

**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)

**OUTLINE PLANNING PERMISSION**

To: Palace Homes (Wales) Ltd c/o Stephen George Architects 25 Courtland Terrace Merthyr Tydfil CF47 0DT

**WHEREAS** you submitted an application on the 8th March 2016 to develop: Land To The Rear (north-west) Of 53-83 Edward Street And 1-7 Tair Twynau Pant Merthyr Tydfil short particulars of the application being as follows:-

**Name of the Applicant**

Palace Homes (Wales) Ltd  
F.a.o. Mr K Davies  
12 Cyfarthfa Court  
Gwaelodygarth Lane  
Merthyr Tydfil

**Description of Proposed Development**

Residential development comprising 21 self build plots with associated highway works (Full)

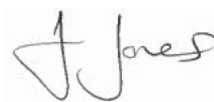
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS OUTLINE PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans submitted with the application, subject to the following condition(s),

**CONDITIONS**

Please see attached sheet.

**Date:** 2nd November 2023

**Signed:**



**(Director of Neighbourhood Services)**

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

## CONDITIONS

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

**Reason** - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

**Reason** - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**Reason** - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 4 **In conjunction with the statutory "reserved matters"** required by Condition 1, details for the provision of an ecological buffer zone along the north-west boundary of the site, as indicated in the Ecological Assessment (May 2021 Issue 1, VC), shall be submitted to and approved in writing by the local planning authority. The details shall include sections of the boundary fence/wall to protect the buffer zone and provide a dark corridor for foraging bats. All works shall be completed in accordance with the approved details prior to any construction works commencing on site.

**Reason** - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 **No development shall commence on site**, until existing and proposed site levels including full cross sectional drawings for each plot have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **No development shall take place** until details, including structural calculations and facing materials, 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 prior to the occupation of the dwellings.

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

- 7 **Prior to the occupation of the dwellings**, 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 prior to the occupation of the dwellings.

**Reason** - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **Prior to works commencing on site**, details for the provision of 5 integral bat boxes on the dwellings and 3 bird boxes within landscaped areas, shall be submitted to and approved in writing by the local planning authority. Plans shall be provided to illustrate their location within the site and their position on the dwellings and in the landscaped areas, together with details for a mixture of bat boxes and bird boxes to support a range of species. The bat and bird boxes shall be provided in accordance with the approved detail prior to the occupation of the dwellings.

**Reason** - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **Prior to any site clearance or construction works commencing on site** a reptile mitigation strategy, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

**Reason** - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 **Prior to the occupation of the dwellings**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes along the north-west and north-east boundaries, together with dark routes for access to the integral bat boxes.
- the lux levels within the dark corridors shall not exceed 0.2 lux on the horizontal plane and 0.4 lux on the vertical plane
- the onsite lighting shall include appropriate colour temperatures of no more than 2700 Kelvin and peak wavelengths of no more than 550nm.

The lighting scheme shall be carried out in accordance with the approved details.

**Reason** - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 others of similar size and species.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 12 **Prior to the occupation of the dwellings**, a detailed landscape and habitat management plan, including management responsibilities and maintenance schedules for all landscaped and habitat areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape and habitat management plan shall be carried out in accordance with the approved details.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity and to protect the natural environment in accordance with Policies SW11, EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 13 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Reason** - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

- 14 **No development shall take place** until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. 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 EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 15 **No construction works shall commence**, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and monitor the emission of dust and dirt during construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;

**Reason** - In the interests of the highway safety and free flow of traffic and to protect the environment in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 16 Construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 17 **Before construction works commence on site** details for the provision of 6 parking spaces to be provided adjacent to the carriageway along Trevor Close, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details prior to construction works commencing on site. The parking spaces shall be retained for such purposes at all times thereafter.

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

- 18 **No development or site clearance shall take place**, until details of a scheme for the eradication of Japanese Knotweed (*Fallonica japonica*, *Rouse decraene*, *Polygonum cuspidatum*) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

**Reason** - To ensure compliance with the Wildlife and Countryside Act 1981.

## 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 the Planning Inspectorate website ([www.gov.wales/planningappeal](http://www.gov.wales/planningappeal)) to complete your appeal.
- 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.
- 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, 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