

**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 Jamie Reynolds c/o Mr Paul Thomas Utopia Design 5 Amberton Place Penydarren  
Merthyr Tydfil

**WHEREAS** you submitted an application on the 4th November 2022 to develop: Courtland Terrace Union Street Merthyr Tydfil CF47 0DT short particulars of the application being as follows:-

**Name of the Applicant**

Mr Jamie Reynolds  
26 Courtland Terrace  
Merthyr Tydfil  
CF47 0DT

**Description of Proposed Development**

Five storey four bedroom dwelling (Full)

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 March 2023

**Signed:**



**(Director of Neighbourhood Services)**

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

## 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 documents:

Proposed Elevations & Plan Drawing no. Courtland 26a 06 received on 06.02.2023  
Proposed Sections & Plan Drawing no. Courtland 26a r03C received on 06.02.2023  
Proposed Elevations & Plan Drawing no. Courtland 26a r01C received on 01.02.2023  
Proposed Elevations & Plan Drawing no. Courtland 26a r02C received on 01.02.2023  
Proposed Block Plan Drawing no. Courtland 26a 05A received on 08.11.2023  
Design and Access Statement received on 02.02.2023

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

- 3 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 dwelling 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 conservation area and adjoining buildings in the interests of visual amenity and to accord with Policies CW1 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 **No development shall take place** until a scheme for biodiversity enhancement has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the beneficial occupation of the dwelling.

**Reason** - In the interests of maintaining and enhancing biodiversity in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil Replacement County Borough Council Local Development Plan.

- 5 The windows in the northern and southern side elevations of the dwelling hereby permitted shall be fitted with obscure glazing which is level 3 or higher on the Pilkington Scale of Privacy or equivalent. The windows shall be fixed shut and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The dwelling shall not be occupied until the windows have been inserted in accordance with the approved plans and shall be permanently retained in that condition thereafter.

**Reason** - In the interest of residential amenity and to accord 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 before the development hereby approved is brought into beneficial use.

**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 Demolition or 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.

- 8 **Before the dwelling hereby permitted is brought into use** the 1.7 metre high composite privacy screens shall be fitted to the northern and southern sides of the balcony areas as shown on Drawing no: Courtland 26a r03C, received: 06.02.2023. The privacy screens shall be permanently retained in that condition thereafter.

**Reason** - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 The car parking spaces hereby permitted shall be provided before the dwelling hereby permitted is occupied. The car parking spaces shall thereafter be kept available for the parking of 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 Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

- 10 Notwithstanding the provisions of schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no additions or alterations shall be carried out to the roof of the dwelling other than those expressly authorised by this permission.

**Reason** - In the interest of visual amenity in accordance with Policies CW1 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

**Reason** - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

## 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. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : [Highways.CustomerCare@merthyr.gov.uk](mailto:Highways.CustomerCare@merthyr.gov.uk) Tel no : 01685 727470 or 725000

4. Some public sewers and lateral drains may not be recorded on Welsh Waters maps because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant is advised to contact Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

## 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](http://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.**