

Development Management
Merthyr Tydfil County Borough Council
Unit 5
Triangle Business Parc
Pentrebach
Merthyr Tydfil
CF48 4TQ

25 October 2024

Dear Sirs,

Town and Country Planning Act 1990 (as amended)

PP Reference: 13508539

Location: Land off Elm Tree Grove, Twynyrodyn

Proposal: Delete Condition 19 (Affordable Housing) in favour of securing affordable housing via section 106 planning obligation and amend Condition 17 (Hours of Construction) for working Saturdays from 08:00 until 13:00 of application reference P/21/0358

I refer to the above-mentioned application and enclose the requisite fee pursuant to the validation and registration of the application. The application is submitted pursuant to section 73 of the Act to develop land without compliance with conditions previously attached to application reference P/21/0358.

Condition 20 of the original consent securers the provision of affordable housing as part of the development through the submission of a scheme for affordable housing. Our affordable housing partner has indicated that the use of planning conditions to secure the affordable housing provision causes issues in the management of their property portfolio. As such they have indicated that the provision of affordable housing should be secured by way of planning obligation entered pursuant to section 106 of the Act.

That being the case, it is proposed that an undertaking is given to deliver the affordable housing pursuant to section 106. Securing the affordable housing provision by way of a section 106 agreement will facilitate the deletion of this condition. At this juncture we are happy to take direction from the Council on their preferred mechanism, either a unilateral undertaking or a bilateral agreement. Similarly, in terms of drafting we are prepared to undertake the drafting for approval or to provide an undertaking of costs for the Council to prepare wording. I would welcome an early conversation on this point to expediate the drafting of an agreement.

In respect of Condition 17, an amendment is sought to the hours of construction from 09:00 to 08:00 on Saturdays. The feedback received from contractors is that working hours are unfavourable commencing at 09:00 on Saturdays and an 08:00 is more in line with industry standards. It is not proposed to extend the number hours work, merely commencing earlier. That is to say the amendment sought is from the approved 09:00 until 14:00 to 08:00 until 13:00 (total five hours). Having explored a



number of decisions it appears that a 08:00 is a universally agreed and accepted period for hours of working on a Saturday. In terms of site-specific considerations, there is no sensitive uses or features of the development that would direct an exception to these hours.

As this submission would amount to a subsequent approval (should the Council be minded to grant consent) consideration has to be given to the wider conditions attached to the original consent. To that end, in an effort to assist, a review of the original permission's conditions has been undertaken and a commentary is provided in the document titled "Conditions Commentary". There are a number of conditions that are subject to approval of details, a number of non-material amendments to the original permission have been approved and there are a number of conditions that have material submitted against that are yet to be determined. It is hoped that this exercise will assist in a swift resolution on the two principal matters subject to this application.

I trust this is sufficient to enable the validation and registration of the application. If however you require additional information, please feel free to contact me.

Yours sincerely,



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