

**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 Juddith Budding c/o Mr Paul Thomas Utopia Design 5 Amberton Place Penydarren  
Merthyr Tydfil CF47 9HX

**WHEREAS** you submitted an application on the 17th October 2024 to develop: Land adjacent to Lle Hyfryd Mount Pleasant Heolgerrig Merthyr Tydfil CF48 1RY short particulars of the application being as follows:-

**Name of the Applicant**

Mrs Juddith Budding  
Lle Hyfryd  
Mount Pleasant  
Heolgerrig  
Merthyr Tydfil

**Description of Proposed Development**

Erection of dwelling with parking (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:** 9th January 2026

**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:

Drawing Title: Existing & Proposed Plans, Elevations & Section, Drawing Number: LLE HYFRYD 01E, Received 17 October 2025.

Drawing Title: Existing & Proposed Plans, Elevations & Section, Drawing Number: LLE HYFRYD 02B, Received 17 October 2025.

Drawing Title: Existing & Proposed Plans, Elevations & Section, Drawing Number: LLE HYFRYD 03D, Received 17 October 2025.

Drawing Title: Shaft location, Drawing Number: LLE HYFRYD 05, Received 5 November 2025.

Preliminary Ecological Appraisal (Revised) including proposals or net benefits to biodiversity and a Green Infrastructure Statement, dated November 2025, produced by Morgan Ecology, Received 19 November 2025.

Coal Mining Risk Assessment Report, Issue Date: March 2025, Reference: 13741/V2, produced by Terra Firma, Received 17 March 2025.

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

- 3 Prior to the construction of the dwelling hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the dwelling and associated boundary walls shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 Before the development hereby permitted is brought into use, the windows in the side elevations of the dwelling hereby approved shall be fitted with obscured glazing in accordance with drawing number LLE HYFRYD 01E and any part of the windows that are 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

- 5 **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.

- 6 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.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping set out in the Preliminary Ecological Appraisal and on drawing number: LLE HYFRYD 03D, shall be carried out in the first planting and seeding seasons following the occupation of the dwelling 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 **BEFORE** the dwelling hereby approved is occupied, the bat and bird boxes and hedgehog gaps shall be provided in accordance with the Preliminary Ecological Appraisal and Drawing Numbers LLE HYFRYD 01E and LLE HYFRYD 03D. These shall be retained in perpetuity thereafter.

**Reason** - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **BEFORE** the dwelling hereby approved is occupied, the access and parking area shall be provided in accordance with drawing number LLE HYFRYD 03D and the car parking spaces shall remain available for their designated use in perpetuity.

**Reason** - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

**10 No development shall commence until:**

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity and to locate or discount mine shaft 303206-040; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with the approved details.

**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.

- 11 Prior to the occupation of the development, or it being taken into beneficial use** 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 methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

**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.

**INFORMATIVES**

1. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>  
Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

2. The developer's attention is drawn to the comments and advice received from The Coal Authority during the application process. These include the following points:

**1 - Ground Investigations**

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. 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](http://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- Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Coal Authority. Further information regarding Incidental Coal Agreements can be found here - [https://www.gov.uk/government/publications/incidental-coal-agreement/guidance\\_notes-for-applicants-for-incidental-coal-agreements](https://www.gov.uk/government/publications/incidental-coal-agreement/guidance_notes-for-applicants-for-incidental-coal-agreements)

3. The developer's attention is drawn to the comments and advice received from Dwr Cymru Welsh Water during the application process.

## 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](http://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.**