

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)

OUTLINE PLANNING PERMISSION

To: Mr R Carpenter Delfryn Yr Hen Laethdy Aberfan Merthyr Tydfil

WHEREAS you submitted an application on the 4th May 2023 to develop: Land Adjacent To Ty Alfa Yr Hen Llaethdy Kingsley Terrace Aberfan Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Mr R Carpenter
Delfryn
Yr Hen Laethdy
Aberfan
Merthyr Tydfil

Description of Proposed Development

Variation of conditions 2 and 3 of outline planning permission P/20/0113 to extend the time period for the commencement of development and for the submission of reserved matters (a further 3 years)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS OUTLINE PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans submitted with the application, subject to the following condition(s),

CONDITIONS

Please see attached sheet.

Date: 14th July 2023

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

CONDITIONS

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with Section 92 of the Town and Country Planning Act 1990 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

- 4 In conjunction with the statutory "reserved matters" details required by Condition 1, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and completed in full accordance with such approved details **BEFORE** the development hereby approved is brought into use:

- i) existing and proposed site levels including full cross sectional drawings;
- ii) proposed slab or floor levels of all buildings to be erected together with relative yard, ridgeline and highway levels and those of adjacent buildings;
- iii) the position height and material of all walls, fences and other means of enclosure;
- iv) full construction and facing material details of any retaining walls over 1 metre in height;

Reason - To ensure a satisfactory standard of development and protect local amenity interest.

- 5 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To protect 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.

- 6 Demolition or construction works shall not take place outside the hours of 08 00 to 18 00 Mondays to Fridays and 09 000 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 In conjunction with the statutory "reserved matters" details required by Condition 1, an Ecological Protection and Enhancement Plan (EPEP) shall be submitted to and approved in writing by the local planning authority. The EPEP shall include:
- o A Reptile Mitigation Strategy (including creation of brash piles and hibernacula for local reptiles);
 - o Details outlining the retention and protection of the existing southern boundary hedgerow;
 - o A lighting strategy;
 - o A vegetation clearance strategy; and
 - o Details of integrated bat box and bird boxes (including their exact location on the building).

All works shall be completed fully in accordance with such approved details **BEFORE** the dwelling hereby approved is occupied.

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

- 8 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.

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 the Planning Inspectorate website (www.gov.wales/planningappeal) to complete your appeal.
- 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.
- 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, 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