

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 Andrew Nolan c/o Mr Steven George George And Co Studio 01 Crownford House Swan Street

WHEREAS you submitted an application on the 31st March 2023 to develop: Land Adjacent To 6 Brynseion Street Troedyrhiw Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant	Description of Proposed Development
Mr Andrew Nolan Land Adjacent To 6 Brynseion Street Troedyrhiw Merthyr Tydfil Merthyr Tydfil	Erect two dwellings (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: 4th July 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 and documents:

- Drawing no: 941.02, Floor plans and site plan, received 11th May 2023;
- Drawing no: 941.03, Sections and Elevations, received: 11th May 2023.

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/samples of the materials to be used in the construction of the external surfaces of the dwellings and boundary enclosures 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 Replacement Local Development Plan.

- 4 **No development shall take place** until full engineering details and sections, including structural calculations and 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 Local Development Plan.

- 5 **No development shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a 10 year landscape management and maintenance plan. The plan shall be focussed on the open/communal space and all species will be native (including the grass seed mix, which should also include wild flower species) and of local (if not UK) provenance. The development shall thereafter be completed in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and biodiversity, to accord with Policy SW11 and EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 6 All planting, seeding or turfing comprised in the approved details of landscape management and maintenance plan 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 biodiversity and to accord with Policies SW11 and EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 7 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.

- 8 **Prior to the occupation the dwellings**, hereby approved, the car parking spaces and widening/improvements of the rear lane shall be completed (and available for use) in accordance with the approved Drawing no: 941.02, Floor Plans and Site Plan, received 11th May 2023. The car parking spaces and road widening/improvements shall be retained for their intended purpose thereafter.

Reason - To ensure the access/parking/turning requirements of the development are adequately met at all times in the interest of highway and pedestrian safety and to ensure compliance with policies SW11 of the Merthyr Tydfil Replacement Local Development Plan.

- 9 The area highlighted as 'Communal Grassed Area' on approved Drawing no: 941.02, Floor Plans and Site Plan, received 11th May 2023, shall only be used as open-space and shall not be incorporated within the curtilage of the residential plots or used for residential purposes.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and biodiversity in accordance with LDP Policies SW11 and EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

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

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

- 11 Construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1400 on Saturdays and at no time on Sundays or Public Holidays.

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Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy SW11 and EnW4 of the Merthyr Tydfil 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.