

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 D Rees c/o George And Co 1st Floor Woodfired Studios 62 High Street Merthyr Tydfil
CF47 8DE

WHEREAS you submitted an application on the 13th March 2019 to develop: Land Adjacent To 2
Plymouth House Milbourne Terrace Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Mr D Rees
2 Plymouth House
Milbourne Terrace
Merthyr Tydfil
CF47 0UL

Description of Proposed Development

Construction of four detached houses (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: 23rd December 2019

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:

Drawing no. 592.02E (Proposed site) received on 20.12.2019

Drawing no. 593.07A (Side elevations of proposed houses) received on 20.12.2019

Drawing no. 593-08 (Ground and first floor plan of proposed houses) received on 18.12.2019

Drawing no. 593-09 (Front and rear elevations of proposed houses) received on 18.12.2019

Drawing no. 592.11 (Block plan) received on 07.11.2019

Drawing no. 01 Rev A (Planting plan) received on 01.11.2019

Drawing no. 593-03A (Front and rear elevation Plan Plot 4) received on 07.11.2019

Drawing no. 593-04 (Ground and first floor plan Plot 4) received on 07.11.2019

Drawing no. 593-05 (Side elevations of Plot 4) received on 07.11.2019

Drawing no. 592.12A (Section A-A) received on 07.11.2019

Drawing no. 592.06 (Section A-A) received on 26.06.2019

Drawing no. 592.10 (Section) received on 26.06.2019

Preliminary Ecological Appraisal by BE Ecological Ltd June 2019 Issue 1VD received on 19.12.2019 and agent's email correspondence received on 20.12.2019

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

- 3 **Prior to the construction of the dwellings hereby approved** details and/or samples of the materials to be used in the construction of the external surfaces of the dwellings 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 BW7 of the Merthyr Tydfil Local Development Plan.

Condition 3 discharged 10.9.20 - App. No. P/20/0190.

- 4 The 3m by 33m visibility splays shown on plan no. 592.02E shall be provided before any dwelling hereby permitted is occupied and maintained free of any obstruction exceeding 0.9m in height for as long as the development exists.

Reason - In the interests of road safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

- 5 **Prior to the construction of the dwellings hereby approved** details of a scheme for the disposal of foul water shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason - To ensure adequate disposal of foul water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 5 discharged 10.9.20 - App. No. P/20/0190.

- 6 No dwelling shall be occupied until the two *Fagus sylvatic* trees proposed along the northern boundary of the site and identified on the proposed landscaping scheme drawing number 01 A have been planted in accordance with the approved details. Any trees 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 replacement Tree Preservation Order (TPO) trees are provided in the interests of visual amenity in accordance with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing no. 01 Rev A) shall be carried out in the first planting and seeding seasons following the occupation of any 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 BW7 of the Merthyr Tydfil Local Development Plan.

- 8 **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction;
- and

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 8 discharged 10.9.20 - App. No. P/20/0190.

- 9 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 Policy BW7 of the Merthyr Tydfil Local Development Plan.

- 10 **Prior to the construction of the dwellings hereby approved** 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 BW7 of the Merthyr Tydfil Local Development Plan.

- 11 **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 occupation of any dwelling, in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

Condition 11 discharged 10.9.20 - App. No. P/20/0190.

- 12 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 11, 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.

- 13 The clearance/development of the site shall be carried out in accordance with the recommendations set out in Section 6 and Appendix B of the Ecological Assessment (Prepared by BE Ecological).

Reason - To minimise any potential harm to protected species and to protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

- 14 **Prior to the occupation of the dwellings hereby approved**, details and/or samples of the materials proposed for the boundary walls, piers and gate proposed to be erected along the eastern and northern boundary of the site shall be submitted to and approved by the local planning authority. The boundary treatment shall be fully completed in accordance with the approved details prior to the occupation of any dwelling.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 14 discharged 10.9.20 - App. No. P/20/0190.

- 15 Notwithstanding the provisions 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 fences, gates or walls shall be erected within the curtilage of any dwelling house forward of the principle elevation of that dwelling house.

Reason - To preserve the open plan character of the housing layout in the interests of visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

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.