

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 Mr Paul Thomas 5 Amberton Place Penydarren Merthyr Tydfil
CF47 9HX

WHEREAS you submitted an application on the 6th January 2021 to develop: Red Barrel House Pant
Road Dowlais Merthyr Tydfil CF48 3SH short particulars of the application being as follows:-

Name of the Applicant

Merthyr Motor Auctions
F.a.o. Mr D Davies
Red Barrel House
Pant Road
Dowlais

Description of Proposed Development

Excavation of embankment to provide extended car
parking area (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: 15th April 2021

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:

- Title: Existing and Proposed Plans, Drawing no: MMA 02B, received: 23rd March 2021;
- Title: Topographical Survey, Drawing no: MMA 01B, received: 29th March 2021;
- Title: Existing and Proposed Sections, Drawing no: MMA 03I, received: 12th April 2021;
- BEecological Technical Note Report, received: 14th January 2021.

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

- 3 **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and biodiversity and to accord with Policies SW11, EnW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 3 discharged on 19th July 2021 - App no: P/21/0234

- 4 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 biodiversity and to accord with Policies SW11, EnW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 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 car park being brought into use in accordance with the approved details and retained in perpetuity.

Condition 5 discharged on 19th July 2021 - App no: P/21/0234

Reason - The site may be unstable and as such in the interests of safety, remedial measures may need to be carried out to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 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 5, 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 to accord with Policy EnW4 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 The area highlighted permeable tarmac on the proposed plan view, as shown on drawing number MMA 02B received on 23rd March 2021, shall only be used for the parking of vehicles and for no other use whatsoever.

Reason - In the interest of residential amenity in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The applicant is advised that some public sewers and lateral drains may not be recorded on the Welsh Water maps of public sewers 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. You are therefore 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 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.