

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Mr Robert Price 12 Cyfarthfa Court Gwaelodygarth Lane Merthyr Tydfil CF47 8EY

WHEREAS you submitted an application on the 20th February 2019 to develop: Land Adjacent To 16 Saxon Street Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Mr Robert Price
12 Cyfarthfa Court
Gwaelodygarth Lane
Merthyr Tydfil
CF47 8EY

Description of Proposed Development

Variation of condition 1 of planning permission P/14/0250 to extend the period of time for the commencement of development, relating to a detached dwelling and garages

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 9th April 2019

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

- 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 Notwithstanding the details submitted, **prior to the construction of the dwelling** hereby approved details/samples of the materials to be used in the construction of the external surfaces of the dormer bungalow shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out 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 adjoining buildings in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 2 discharged on 25.11.2022 – App No. P/22/0216

- 3 **No development shall commence** until details of a scheme for the disposal of foul and surface water (incorporating SUDS principles where appropriate) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the dormer bungalow and retained in perpetuity.

Reason - To ensure adequate disposal of foul and surface water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 3 discharged on 25.11.2022 – App No. P/22/0216

- 4 **Prior to the occupation** of the dwelling hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed as approved before the building is occupied.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 4 discharged on 25.11.2022 – App No. P/22/0216

- 5 **BEFORE** works relating to the dwelling hereby approved commence on site, full details and calculations including constructional and facing materials of any necessary retaining walls, which exceed 1 metre in height, shall be submitted to and approved in writing by the Local Planning Authority, and such works as may be approved shall be implemented in full prior to the occupation of the dwelling.

Reason - In the interest of safety and visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

- 6 **BEFORE** works commence on site a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, which shall include details for the provision of planting along the proposed private garden boundaries, as indicated on the Proposed Site Plan (Drawing No. PL 02 Rev E). The landscaping scheme shall include the following:

- i. written specifications (including cultivation and other operations associated with plant and grass establishment);
- ii. a schedule of plants noting species, plant supply sizes and proposed numbers/density where appropriate;
- iii. an implementation programme (including phasing of works where relevant);
- iv. a landscape management plan for a minimum period of 5 years.

The approved landscaping scheme shall be carried out in the first planting season following the completion/occupation of the development or in accordance with the agreed implementation programme and managed in accordance with the approved management plan. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 6 discharged on 25.11.2022 – App No. P/22/0216

- 7 **No development shall take place** until a site investigation to determine the nature and extent of contamination has been carried out. The investigation shall include:

- i. a thorough walkover survey to identify areas of potential ground contamination;
- ii. at least 1 No. random soil sample taken in the location of the proposed dormer bungalow and garages;
- iii. the soil sample(s) taken shall be tested for Arsenic, Cadmium, Chromium (total), Lead, Mercury and Selenium, Boron, Copper, Nickel and Zinc, Speciated PAHs, TPH, Phenol and Asbestos.

The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins.

If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Reason - In the interest of health and safety and environmental amenity and so as to accord with Policy BW18 of the Merthyr Tydfil Local Development Plan.

Condition 7 discharged on 25.11.2022 – App No. P/22/0216

- 8 Construction works relating to the development shall not take place other than during the following times unless otherwise agreed in writing by the Local Planning Authority:

Monday to Friday - 0800hrs to 1800hrs

Saturday - 0900hrs to 1400hrs

Not at any time on Sundays, Bank or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

- 9 **Before the dwelling** hereby permitted is brought into use, the dormer window on the south-east (rear) elevation of the building shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, and any part of the windows that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 9 discharged on 25.11.2022 – App No. P/22/0216

- 10 The three single detached garages hereby approved shall be used for domestic purposes and/or the storage of private motor vehicles only and not for any commercial or business use.

Reason - To define the use of the garages in the interest of residential amenity of adjoining residents and highway safety to accord with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

- 11 The double garage serving the dwelling hereby approved shall be kept available for the parking of private motor vehicles at all times.

Reason - To ensure that cars are parked off the highway in the interests of highway safety and to accord with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

- 12 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modifications), no enlargements, improvements or other additions to the dwelling shall be erected without the prior submission of a planning application for the consideration of the Local Planning Authority.

Reason - Having regard to the restricted nature of the site and the need to assess the potential effect of any future extensions on the residential amenity of occupiers of neighbouring properties, in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

INFORMATIVES

1. The applicant / developer should be aware that it is an offence to intentionally or recklessly kill, injure or take any wild animal listed as protected in the Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 under the Conservation of Habitats and Species Regulations 2017. In the event that bats are found during the demolition works, those works shall cease and further advice should be sought from the Planning Division's Ecologist on 01685 725278.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.