

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 Daniel Snape c/o Mr Matthew Thomas 5 Saxon Street Merthyr Tydfil CF47 8SP

WHEREAS you submitted an application on the 31st July 2024 to develop: 5 Cae Deri Heolgerrig CF48 1BY short particulars of the application being as follows:-

Name of the Applicant

Mr Daniel Snape
5 Cae Deri
Heolgerrig
Merthyr Tydfil
CF48 1BY

Description of Proposed Development

Construct a three storey dwelling with attached garage and detached garden store (Full)

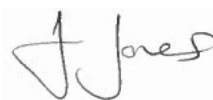
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 24th January 2025

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

- 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:

- 002, Proposed Site Plan, received: 31st July 2024;
- 003, Existing and Proposed Site Sections, received: 31st July 2024;
- 004, Proposed General Arrangement, Ground & First Floor Plans, received: 31st July 2024;
- 005, Proposed General Arrangement, Second Floor and Roof Plans, received: 31st July 2024;
- 006, Proposed Front and Rear Elevations, received: 31st July 2024;
- 007, Proposed Side Elevations and Building Section, received: 31st July 2024;
- 008, Shed/Garden Store, received: 31st July 2024;
- Ecological Assessment, Plot 7 Cae Deri Heolgerrig Merthyr Tydfil CF418BY, prepared by BE Ecological Ltd. Issue 1VD, received: 21st November 2024;
- GI Statement, Plot 7 Cae Deri Merthyr Tydfil, prepared by BE Ecological Ltd, received: 22nd November 2024.

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

- 3 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, prior to 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.

- 4 **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 and in the interest of biodiversity to accord with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 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 to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **No external lighting shall be installed on the dwelling**, until a detailed lighting scheme has first been submitted to and approved in writing by the local planning authority. The lighting scheme shall demonstrate that dark corridors for bat foraging/commuting will be maintained and that the access points to bat boxes remain unilluminated, in accordance with the recommendations of the Ecological Assessment (received 21st November 2024). The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 **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.

- 8 No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 9 Prior to the occupation of the dwelling hereby approved, the enhancement measures proposed, as stipulated in the recommendations of the Ecological Assessment and Green Infrastructure Statement (received on the 21st and 22nd November 2024), shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 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.

- 11 Notwithstanding the submitted plans and **prior to the commencement of development**, the first 6 metres (minimum) of the access road (shared with plot 6) shall be constructed in consolidated materials, details of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and prior to the occupation of the dwelling.

Reason - In the interest of highway and pedestrian safety in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

- 12 **No development shall commence** until an intrusive site investigation has been carried out to establish the risks posed to the development by past coal mining activity. 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 arising from coal mining legacy 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 first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - In the interest of land stability and safety, to accord with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 13 Prior to the occupation of the dwelling, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining

Reason - In the interest of land stability and safety, to accord with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. Ground Investigations:

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property may result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2. Shallow coal seams:

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

3. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

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.