

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: Mrs Lynch c/o Mr Steven George George And Co Studio 01 Crownford House Swan Street

WHEREAS you submitted an application on the 22nd February 2023 to develop: Land Adjacent To 17 Beechwood Drive Heolgerrig Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Mrs Lynch
Land Off Beechwood Drive
Beechwood Drive
Heolgerrig
Merthyr Tydfil

Description of Proposed Development

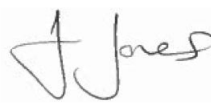
Variation of condition 2 and 10 of planning permission P/21/0412 for the erection of a dwelling to amend the layout of the site and the vision splays onto Heolgerrig Road (Removal/Variation of Condition)

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: 26th April 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, documents, emails and samples:

- Plan 687.101A, received: 22nd February 2023;
- Plan 867.010C, received 15th March 2023;
- Plan 867.011B, received 15th March 2023;
- Plan 867.012A, received 15th March 2023;
- Plan 867.013, received 15th March 2023;
- Drawing number 013 - elevations, received 14th April 2023;
- Drawing number 011 - floor plans, received 14th April 2023;
- Construction Method Statement and accompanying plan 867.010C, received 14th April 2023;
- Fined down render in natural white, as detailed in email, received 14th April 2023;
- Marley clay roof tile, smooth brindle sample, received 14th April 2023;
- Vandersanden Old farmhouse brick sample, received 14th April 2023;
- Timberlook Flush Sash window in cream foil, as highlighted in brochure, received 14th April 2023;
- Coal Mining Risk Assessment, Report No. BC/MB/06.20.02. and Coal Authority letter dated 14th January 2022;
- Preliminary Ecological Appraisal and Preliminary Roost Assessment for Bats for Land Off Heolgerrig, prepared by Koru Ecology Associates.

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

- 3 Before the development hereby permitted is brought into use, the first floor bathroom window located in the north-western side elevation of the dwelling shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority 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 windows 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

- 4 Prior to the occupation of the dwelling details of the facing materials of the proposed 0.995 metre high wall, (as shown on Plan 867.010C received 15th March 2023) to be erected to the west of the site to retain the embankment area to the side/rear garden, shall be submitted to and approved by the local planning authority. The wall shall be completed as approved before the occupation of the dwelling.

Reason - To ensure that the new development will be visually attractive in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 Prior to the occupation of the dwelling 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 occupation of the dwelling.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **Before the commencement of the dwelling hereby approved**, the vision splay works, including boundary enclosures, to the dwelling known as 'The Gables' shall be completed in accordance with drawing number 687-101A, received 22nd February 2023. The visibility splay shown on drawing number 687-101A shall be maintained free of any obstruction exceeding 0.9m in height thereafter.

Reason - In the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping (and detailed on plan 867.010C received 15th March 2023) 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 to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 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.

- 9 If during the course of development, any unexpected land instability issues are found which were not identified in the Coal Mining Risk Assessment undertaken by Blanford Consulting, 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 in accordance with EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C, D and E 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 extensions, outbuildings or other alterations shall be carried out other than what is expressly authorised by this permission.

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

- 11 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with EnW4 of the Merthyr Tydfil County Borough Council 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.