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Corporate Director Place and Transformation

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Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

Chris Marshall
Caravan
EFI Industrial Estate
Merthyr Tydfil
CF47 8RB

Dyddiad/Date: 13th December 2017

Ein Cyf./Our ref.: PE/17/0005
Eich Cyf./Your ref.:

Gofynnwch am/Please ask for: Sara Thomas
Llinell Uniongyrchol/Direct Line: 01685 725366
e-bost/e-mail: Sara.thomas@merthyr.gov.uk

Dear Sir,

TOWN & COUNTRY PLANNING ACT 1990 SECTION 171

ENFORCEMENT NOTICE – LAND ADJACENT TO THE COMPOUND AND STORAGE AREA, EFI INDUSTRIAL ESTATE, MERTHYR TYDFIL CF47 8RB

The Council has issued an enforcement notice relating to the above mentioned site and I now serve on you a copy of that Notice, in view of your interest in the land. You should read this Notice carefully together with an annex thereto which explains your right to appeal.

Unless an appeal is made to the Planning Inspectorate, as described below the Notice will take effect on 17th January 2018 and you must ensure that the required steps, for which you may be held responsible, are taken within the period specified in the Notice.

If you wish to appeal the Notice, you should first read carefully the guidance on the Planning Inspectorate's website at www.planning-inspectorate.gov.uk. Your appeal must be received by the Planning Inspectorate before the date when the notice takes effect i.e. 17th January 2018.

If you have any queries relating to the Notice, please contact Sara Thomas on 01685 725366.

Yours faithfully

JP

MISS J JONES
PENNAETH CYNLLUNIO A CHEFN GWLAD/HEAD OF PLANNING AND COUNTRYSIDE

Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddil yn arwain at oedi. Rhwch wybod inni beth yw'ch dewis iaith e.e Cymraeg neu'n ddwyieithog.

We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

SECTION 172

Enforcement Notice

ISSUED BY: Merthyr Tydfil County Borough Council

1. THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of this notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land adjacent to the Compound and Storage Area, EFI Industrial Estate, Merthyr Tydfil CF47 8RB shown edged red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of the land to a mixed use of residential and commercial.

AND

Without planning permission, the laying of a gravel hardstanding, the siting of domestic structures, the parking of vehicles and engineering works.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 10 and 4 years respectfully.

The removal of the embankment has resulted in the site being extended to the north and east. The existing residential and commercial use was restricted to an area adjacent to the entrance to the site and therefore was read in connection with the industrial estate not the open space to the north. Consequently, this only resulted in a minor encroachment into the conservation area, however this significant extension of the site with a gravel hardstanding and the loss of the embankment has a much greater impact on the qualities and setting of the conservation area.

The encroachment of the existing site into the adjoining field, which is visible from the open space to the west and the bridge to the north, is considered unacceptable. The change of use of the land for domestic and commercial purposes introduces the potential for suburban landscaping and domestic paraphernalia to proliferate, significantly altering the appearance of the site and eroding its semi-natural character. The encroachment also results in a permanent loss of the Cwm Taf Fechan Site of Importance for Nature Conservation (SINC) contrary to Policy BW5 of the Local Development Plan (LDP).

Furthermore, the extension of the site and laying of the hardstanding, in association with its use for domestic purposes and parking of a large number of vehicles is considered to have a detrimental impact on the character and appearance of the Cyfarthfa Conservation Area and the setting of heritage assets contrary to Policies BW6 and BW7 of the LDP.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Permanently cease the use of the land edged red for domestic and commercial purposes;
- (ii) Permanently remove from the land edged red the following items or features:
 - (a) All vehicles;
 - (b) The wooden summerhouse;
 - (c) The picnic bench;
 - (d) Tables and chairs;
 - (e) All other equipment, furniture, structures, or paraphernalia that facilitate the use of the land for residential and commercial purposes.
- (iii) Restore the landform of the embankment to that which existed prior to the commencement of the unauthorised excavation of the embankment;
- (iv) Remove the gravel chippings and grass seed the land edged red so as to return the land to its former condition;

- (v) Remove the existing boundary fence within the area outlined in red and re-instate the boundary fence to the north, east and west to its original position as edged blue on the attached plan.

6. TIME FOR COMPLIANCE

24 weeks beginning with the day the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17th January 2018 unless an appeal is made against it beforehand.

Dated: 13th December 2017

Signed: H. K. [Signature]

on behalf of: Merthyr Tydfil County Borough Council,

Unit 5, Triangle Business Park, Pentrebach, Merthyr Tydfil CF48 4TQ

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Welsh Ministers before the date specified in paragraph 7 of the notice. 3 copies of the enforcement notice are enclosed and in the event of an appeal, 1 copy is to be sent to the Welsh Ministers with your appeal, 1 copy is to be returned to the Local Authority and the final copy is to be retained for your records. Further information on making your appeal can be found on the Planning Inspectorate's website: <http://www.planning-inspectorate.gov.uk>

ENFORCEMENT NOTICE APPEAL FEES

Should you wish to appeal under ground (a) of Section 174 of the 1990 Act, the fee payable under regulation 10 of the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 (As Amended) for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice would be calculated as £190 for each 0.1 hectare of the site area.

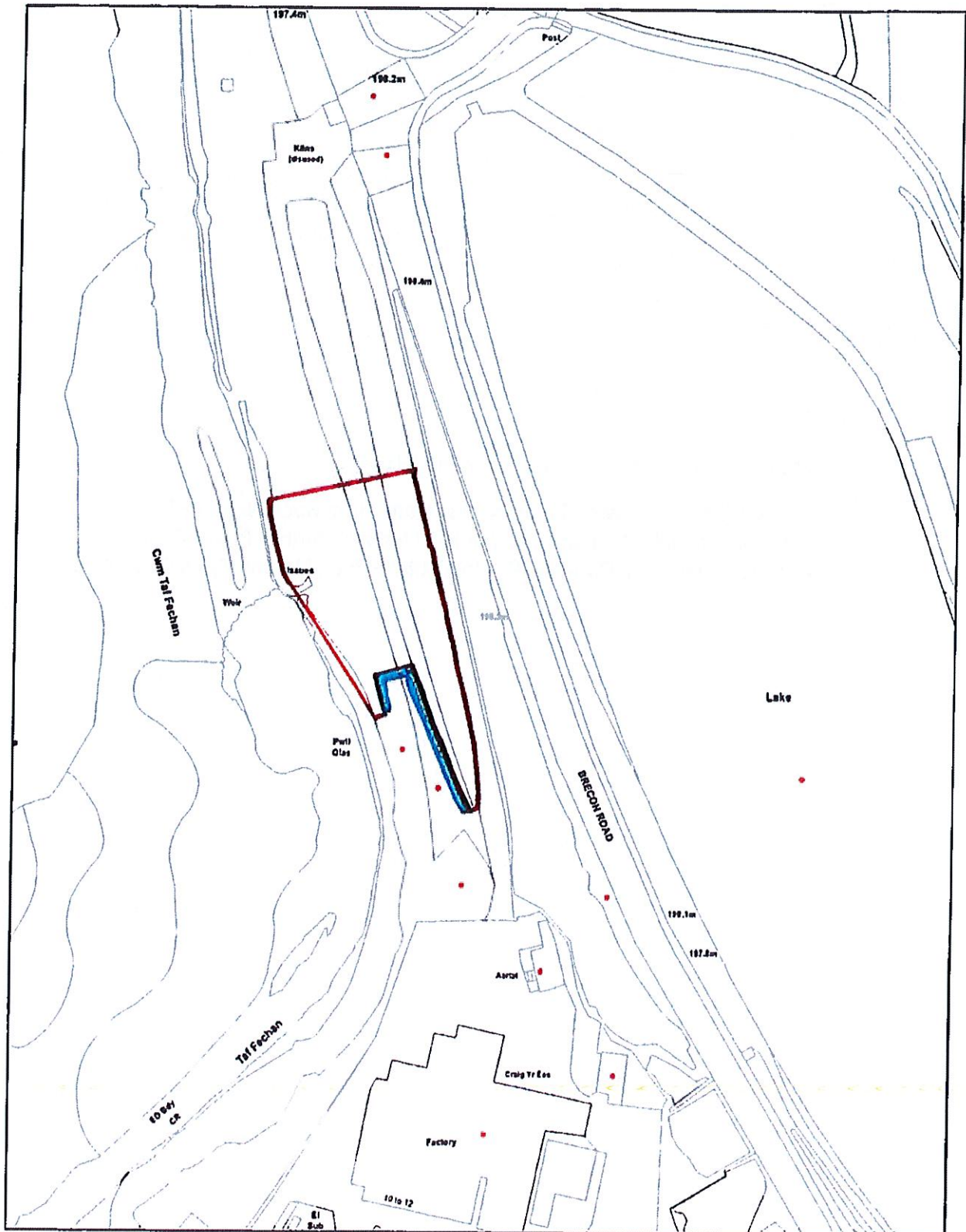
WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

SCHEDULE

Copies of the notice have been served upon the following:

1. Mark Howell, Gelliwen Farm, Nr Markham, Blackwood NP12 0PP
2. Chris Marshall, Caravan, EFI Industrial Estate, Merthyr Tydfil CF47 8RB
3. Melissa Johnson, Caravan, EFI Industrial Estate, Merthyr Tydfil CF47 8RB



	SCALE: 1:1,250	DATE: 29/11/2017	DEPT: Planning	© Crown copyright and database rights 2017 Ordnance Survey 100025302 ‘You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form’ © Hawlfraint y Goron a hawliau cronfa ddala 2017 Arolwg Ordnans 100025302 ‘Ni chaniateir i chwi gopio, tan-dwyddedu, dosbarthu neu werthu y data yma i unrhyw drydydd barti mewn unrhyw ffurf’	 MERTHYR TYDFIL County Borough Council Cyngor Bwrdeistref Sirol MERTHYR TYDFIL
	TITLE: EFI Industrial Estate Merthyr Tydfil				