

DELEGATED REPORT

Application No:	P/25/0309
Site Address:	Maes Y Bryn Cardiff Road Edwardsville Treharris CF46 5NB
Development:	Reinstatement of boundary wall along B2454 Alongside the erection of the boundary wall, an existing close boarded fence is to be reinstated to the boundary of the neighbouring property of 5 Menlo Park.
Case Officer:	Kate Glover
Site Visit:	11th December 2025
Application Expiry Date:	19th January 2026
Consultation reply date expired:	1st January 2026

APPLICATION SITE

Maes Y Bryn is a large detached nursing home located on the southern side of Cardiff Road in the predominately residential area of Edwardsville, Treharris. The property is located in a generous size curtilage. It is bound by Cardiff Road to the north, to the south is the A4054 and a petrol station, and on each side of the west and east boundaries are detached dwellings. The topography of the area is such that the application site is at a lower level than the ground level of the adjacent Cardiff Road.

PROPOSED DEVELOPMENT

This application seeks planning permission for the construction of a new boundary wall along Cardiff Road.

The new boundary enclosure would comprise of a dwarf wall and pillars, with railings positioned between the pillars. The materials used on the external faces of the wall and pillars would be natural stone and pre-cast concrete cap stones would be used on the pillars. The wall would be positioned along the north boundary of the site which runs along Cardiff Road. A small section of ground would be left to the front of the newly aligned wall (which would lie adjacent to the pavement) and would be finished with tarmac or equivalent materials. A 2m high, close boarded fence would be erected along the boundary shared with the neighbour (west) and the application site.

PLANNING HISTORY

The relevant planning history is summarised below:

- P/21/0283 Proposed new access onto Cardiff Road to facilitate additional on site car parking with associated works, including re-alignment and partial re-building of boundary wall
Granted: 28 Feb 2022
- P/25/0001 Variation of conditions 3 and 4 of planning permission P/21/0283 to erect a close board fence on the north side boundary of the site
Refused: 14 Feb 2025

CONSULTATION

Head of Engineering and Highways: No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within the vicinity of the site

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.
Planning Policy Wales (Edition 12, February 2024) (PPW).

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:

Policy SW4 – Settlement boundaries
Policy SW11 – Sustainable design and Placemaking
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW4 – Environmental Protection

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

PLANNING CONSIDERATIONS

The key issues to consider in assessing this application relate to the principle of development, the impact on the character and appearance of the property and street scene, the effect on the residential amenity of neighbouring properties, and highway safety.

Principle of Development

The application site lies within the defined settlement limits, where the principle of new development is acceptable under Policy SW4 of the Local Development Plan (LDP).

Visual Impact

The proposed arrangement of pillars and dwarf walls finished in natural stone, together with railings, would be similar in character and appearance to the pillars and railings enclosing the front boundaries of nearby dwellings. As such, the proposal would not have a significant impact on the character or appearance of the property or the wider area.

The erection of a close-boarded fence along the boundary shared with the neighbouring property to the west would not detract from the visual qualities of the area. Furthermore, a 2m-high fence could be erected along this boundary under permitted development rights.

Residential Amenity

The design of the proposed front boundary enclosure and 2m-high fence would not result in any significant impact in terms of overbearing development or loss of privacy for neighbouring properties.

Highway and Pedestrian Safety

Some sections of the proposed boundary wall and fence would be set back from the adopted pavement and works are required to make ensure the new alignment of the wall and the adopted footway. The Head of Engineering and Highways has raised no objection to the proposal but has advised that a condition should be imposed requiring calculations for any retaining structure that exceeds 1m in height and is located within 1m of the adopted highway.

Additionally, the Head of Engineering and Highways recommends a condition to ensure that the applicant enters into a highway agreement for any works affecting the adjacent highway and footway. This requirement falls outside the remit of the planning process and will need to be addressed by the highway authority. As such, an advisory note will be added to the decision notice.

Accordingly, the proposed development is considered acceptable in relation to highway and pedestrian safety.

Ecology

The Planning Ecologist suggested that a Preliminary Roost Assessment (PRA) be undertaken to assess potential impacts on protected species and habitats. However, given the property's urban location and the limited ecological value of the area affected by the

proposed wall and close boarded fence, it is not considered proportionate or necessary to require a PRA. An informative will be attached to any consent to remind the applicant of their responsibilities regarding European Protected Species and nesting birds.

As noted in Chapter 6 of Planning Policy Wales (Edition 12), applications should normally be supported by Green Infrastructure Statements (GIS). However, given the nature and scale of the proposal, this requirement is not considered reasonable in this instance. The development would have minimal impact on green infrastructure, biodiversity, and climate change. Ecological enhancements have not been sought due to the limited scope of the works, which primarily involve replacing the front boundary wall.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 plans and document:

Drawing Title: Existing and Proposed Site Plans, Drawing No: 0300, Received on 24 November 2025

Drawing Title: Proposed Elevations and Sections - Random rubble pillar and railing boundary, Drawing No: 0502, Received on 24 November 2025

Drawing Title: Existing and Proposed Site Elevations, Drawing No: 0500, Received on 24 November 2025

Drawing Title: Existing and Proposed Site Sections sheet 1 of 4, Drawing No: 0400, Received on 24 November 2025

Drawing Title: Existing and Proposed Site Sections sheet 2 of 4, Drawing No: 0401, Received on 24 November 2025

Drawing Title: Existing and Proposed Site Sections sheet 3 of 4, Drawing No: 0402, Received on 24 November 2025

Drawing Title: Existing and Proposed Site Sections sheet 4 of 4, Drawing No: 0403, Received on 24 November 2025

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

3. **No development shall take place** until details, including structural calculations, of any retaining wall which exceeds 1 metre in height have been submitted to and

approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Prior to the construction of any section of the wall which will be faced in stone, a sample of the stone shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed 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 in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The developer is advised to contact the County Borough Council's Head of Engineering regarding any retaining works or other works affecting the highway **BEFORE** construction works commence.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 09.01.2026