

DELEGATED REPORT

Application No:	P/24/0111
Site Address:	Hillcrest Mount Pleasant Troedyrhiw Merthyr Tydfil CF48 4NA
Development:	Re-profiling of front garden to create hard standing for parking and associated retaining works
Case Officer:	Rebecca Owens
Site Visit:	15th May 2024
Application Expiry Date:	9th July 2024
Consultation reply date expired:	5th June 2024

APPLICATION SITE

The application relates to a detached dwelling located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, land to the rear and other dwellings on either side. The dwelling occupies an elevated level above the highway with a raised front garden accessed via steps. However, it already features a garage to the front accessed off this road.

PROPOSED DEVELOPMENT

Full planning permission is sought for the re-profiling of front garden to create a hard standing for parking. This would involve the removal of the existing front boundary wall and steps, excavation of the land and the erection of a new retaining wall 5.5m back from the front boundary and 1.6m high. Steps would also be provided to the higher garden level. The hard standing would be finished with a pervious material and an acro drain would be provided along the front boundary line, adjacent to the highway.

PLANNING HISTORY

The relevant planning history is detailed below:

P/11/0344	Erection of detached garage in front garden Granted planning permission subject to conditions on 20 January 2012
P/97/0142	Hardstanding with retaining wall Granted planning permission subject to conditions on 20 May 1997)

CONSULTATION

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

Engineering and Highways Manager	No objection subject to conditions
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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 application site is located within a residential street which is characterised by garages and hardstandings which are located along the front boundary line, adjacent to the highway. Within this context the removal of the front boundary wall and creation of a parking area would not appear incongruous or have any adverse impact on the character or visual amenities of the area. As such no concerns are raised with respect to this and the proposal is found to accord with Policy SW11 of the LDP.

It is recognised that the application site is bound by dwellings on either side and that there are also properties located opposite. However, it is not considered that the proposed works would have any adverse impact on the residential amenities of the neighbouring occupants. In this respect it is also noted that no representations were received following the publicity exercise. As such the proposal would comply with Policy SW11 of the LDP.

The Engineering and Highways manager has also considered the proposal and raised no objection in terms of highway safety and as such the proposal is also found to be acceptable in this respect.

It is noted 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 only involves the creation of a relatively modest hardstanding, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought via a suitably worded 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:**

CONDITIONS/REASONS:

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 Title: Proposed & Existing Plans & Elevations, Received on 14 May 2024.

Retaining Wall structural Drawings, Received 5th August 2024.

Retaining Wall Calculations Revised Aug 24, Received 5th August 2024.

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

3. **BEFORE WORKS COMMENCE ON SITE** 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.

4. **BEFORE WORKS COMMENCE ON SITE** details of the materials to be used in the construction of the external surfaces of the retaining wall and hardstanding shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 Local Development Plan.

INFORMATIVES

1. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

2. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

RECOMMENDATION ENDORSED

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Director of Neighbourhood Services

DATE: 13th August 2024