

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 Herbert R Thomas Ltd F.a.o. Mrs Anna Cheney 11-12 Jellicoe Court Atlantic Wharf Cardiff

WHEREAS you submitted an application on the 29th October 2020 to develop: Merthyr Motor Auctions Pant Road Dowlais Merthyr Tydfil CF48 3SH 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

Removal of condition H attached to appeal decisions APP6410/C/95/508749 and APP6410/C/95/508750, which currently restricts the use of the floodlighting (Removal of Condition Application) (Removal of Condition)

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: 3rd September 2022

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 revised floodlighting scheme shall be installed in accordance with the following approved plans and documents:

- Qoda Light, 2463.R9 - MMA Lighting Report, received: 8th March 2021.

Reason - To ensure compliance with the approved plans and to ensure that the proposed lighting would not have an adverse impact on the amenities of nearby occupiers, ecology or the natural environment, in accordance with Policies SW11, EnW1, EnW2, EnW3 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 3 The floodlights, hereby permitted, shall not be used between 18:30 and 08:00 hours until they have been installed in accordance with the approved details as shown on pages 8-10 of the Qoda Light Report (Revision 9) received 8th March 2021. Thereafter the floodlights shall be retained as such in perpetuity.

Reason - To ensure that the proposed lighting would not have an adverse impact on the amenities of nearby occupiers, ecology or the natural environment, in accordance with Policies SW11, EnW1, EnW2, EnW3 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 The floodlights, hereby permitted, shall not be brought into use until details of a wildflower strip on the grass verge that runs along the eastern boundary has been submitted to and approved in writing by the Local Planning Authority. The details shall include the area of land to be planted/seeded, the mix and density of plants/grass/seeds noting species, an implementation programme and a wildflower management plan. All planting and seeding comprised in the approved details shall be carried out in the first planting and seeding seasons after the floodlights, hereby permitted, are brought into use.

Reason - To enhance the ecological value of the site in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.

Condition 4 discharged on 29.11.2022 App No. P/22/0304

- 5 The use and layout of the site shall be operated strictly in accordance with the details indicated on the Lower Yard Area Layout plan (Drawing LAF 1 - approved at appeal ref: APP6410/C/95/508749 and APP6410/C/95/508750).

Reason - To protect the amenities of nearby occupiers and ecology in accordance with Policies SW11, EnW1, EnW2, EnW3 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 6 No activity shall take place on the site (i.e. as identified on the Lower Yard Area Layout plan Drawing LAF 1 - approved at appeal ref: APP6410/C/95/508749 and APP6410/C/95/508750) before 08:00 hours or after 18.30 hours on weekdays and Saturdays nor at any time on Sundays or Public Holidays, (the sole exception to this condition being in the event of a transporter arriving whilst the auction activities are being undertaken in the upper yard, such transporter shall be permitted to enter the lower yard for the purpose of parking only).

Reason - To protect the amenities of nearby occupiers in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

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.