

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 J Coccimiglio c/o Mr Paul Thomas 5 Amberton Place Penydarren Merthyr Tydfil CF47
9HX

WHEREAS you submitted an application on the 21st December 2018 to develop: Land Within The
Curtilage Of Greenacres (Plot 1) Brondeg Heolgerrig Merthyr Tydfil short particulars of the application
being as follows:-

Name of the Applicant

Description of Proposed Development

Mr J Coccimiglio
19 Parc Cwm Pant Bach
Heolgerrig
Cwm Glo Road
Merthyr Tydfil

Erection of dwelling (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: 1st July 2019

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 Title: Proposed Plans, Elevations & Sections, Drawing Number: GREENACRES 02B, Amended Plan Received on 12 February 2019.

Drawing Title: Proposed Site Plans, Drawing Number: GREENACRES 02C, Amended Plan Received on 12 February 2019.

Drawing Title: Proposed Sections, Drawing Number: GREENACRES 02E, Amended Plan Received on 12 February 2019.

Drawing Title: Proposed Block Plan, Drawing Number: GREENACRES 02F, Amended Plan Received on 14 February 2019.

Initial Bat Inspection Survey and Subsequent Activity Survey of Buildings and Trees, Issue 2, Version B dated May 2019, produced by BE Ecological Ltd, Amended Version Received 14 May 2019

Drawing Title: Proposed Plans, Elevations & Sections, Drawing Number: GREENACRES 02B1, Received on 14 May 2019.

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

- 3 **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 beneficial occupation of the dwelling 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.

Condition 3 discharged on 06.07.22 App No. P/21/0415

- 4 In accordance with the Mining Risk Assessment dated July 2017 and prepared by Blandford Consulting, an appropriate scheme of intrusive site investigations shall be undertaken **PRIOR to the commencement of development**. The report of findings arising from the intrusive site investigations (including the results of any gas monitoring undertaken) together with a scheme of remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins.

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

Condition 4 discharged on 03.08.21 App No. P/21/0247

- 5 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 4, 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.

- 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 .

Condition 6 discharged on 03.08.21 App No. P/21/0247

- 7 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 enlargements of the dwellinghouse, consisting of an addition or alteration to its roof, shall be erected.

Reason - To protect residential amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

- 8 Demolition or construction works shall not take place outside the hours of 8:00 to 18:00 Mondays to Fridays and 8:00 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.

- 9 Prior to the construction of the dwelling hereby approved details/samples of the materials to be used in the construction of the external surfaces of the dwelling 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 9 discharged on 03.08.21 App No. P/21/0247

- 10 Prior to the occupation of the dwelling hereby approved, the boundary treatments shall be erected in accordance with the details indicated on the approved plans (drawings numbers GREENACRES 02C and GREENACRES 02E). The development shall be retained as such thereafter.

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.

- 11 **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 in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 11 discharged on 03.08.21 App No. P/21/0247

- 12 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.

- 13 **Prior to the occupation of the dwelling hereby approved**, two schwegler 2fr bat tubes shall be installed on the dwelling in accordance with drawing number GREENACRES 02B1, Received on 14 May 2019 and three bird boxes shall be placed in the boundary habitat of the site in accordance with details that have first been submitted to, and approved in writing by, the Local Planning Authority. These shall be retained as such thereafter.

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

Condition 13 discharged on 03.08.21 App No. P/21/0247

INFORMATIVES

1. 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 will result in trespass, with 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. The applicant may need to apply to Dwr Cymru /Welsh water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform to the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru / Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru / Welsh Water in dealing with the proposal the applicant may contact Dwr Cymru / Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

3. The developer is advised that Wales & West Utilities has pipes in the area. Their apparatus may be affected and at risk during construction works. They therefore require the promoter of the works to contact them directly to discuss their requirements in detail before works commence on site. Should diversion works be required these will be fully chargeable.

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.