

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: c/o Agent c/o Mr Sam Courtney LRM Planning Ltd 22 Cathedral Road Cardiff CF119LJ

WHEREAS you submitted an application on the 16th December 2021 to develop: Land At Springfield Rise Treharris Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

c/o Agent
Holbrook Homes/Merthyr Tydfil HA
United Kingdom

Description of Proposed Development

Proposed residential development comprising 23 affordable dwellings with associated drainage and access works (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: 11th February 2022

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. 00001, Rev P3 - Site Location Plan, received 26.01.2022
Drawing No. 1103, Rev P12 - Proposed Site Layout, received 21.01.2022
Drawing No. 0101, Rev P4 - Typical Walk-up Flats Block A, received 16.12.2021
Drawing No. 0201, Rev P4 - Typical Walk-up Flats Block B, received 16.12.2021
Drawing No. 0301, Rev P4 - House Type A Plot 15, received 16.12.2021
Drawing No. 0401, Rev P4 - House Type B Plots 16-19, received 16.12.2021
Drawing No. 0501, Rev P4 - House Type C Plots 20 & 21, received 21.01.2022
Drawing No. 0601, Rev P4 - House Type D Plot 22 & 23, received 16.12.2021
Drawing No. 1800, Rev P3 - Street Scenes, received 16.12.2021
Drawing No. 1000, Rev P1 - Boundary Details, received 16.12.2021
Drawing No. 6901, Rev P1 - Garden Shed Details, received 16.12.2021
Drawing No. 6902, Rev P1 - Typical Bin Store Details
Drawing No. 1107, Rev P3 - Section AA, received 16.12.2021
Drawing No. 1108, Rev P3 - Section BB, received 16.12.2021
Drawing No. 1109, Rev P3 - Section CC, received 16.12.2021
Preliminary Ecological Assessment, Version V3, dated 25.01.2022
Reptile Survey Report, Version V3, dated 25.01.2022

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

- 3 **Prior to any construction works commencing on site**, details of the proposed brickwork to be used on the elevations of the buildings and boundary walls 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 County Borough Council Replacement Local Development Plan.

- 4 **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.

- 5 **Prior to the occupation of the dwellings**, the boundary walls and fences, as illustrated on Drawing No. 1103 Rev P12 (site layout plan) and on Drawing No. 1000 Rev P1 (boundary details), shall be erected in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **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, including a landscape management plan for a period of at least 5 years. 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 provide suitable biodiversity enhancements, to accord with Policies SW11, EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 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 provide suitable biodiversity enhancements, to accord with Policies SW11, EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

- 8 **No development or site clearance shall take place** until full mitigation details have been provided to compensate for the loss of open mosaic habitat, including the precise location of the proposed reptile hibernacula on the land outlined in blue on the site location plan (Drawing No. 0001 Rev P3) have first been submitted to and agreed in writing by the local planning authority. The reptile mitigation measures, including the construction of the reptile hibernacula shall be carried out in accordance with the details set in the Reptile Survey Report (dated 25.01.2022) prior to any works commencing on site.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **Prior to any construction works commencing on site** a reptile management plan for a period of at least 5 years, to ensure the success of the translocation of reptiles to the receptor site is appropriately managed, shall be submitted to and approved in writing by the local planning authority. The reptile management plan shall be implemented fully in accordance with the approved details.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 **Prior to works commencing on site**, details of the four integrated bat boxes and four integrated bird boxes, including a plan illustrating their location on the buildings, shall be submitted to and approved in writing by the local planning authority. The bat and bird boxes shall be installed during the construction of the dwellings.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 **Prior to the installation of any external lighting**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall demonstrate that dark corridors for bat foraging/commuting will be maintained along the boundaries of the site and that the access points to bat boxes shall remain unilluminated, in accordance with the recommendations of the Preliminary Ecological Assessment, dated 25.01.2022. The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 12 **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
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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 SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 13 The proposed residential units hereby approved, shall only be used for affordable housing purposes in accordance with the definition of affordable housing as set out in paragraphs 5.1 and 5.2 of Technical Advice Note (TAN) 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The residential units shall be affordable for both the first and subsequent occupiers.

Reason - To ensure the residential properties are only used for affordable housing in accordance with Policy SW9 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 14 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.

INFORMATIVES

1. The grant of planning permission does not entitle developers to obstruct a public right of way. Enforcement action may be taken against any person who obstructs or damages a right of way. Development, in so far as it affects a right of way, should not be started; and the right of way should be kept open for public use until the necessary order under s.247 or s.257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has come into effect. Nor should it be assumed that because planning permission has been granted an order will invariably be made or confirmed. If you need help or advice concerning the diversion or extinguishment order you should contact the Rights of Way Division on 01685 725309/rightsofway@merthyr.gov.uk.

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