

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/1001/RET 08.01.2018	Mr L Davies Glentworth 11 Fochriw Road Pontlloftyn Bargoed CF81 9QH	Retain new concrete block wall Glentworth 11 Fochriw Road Pontlloftyn Bargoed CF81 9QH

APPLICATION TYPE: Retain Development Already Carried Out

SITE AND DEVELOPMENT

Location: The application property is located on Fochriw Road, Pontlloftyn.

Site description: Two storey mid-terrace property elevated above the highway.

Development: Full planning permission is sought to retain the concrete block wall within the rear garden of the property.

Dimensions: The wall measures approximately 10.0 metres in length by 2.5 metres in height. The remainder of the wall along the boundary nearest no.12 Fochriw Road is within permitted development limits.

Materials: Concrete blockwork.

Ancillary development, e.g. parking: None is proposed.

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Policies: SP5 (Settlement Boundaries), CW2 (Amenity), CW15 (General Locational Constraints) and advice contained in the Local Planning Authority's adopted Supplementary Planning Guidance LDP 7: Householder Developments (January 2017).

Cont'd....

Application No. 17/1001/RET Continued

NATIONAL POLICY Planning Policy Wales Edition 9 (November 2016) and Technical Advice Note 12: Design (March 2016).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not Applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

CONSULTATION

None.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and two neighbours were notified by letter.

Response: One letter of representation was received.

Summary of observations: 1. The standard of workmanship is poor.
2. The wall has been tied to the neighbour's wall without permission.

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

There are no specific crime and disorder implications material to the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No the development is not CIL Liable.

Cont'd....

Application No. 17/1001/RET Continued

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. This is an application to retain a concrete wall that has been constructed within the rear curtilage of 11 Fochriw Road. It should be noted that there has always been a wall between no.11 and no.12 Fochriw Road and that wall is still in situ behind the recently constructed wall. Therefore the main consideration in the determination of this application is whether the newly constructed wall has a detrimental impact on the amenity of the occupiers of no.12 Fochriw Road.

In that regard, the section of wall that requires planning permission extends from the rear wall of the dwelling to the steps which rise up to the rear boundary of the garden. The wall measures 2.5 metres at its highest from the lowest point at ground level and is approximately 10 metres in length. The application property (no.11) is located at a significantly lower level than no.12 whereby the scale and massing of the existing boundary wall has always had a greater impact on the occupiers of no.11. The difference in height between the existing boundary wall and the new wall measures 0.1 metres in height. In that respect the wall measures 1.2 metres in height from the ground level of no.12. As such, it is not considered that the wall as built has a detrimental impact on the occupiers of no.12 Fochriw Road in terms of visual amenity or overbearing impact, therefore the application is considered to be acceptable in planning terms.

Comments from consultees: None.

Comments from public: The following issues were raised:

1. The standard of workmanship is poor - An officer from the council's building control department has visited the development and requested some remedial strengthening works to the wall. Those works have now been undertaken and the building control officer is satisfied. This however is not a material planning consideration.
2. The wall has been tied to the neighbour's wall without permission - The wall has been built within the existing boundary of no. 11. It is not the role of the planning authority to ascertain the ownership of the existing boundary wall between the no.11 and 12, land ownership matters are private disputes.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle,

Cont'd....

Application No. 17/1001/RET Continued

under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.

