

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 R Kahl c/o Mr Paul Thomas 5 Amberton Place Penydarren Merthyr Tydfil CF47 9HX

WHEREAS you submitted an application on the 2nd March 2020 to develop: 70 Brecon Rise Pant Merthyr Tydfil CF48 2EF short particulars of the application being as follows:-

Name of the Applicant	Description of Proposed Development
Mr R Kahl 5, Amberton Place Penydarren Merthyr Tydfil CF47 9HX	New vehicular access and two off road parking spaces with associated retaining works (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: 28th May 2020

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 Title: Existing & Proposed Plans, Elevations & Sections, Drawing Number: BREC RISE 70 01A, Amended Plan Received on 21 April 2020.

Drawing Title: Existing & Proposed Plans, Elevations & Sections, Drawing Number: BREC RISE 70 02A, Amended Plan Received on 21 April 2020

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

- 3 Before the hard standing hereby approved is brought into use, the close boarded timber fence shall be erected in accordance with approved drawings BREC RISE 70 01A and BREC RISE 70 02A and shall be retained as such 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

- 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 on 30.07.20 App No. P/20/0131

INFORMATIVES

1. Wales and West Utilities has pipes in the area. Their apparatus may be affected and at risk from the development. As such they require the developer to contact them directly to discuss their requirements in detail before any works commence on site. Should any diversion works be required, these will be fully chargeable.

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2. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

3. The applicant/developer is advised to liaise with the County Borough Council's Head of Engineering regarding any consents which are required in association with the provision of any vehicle cross over.
4. The developer is advised to contact the County Borough Council's Head of Engineering regarding any retaining works or other works affecting the highway **BEFORE** construction works commence.
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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 **12 weeks** 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.