another to the south. Given the distance of these properties from the retaining works there is no physical impact in terms of overshadowing/loss of light or indeed overbearing impact. It is recognised that works undertaken have created a raised patio area but having regard to the distance of the neighbouring properties to the east and their lower level, it is not considered that views across from this would be harmful or are creating any unacceptable overlooking or loss of privacy.

Structural calculations have also been provided of the retaining work which have been considered by the Head of Engineering and Highways. These are found to be acceptable and as such the no concerns are raised with respect to the safety of the structure.

It is noted that there is a large tree within the garden of the neighbouring property which is covered by a Tree Protection Order. This tree is in close proximity to the retaining works undertaken along the western boundary. However, the development has been considered by the Local Authority's Tree Officer who has not raised any concerns that the works may have resulted in any negative impact to the tree.

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which relates to the retention of gabion baskets, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Gabion locations, Received 2 June 2025

Drawing Title: Position of Tree & Gabions, Drawing Number: 3105251, Received 2 June 2025

Drawing Title: Gabion Sections, Drawing Number: 3105254, Received 2 June 2025

Calculations: 1.5m high 0 Degree Gabion Wall Design, Rev A, produced by MJ Civil Engineering, dated 13.07.2025, Received 14 July 2025

Calculations: 2.8m Effective Retaining Gabion Wall Design, produced by MJ Civil Engineering, dated 08.08.2025, Received 10 November 2025

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

2. **WITHIN 3 MONTHS** of the date of this decision, a scheme for biodiversity enhancement, including 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 18.11.2025