

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: Merthyr Motor Auctions c/o Viv Jones 114 Brecon Road Hirwaun RCT CF44 9NS

WHEREAS you submitted an application on the 19th December 2018 to develop: Land Adjacent To 22 Pant Road Dowlais Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Merthyr Motor Auctions
Red Barrel House
Pant Road
Dowlais
Merthyr Tydfil

Description of Proposed Development

Demolish 8 garages and construct a pair of semi detached houses with parking provision (Full)

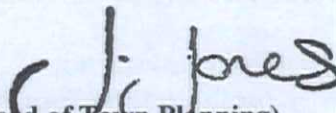
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following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

CONDITIONS

Please see attached.

Date: 6th February 2019

Signed:


(Head of Town Planning)

**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:

Drawing No. 2642 NB received on 17.01.2019

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

- 3 **No development shall commence** until details of a scheme for the disposal of foul and surface water 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 beneficial occupation of the proposed dwellings 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 2.11.20 - App. No. P/20/0232.

- 4 **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.

Condition 4 discharged 2.11.20 - App. No. P/20/0232.

- 5 **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

Condition 5 discharged 2.11.20 - App. No. P/20/0232.

- 6 If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in condition , additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the period agreed in the remediation scheme.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

- 7 Notwithstanding the submitted plans, prior to the occupation of the dwellings 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 dwellings are brought into beneficial use.

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 7 discharged 2.11.20 - App. No. P/20/0232.

- 8 The car park spaces shown on drawing number 2645 NB shall be provided before the beneficial occupation of the proposed dwellings and should be retained as such thereafter.

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

- 9 **No development shall take place**, or any demolition works or site clearance, until details of a scheme for the eradication of Japanese Knotweed (*Fallonia 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.

Condition 9 discharged 2.11.20 - App. No. P/20/0232.

INFORMATIVES

1. The developer's attention is drawn to the advice provided by the Council's Landscape Architect regarding the presence of Japanese Knotweed on the site. To ensure that the Japanese Knotweed is dealt with appropriately, condition 9 of this permission requires a management plan to be put in place, and implemented in full prior to the commencement of the proposed development. The management plan will be expected to include:

- A scaled plan of the site which accurately plots the extent of the Japanese Knotweed infestation;
- Details to confirm how the Japanese Knotweed is to be eradicated from the site;

The details should include a recommendation for the submission of independently verified reports at each stage of the management plan to confirm that the procedure necessary for eradication has been completed satisfactorily and that as a consequence of its implementation all evidence of Japanese Knotweed has been permanently eradicated from the site.

Any materials that are to be removed from site should be classified as contaminated waste and should only be capable of being transferred by a licensed carrier of waste received by a licensed land fill site.

NOTES

Your attention is drawn to the following:-

Appeals to the Welsh Government:

- 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 Welsh Government 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 The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use the Planning Inspectorate website (<https:acp.planninginspectorate.gov.uk>) to complete your appeal.
- The Welsh Government 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 Welsh Government 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 Welsh Government 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 the Welsh Government 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.