

DELEGATED REPORT

Application No: P/25/0255

Site Address: 22 Cedar Close
Twynyrodyn
Merthyr Tydfil
CF47 0LX

Development: Erection of front garden boundary railing

Case Officer: Kate Glover

Site Visit: 1st October 2025

Application Expiry Date: 2nd December 2025

Consultation reply date expired: 21st October 2025

APPLICATION SITE

No. 22 Cedar Close is a detached property with neighbouring dwellings at No. 24 to the west and No. 20 to the southeast. Nos. 22 and 24 are located at the end of a cul-de-sac and face directly onto the approach road, while the principal elevation of No. 20 is set at a right angle to them.

Between Nos. 22 and 20 lies a grassed amenity area, positioned partly in front of the properties and partly to the side. Due to the local topography, the dwellings are elevated above the adopted pavement and highway, with railings installed around the front of the amenity space. Within the identified amenity area a close-boarded fence has been erected approximately midway between Nos. 22 and 20.

The application site lies within the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to erect metal railings measuring approximately 1.2m high and 5.8m long in the amenity area and between No's 22 and 20.

PLANNING HISTORY

The relevant planning history is summarised below:

P/02/0407 Residential development - Land At Penheolferthyr (Oak Tree Rise, Hawthorn Drive, Cedar Close) Mountain Hare TWYNYRODYN
Outline approval: 04 Feb 2003

- P/03/0504 Re-submission of reserved matters application for 96 No. houses. - Land At Penheolferthyr (Oak Tree Rise, Hawthorn Drive, Cedar Close) Mountain Hare TWYNYRODYN
Reserved Matters Approval 13 Nov 2003
- P/03/0359 Reserved matters application for 96 No. detached houses - (Land At Penheolferthyr) Oak Tree Rise, Cedar Close, Hawthorn Drive MOUNTAIN HARE
Reserved Matters Approval: 11 Sep 2003

Condition 2 states:

Notwithstanding the details shown on any plan submitted as part of this application, full details of any wall, fence or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. The means of enclosure as may be approved shall be erected in accordance with any approval prior to the first beneficial occupation of any dwelling to which it relates.

Reason: In the interest of visual amenity.

Condition 3 states:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order no fence, wall or other means of enclosure other than that approved by Condition 2 shall be erected at a point forward of the main front building line of any dwelling.

Reason: In the interest of visual amenity.

P/07/0214 Erection of single storey extension
Approved: 12 Jun 2007

P/14/0280 Conversion of garage to dining room, with patio doors and front balcony
Approved: 26 Nov 2014

P/19/0320 Erect two storey rear extension
Approved: 23 Jan 2020

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

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

Letter of objection were received from one address following this publicity exercise. The main material points of the letters received have been summarised below:

- Visual impact

- Detriment to the enjoyment of their property
- Land ownership relating to the proposal

Other matters raised by the objector that are not material planning considerations:

- Other agreements outside the scope of planning
- Anti-social behaviour
- Timing of removal of the existing close-boarded fence

Due to the objections received this application has been referred to the local Ward Councillors to inform them of the responses received in relation to this application. It has not been requested that the application be presented to the planning committee. As such, it will be determined under the delegated powers by the Director of Neighbourhood Services.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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) (PPW12).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design
- Note 5, Nature and Development
- Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

Following the objector's concerns regarding land ownership, the applicant was asked to confirm ownership of all land required for the development. In response, the applicant submitted a revised ownership certificate, completing Certificate B and providing evidence of notification to the other landowner. On this basis, the application can be determined in

good faith, as there is no reason to doubt that the applicant has complied with the required process.

The issues to consider under the assessment of this application relate to the principle of development, impact upon the character and appearance of the property and the street scene, impact upon the residential amenity of neighbours and ecology.

The proposal would be located within an area of land used for residential purposes and on land located within the settlement boundary and, therefore, the principle of development is acceptable and meets with the requirements of policy SW4.

The character and appearance of the 1.2m high railings would be appropriate to the residential nature of the site and the wider residential estate and it is noted that there are railings around the front boundaries of No.'s 22 and 20.

Turning to residential amenity considerations, particularly in relation to overbearing impact and loss of light, the closest neighbouring dwelling to the proposed railings is No. 20. The railings, at 1.2 metres in height, represent a modest addition within the amenity area and would not result in an overbearing form of development or any loss of privacy. The amenity space is already visible from the wider street, and the railings would incorporate gaps between sections, ensuring that the proposal does not cause any reduction in light.

In relation to ecology, local planning authorities seek to ensure that green infrastructure is protected, enhanced and the effects of climate change mitigated. The proposal raises no significant concerns in this regard given that the proposed fence would be located on amenity grass which has low ecological value. As such, the development would have minimal impact upon green infrastructure or biodiversity interests and would not have any significant impact upon climate change. Given the nature of the proposal and the limited impact on the environment, ecological enhancements have not been sought in this instance.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance.

It is acknowledged that representations have been received raising concerns, most of which have been addressed in the preceding sections of this report. The following additional comments respond to points relating to land ownership, anti-social behaviour and the timing of removal of the existing close-boarded fence:

Matters such as Building Regulations, the Party Wall Act, and any other private agreements are outside the scope of the planning regime. Responsibility for obtaining building control approval, complying with party wall requirements, and adhering to private agreements rests with the applicant and the relevant parties involved.

In respect of anti-social behaviour, the concerned person was advised that if they considered it necessary any matters should be reported to the police and was also referred to the Council's guidance which is published online.

Following the grant of planning permission for the proposed railings the removal of the existing unauthorised fence will be referred to the enforcement team.

CONCLUSION

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 plan:

Drawing Title: Detail of Fence, Drawing No: 03, Rev B, Received on 25 September 2025.

Drawing Title: Site Block Plan, Drawing No: 02, Received on 25 September 2025.

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

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 25.11.2025