

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: M. Delacey & Sons (Holdings) Ltd c/o AJ Planning And Development F.a.o. Mr A Ayles 22
Meadowlands Close Parc Seymour CALDICOT

WHEREAS you submitted an application on the 28th September 2017 to develop: Land Adjoining (south Of) Delacey Builders Goat Mill Road Dowlais Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

M. Delacey & Sons (Holdings) Ltd
C/o Agent.

Description of Proposed Development

Erection of office building (unit 1) and erection of 9 no. industrial units (units 2-10) for B1, B2 and B8 uses with associated service road, parking and service yard area (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: 16th November 2017

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 100 Rev P2 - Proposed Site & Roof Plan
Drawing 101 Rev P1 - Site Location Plan
Drawing 102 Rev P1 - Site Block Plan
Drawing 200 Rev P2 - Proposed Ground Floor & Site Plan
Drawing 201 Rev P2 - Proposed First Floor Plan
Drawing 300 Rev P1 - Proposed Site Cross Sections
Drawing 400 Rev P2 - Unit 1 Proposed Elevations
Drawing 401 Rev P2 - Unit 2 & 3 Proposed Elevations
Drawing 402 Rev P1 - Units 4 & 5 Proposed Elevations
Drawing 403-1 Rev P1 - Units 6-10 Proposed Elevations (Sheet 1 of 2)
Drawing 403-2 Rev P1 - Units 6-10 Proposed Elevations (Sheet 2 of 2)
Drawings 01-04 Rev R0 - Proposed Vehicle Tracking

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

- 3 **Prior to the construction of the buildings** hereby approved details / samples of the materials to be used in the construction of the external surfaces of the buildings 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 on 6.7.20 - App. No. P/20/0092.

- 4 **No development shall commence** until details of a scheme for the disposal of foul and surface water has been 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 occupation of the buildings hereby approved and retained in perpetuity.

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

- 5 **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 first beneficial use of the development 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.

- 6 **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.

- 7 All works on site shall be carried out in accordance with the recommendations set out in Section 4.8 of the Ecological Appraisal (dated August 2017) prepared by Richard Tofts Ecology.

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

- 8 **Prior to the occupation of the buildings** hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including the Bi-fold security gate and pedestrian security gate (as indicated on drawing 200 Rev P2), shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the buildings.

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

Condition 8 discharged on 6.7.20 - App. No. P/20/0092.

- 9 **Prior to the occupation of the buildings** hereby approved, details of the boundary enclosures to the external storage compounds and refuse storage areas (as illustrated on drawing 200 Rev P2), shall be submitted to and approved in writing by the local planning authority. The external storage compounds and refuse storage areas shall be completed in accordance with the approved details.

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

Condition 9 discharged on 6.7.20 - App. No. P/20/0092.

- 10 Outside storage shall only take place in the designated compound areas as indicated on Drawing 200 Rev P2 and shall not exceed the height of the boundary enclosures approved under condition 9.

Reason - In the interests of visual amenity and in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan 2006-2021.

- 11 **Prior to the occupation of the buildings** hereby approved, details of the covered bicycle parking shelter, as illustrated on drawing 200 Rev P2, shall be submitted to and approved in writing by the local planning authority. The covered bicycle parking shelter shall be completed in accordance with the approved details prior to the occupation of the buildings.

Reason - In the interests of visual amenity and support sustainable forms of transport and to accord with Policies BW7 and BW12 of the Merthyr Tydfil Local Development Plan.

Condition 11 discharged on 6.7.20 - App. No. P/20/0092.

- 12 **No development shall take place** until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; and an implementation programme (including phasing of work where relevant).

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.

- 13 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. The hard landscaping scheme shall be completed in accordance with the approved details prior to any building being occupied.

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.

INFORMATIVES

1. The applicant / developer should be aware that when works commence on site a 'Notification of Initiation of development' form must be completed and submitted to the local planning authority. A copy of the form can be found in Schedule 5A of the Town & Country Planning (Development Management Procedure (Wales) (Amendment) Order 2016 or can be obtained from the Welsh Government Website.

As part of this notification of development, a notice is also required to be displayed, which confirms the granting of permission of development at, or near the development site and should provide a plan indicating the site area of the development. The notice to be used is provided in Schedule 5B of the Town & Country Planning (Development Management Procedure (Wales) (Amendment) Order 2016, or can be obtained from the Welsh Government Website. This notice should be displayed at all times while the development is being carried out.

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.