

DELEGATED REPORT

Application No: P/25/0001

Site Address: Maes Y Bryn
Cardiff Road
Treharris
CF46 5NB

Development: 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

Case Officer: Kate Glover

Site Visit: 8th January 2025

Application Expiry Date: 28th February 2025

Consultation reply date expired: 27th January 2025

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 to the west is a detached dwelling which has recently been constructed as part of a small housing development. On its eastern side is a property called Ger y Nant.

It is noted that the majority of properties in the vicinity of the site have stone boundary walls and the use of the same materials provides a cohesive and attractive contribution to the street scheme.

PROPOSED DEVELOPMENT

Permission is sought to vary conditions on planning permission P/21/0283 which granted planning permission for a new vehicular access onto Cardiff Road to facilitate additional on-site car parking with associated works, including re-alignment and partial re-building of the boundary wall.

Planning application P/21/0283 was granted with conditions, of which condition 3 relates to the submission of stone samples, including the coursing and pointing in relation to a wall proposed to be erected along the boundary of the site, adjacent to the public footway. Condition 4 seeks to control the height of development within the visibility splay associated with the proposed vehicular access.

This section 73 application is supported with plans which show that instead of the approved wall, a close boarded wooden fence that measures approximately 2m high, would be erected along the boundary of the site adjacent to the public footway. This

would result in a visibility splay of 2.4m by 25m which is free of obstruction being provided.

The plans show that along the outside curve of the proposed driveway there would be a safety barrier comprising of an Armco vehicle barriers measuring approximately 0.62m high and directly behind the Armco barrier, metal railings which would measure approximately 1.34m high.

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

CONSULTATION

Head of Engineering and Highways:	No objection.
Bedlinog and Trelewis Community Council:	No comment received.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining 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) (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) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.14 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs) and the most relevant to this application is TAN 12 - Design which advises that the Assembly

Government is strongly committed to achieving the delivery of good design in the built environment at every scale throughout Wales.

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

PLANNING CONSIDERATIONS

The development to form a new vehicle access into the site has already been considered and is deemed to be acceptable under the original planning application (Planning Ref: P/21/0283). Therefore this application is primarily focused on the proposed variation of conditions 3 & 4 of the above mentioned permission. The implications of this on the relevant policies and material planning considerations must therefore be re-assessed to ensure that the development would still be acceptable with the alterations proposed. The key considerations relate to impacts on, visual amenity, residential amenity, highway safety, retaining features and ecology.

Visual Amenity

The majority of properties in the vicinity of the site have boundary walls constructed with stone, most are dressed stone with attractive coping stones. The use of natural stone across the majority of the boundaries, provides a cohesive and attractive contribution to the street scheme. Indeed, the original planning permission included the erection of a stone wall that was similar to the one that has been demolished. Stone samples and coursing/pointing details were controlled by condition 3 to ensure the external appearance of the proposed development would be in keeping with the character of the area and adjoining buildings in the interest of visual amenity, and thus meeting with LDP Policy SW11.

There are no concerns on the visual impact of the proposed railings and Armco safety barrier around the edge of the driveway due to their position within the site boundary.

The proposed 2m high close boarded wooden fence would result in the introduction of a boundary feature constructed with materials which would be at odds with the prevailing boundary treatment in the area. The timber fence would result in an incongruous development, which would be to the detriment of the character and visual qualities of the site and wider street scene. The application is not supported with any information which would justify the erection of a wooden boundary fence in place of the stone wall. Accordingly, the proposal would fail to meet the requirements of LDP Policy SW11 or TAN12.

Residential Amenity

The revised proposal would not alter the treatment of the boundaries which are shared with the adjacent dwellings which are located to the east and west of the site. Given there is no change in the height or position of the fence on the northern boundary, the erection of a fence rather than a wall, would not cause any change in the impact on residential amenities in terms of overbearing or overlooking. As such, would meet the requirements of LDP Policy SW11.

Highway Safety

The Head of Engineering and Highways have raised no concerns in relation to highway safety. It is noted that the visibility splays required by condition 4 remain the same as that previously approved. As such it would be acceptable to vary condition 4 to include reference to the revised plan. Accordingly, the proposal would meet the requirements of LDP Policy SW11.

Ecology

The proposed variation of conditions 3 and 4 would not alter or impact on the ecology of the site or wider area and condition 7 secured additional planting through a scheme of landscaping. The proposed variation of conditions 3 and 4 would not change the approach to biodiversity enhancement, which would be achieved through the additional planting and landscaping. As such, the proposal meets with the requirements of LDP Policy EnW1.

CONCLUSION

The proposed variation of condition 3 would represent development that would have an adverse impact upon the character and appearance of the street scene and be detrimental to the visual amenities of the area.

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 unacceptable and the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following **REASON:**

1. The proposed close boarded wooden fence for reasons of its character and appearance would result in a visually incongruous feature within the street scene that is detrimental to the character and appearance of the surrounding area, contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED

DATE: 14.02.205




Director of Neighbourhood Services