

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2017/0860	<u>DATE:</u> 06/09/2017
PROPOSAL:	Boundary walls and fence with a maximum height of 2.4 metres
LOCATION:	9 Jersey Terrace, Cwmavon, Port Talbot
APPLICANT:	Mr & Mrs David and Karen Collins
TYPE:	Householder
WARD:	Bryn and Cwmavon

BACKGROUND

This application is reported to Committee under the Council's delegated arrangements because the applicant is an officer directly employed by the Council in the Development Management team.

SITE AND CONTEXT

The site comprises a semi-detached dwelling located in Jersey Terrace, Cwmavon, Port Talbot. The garden of the property is sited to the north eastern side of the dwelling and is the sole garden to the property. A conifer hedge is to be removed to be replaced by the proposed wall and fence.

DESCRIPTION OF DEVELOPMENT

This is a full application proposing construction of a block boundary wall and timber fence to enclose the side garden of the property and will have a maximum height of 2.4 metres (2 metres on its northern boundary).

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

PLANNING HISTORY

The application site has the following relevant planning history: -

- P1990/7492 Kitchen Extension – Approved 06/02/1990.

CONSULTATIONS

The **Contaminated Land** Section were consulted and responded advising that as the site is adjacent to former railway sidings to the north whilst Local Authority records do not indicate that these activities have extended within the boundary of the proposed application suggest an informative be imposed highlighting the potential for soil contamination and recommending a Phase 2 Desk Study is carried out. A condition is also required in the event unexpected contamination is found on the site.

REPRESENTATIONS

The neighbouring property was consulted on 7th September 2017, with a site notice also displayed on the same day.

In response, to date no representations have been received

REPORT

Planning Policies

The Development Plan for the area comprises the Neath Port Talbot Local Development Plan which was adopted in January 2016, and within which the following policies are of relevance:

- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development

Issues

Having regard to the above, the main issues to consider in this application relate to the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Impact on Visual Amenity

While the wall and fence will have a maximum height of approx. 2.4m fronting onto Jersey Terrace, it will replace a much higher existing conifer hedge (approx. 3.3m and depth of 2m). It is also typical of boundary treatments found to residential properties, while there are a number of block walls within the immediate locality, including to the rear

of neighbouring properties along the lane and also to the boundary of the rugby field.

The upper half of the enclosure will be constructed using timber fencing panels between block piers, and the enclosure on this frontage will be set back approx. 1m from the highway, both of which are considered sufficient in design terms to ensure that the proposed enclosure would have no unacceptable impact on visual amenity when viewed from the street scene and surrounding area. It will therefore comply with Policies BE1 and TR2 of the adopted Local development Plan.

Impact on Residential Amenity

Due to the nature and siting of the proposed wall and fence it is not considered to have an adverse impact on the residential amenity of neighbouring properties.

Parking and Access Requirements and Impact on Highway Safety

The property has an existing garage and driveway which are to be retained. The existing conifer hedge has an approx. height of 3.3m and depth of 2m which, in addition to the driveway enclosure, already affects visibility when egressing from the site.

The proposed 2.4m high front boundary wall will have a depth of approximately 0.25m and will be set back approx. 1m from the highway which is considered to be an improvement for vehicles parking within the property as it will facilitate increased visibility when leaving the site. Furthermore, due to its size siting and design, the proposed boundary walls to the rear and the sides of the garden, are also not considered to have an adverse impact on highway and pedestrian safety.

Other Matters

In line with the Contaminated Land officer's recommendations, a condition is attached covering potential for unexpected contamination.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless

material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies BE1 (Design) and TR2 (Design and Access of New Development) of the Neath Port Talbot Local Development Plan.

RECOMMENDATION

Approval with conditions

CONDITIONS

Time Limit Conditions

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Approved Plans

(2)The development shall be carried out in accordance with the following approved plans:

- i. Location plan received on 06/09/17.
- ii. Proposed site plan received 06.09.17.
- iii. Proposed site plan, elevations and section received 06.09.17.

Reason

In the interest of clarity.

Regulatory Conditions

(3) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk

Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.