



MERTHYR TYDFIL
County Borough Council
Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL

PLANNING , REGULATORY AND LICENSING COMMITTEE MEETING

5.00 pm WEDNESDAY, 27TH APRIL, 2016

COUNCIL CHAMBER

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Any reference documents referred to but not published as part of this agenda can be found on the Council's website or intranet under Background Papers.

A G E N D A

1. Apologies for absence
2. Declarations of Interest

Members of the Planning and Regulatory Committee are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct.

- a. Members are reminded that they must identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
- b. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chair when they leave.

OPEN SESSION

Planning Applications - Recommendations under the Town and Country Planning Act 1990 and the Planning and Compensation Act 1991

3. P/15/0385 - Gethin Woodland Centre (Bike Park Wales) - land to the west of A470 between Pentrebach and Rhydycar
To consider to report of the Corporate Director **(Pages 1 - 6)**
(Place and Transformation).
4. P/16/0057 - P & R Motors Merthyr Ltd, Merthyr Road, Pentrebach, Merthyr Tydfil
To consider a report of the Corporate Director **(Pages 7 - 16)**
(Place and Transformation).

Information Reports

5. Appeal Received P/15/0387
To receive a report of the Corporate Director **(Pages 17 - 18)**
(Place and Transformation).

6. Delegated Decision Report List - 1st to 31st
March 2016

To receive a report of the Corporate Director (**Pages 19 - 22**)
(Place and Transformation).

Other Business

7. Any Other Business as Deemed Urgent by the
Chair

COMPOSITION:

Councillors C T Jones (Chair)
B E Mansbridge (Vice-Chair)

H Barrett, T Chaplin, E Galsworthy, A Jones,
W R Smith, G Lewis, S Slater, L E Smart and
S Williams

together with appropriate officers

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Os byddai'n well gennych gopi o'r agenda hwn mewn iaith arall, cysylltwch a
democratic@merthyr.gov.uk neu ffoniwch 01685 725203

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Agenda Item 3

Application No.
P/15/0385

Date
13th November 2015

Determining Authority
MTCBC

Proposed Development

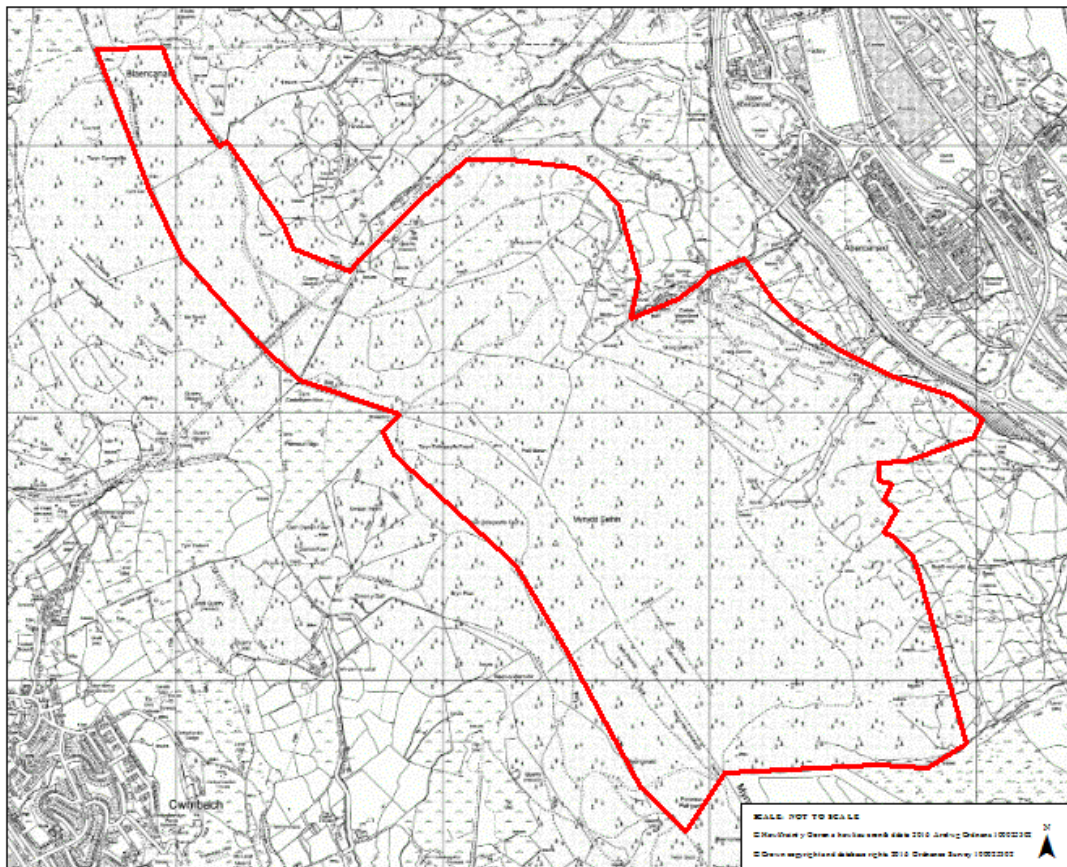
Location

Name & Address of Applicant/Agent

Construction of 23 additional mountain bike trails to expand the existing mountain bike facility

Gethin Woodland Centre (Bike Park Wales)
Land To The West Of A470 Between Pentrebach And Rhydycar Merthyr Tydfil

Beic Parcio Cymru
F.a.o. Mr R Sorrell
Upper Cwmhir
Cwmhir Road
Jerusalem Lane



APPLICATION SITE

This application relates to a number of strips of land that are dispersed across Gethin Forest, which has been leased to Bike Park Wales (mountain bike centre) to provide a number of mountain bike trails. The site is located to the south-west of the A470(T) and the main settlement of Abercanaid with an overall area measuring approximately 2.36 hectares.

The site is situated in a countryside location which is characterised by a coniferous plantation (with areas that have been cleared as part of the operational forestry works) and broadleaved woodland areas, which are all managed by Natural Resources Wales. The approved mountain bike facility (P/12/0235) includes a visitor centre, car park and a total of 17 trails that extend across the eastern slopes of Gethin Forest.

Access to the site is via an existing forestry road off the A470(T) roundabout to the south of the site that leads to the mountain bike visitor centre and car park, which accommodates a total of 236 parking spaces.

PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of 23 additional mountain bike trails to expand the existing mountain bike facility. The trails would vary between 0.25km and 3.2km in length and would vary between 0.75m and 2m wide. To provide interesting and challenging mountain bike routes, a number of features would be built into the trails, for example berms, tabletops, rollers and drop offs. The trails would largely be constructed by re-profiling the surface of the land with compacted soil and stone aggregate.

The proposed trails would extend across the eastern slopes of Gethin Forest in a similar manner to the existing trails and would be graded according to their level of difficulty for cyclists. It is proposed that the additional trails would expand the current trail offer for visitors and maintain the appeal of the mountain bike facility. Whilst the proposal includes new trails, it is noted that some of these run alongside or provide links between the existing trails.

PLANNING HISTORY

- P/16/0055 - Retention of revised car parking layout, including the provision of additional parking spaces and the erection of two wood clad huts.
Permission GRANTED on 07.04.2016
- P/13/0214 - Erection of single storey side extension to visitor centre to accommodate electrical plant room.
Permission GRANTED on 05.08.2013
- P/12/0235 - Creation of mountain bike centre comprising the erection of a single storey visitor centre building (including a cafe, office and shop), construction of seventeen forest bike trails, campsite (including 5 timber camping pods) with shower block and associated car parking and landscaping works.
Permission GRANTED on 18.10.2012

CONSULTATION

- Engineering and Traffic
Group Leader - No objection.
- Town Planning Division's
Policy & Implementation
Group Leader - No objection.

Town Planning Division's
Countryside Officer - No objection.

Rights of Way Division - No objection.

Natural Resources Wales - No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was displayed within the vicinity of the site on the 26th November 2015 and a press notice was displayed in the local newspaper on the 2nd December 2015.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

The following policies are relevant to the determination of this application:

National planning policy

Planning Policy Wales (PPW) 8th Edition, January 2016:

Sections 5.5.1 – 5.5.3 note that the impact a development proposal may have on wildlife or the landscape is an important consideration in determining application. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Section 8.7.1 sets out the criterion that should be considered where transport implications may occur, such as impacts on local travel demand, public transport provision, accessibility and highway safety.

Section 11.1.3 notes that the Welsh Government supports the development of sport and recreation, and the wide range of leisure pursuits which encourage physical activity. These activities are important for the well-being of children and adults and for the social economic life of Wales.

Section 11.3.1 notes that in determining planning applications for tourism development, local authorities need to consider the impact of proposals on the environment and local community.

Section 11.3.3 highlights the need to consider the effects of sport and recreation on neighbouring uses in terms of noise, light emissions, traffic generation and, in the case of larger developments, ease of access and the safety of residents, users and public.

Technical Advice Note (TAN):

- TAN 5 - Nature Conservation and Planning, September 2009
- TAN 16 - Sport, Recreation and Open Space, January 2009
- TAN18 - Transport, March 2007

Local planning policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

- Policy BW1 - Development strategy - Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW6 - Townscape and built heritage
- Policy BW7 - Sustainable design and place making
- Policy BW10 - Mineral safeguarding
- Policy BW12 - Development proposals and transport
- Policy BW16 - Protecting / enhancing the network of leisure facilities
- Policy AS4 - Historic landscape
- Policy AS6 - Local nature conservation designations
- Policy TB11 - Access, parking and accessibility of local facilities

Supplementary Planning Guidance (SPG):

- SPG 5 - Nature and Development , May 2015

PLANNING CONSIDERATIONS

Land use

The application site lies outside of the settlement boundary as defined by the LDP and as such it is regarded as being located within the countryside. Development in such locations is strictly controlled by Policy BW4 of the LDP and should not be permitted unless, amongst other things, it supports the expansion of an existing business in the countryside, or it is for tourism, recreation or leisure facilities. In this instance the application relates to the provision of additional trails that would form part of an established mountain bike centre. Therefore, the principle of the development (as part of an existing leisure facility) is considered to be acceptable and is supported by policy BW4 of the LDP.

Environment

The application site lies within a Site of Importance for Nature Conservation (SINC 30, Graig Gethin). As such an ecological assessment was carried out by Hawkeswood Ecology to determine the potential impact the additional mountain bike trails would have on any protected species and habitats. The report acknowledges that the proposed development would result in some loss of the SINC due to the construction of trails however the impact on any habitats would be of minor local significance. The ecological assessment notes of particular concern are the potential impacts to Nightjar birds which are regularly recorded on the hillside. There is likely to already be an impact on the potential breeding areas for these birds, as a result of the forestry clearance works and the presence of existing mountain bike trails. The report highlights that as part of the felling / forestry works more suitable habitats for Nightjar birds can be catered for in the wider forest management plan.

It is concluded in the ecological assessment that the development would cause some local impact on both habitats and species. However, these impacts can be adequately mitigated and opportunities for habitat improvements can be provided by the wider forest management plan which is controlled by Natural Resources Wales. In this regard it is noted that both the Town Planning Division's Countryside Officer and Natural Resources Wales are satisfied with the conclusions reached and have raised no objection to the development. Therefore, the proposal complies with policies BW5 and AS6 of the LDP.

Parts of the application site lie within an area identified in the LDP as a Coal Safeguarding Area, which are to be protected from permanent development that may sterilise or hinder future mineral extraction. Given the nature of the proposal for the construction of trails, it is considered that it would not result in a permanent form of development that hinders any future mineral extraction. Therefore the proposal complies with policy BW10 of the LDP.

Highways

The Design and Access Statement indicates that the parking provision for customers on a day to day basis can be adequately accommodated within the existing car park with surplus parking spaces often available. This capacity is only exceeded when national or international events take place and alternative parking arrangements are often put in place i.e. park and ride from Pentrebach / Abercanaid.

The applicant anticipates that the provision of additional trails will result in a 20% increase in the number of visitors to the mountain bike centre. A revised layout to the existing car park to accommodate additional parking spaces was recently granted permission (P/16/0055). The car park was initially approved (P/12/0235) with a total of 204 parking spaces, which has now been increased to 236 spaces. It is acknowledged that the majority of people travelling to the mountain bike centre are likely to car share as they are usually riding with friends or family members.

During large events which may occasionally take place at the mountain bike centre, it is accepted that the car park may reach full capacity and there is a need for alternative parking facilities to be provided to accommodate any significant increases in visitors. This is considered to be an exception rather than the rule to the everyday operation of the bike park. It is considered that the existing car park provides a sufficient number of parking spaces to accommodate the proposed development to support the day to day running of the bike park. Furthermore, it is considered that the existing forestry road serving the site is capable of accommodating any potential increase in traffic as a result of the development. In this regard it is noted that the Engineering and Highways Manager has not raised any highway safety concerns.

Amenities

It is acknowledged that there are a number of rights of way that cross through various parts of Gethin Forest, which would remain unaffected by the proposed development. Whilst the proposal may see an increase in the number of visitors in the area, it is considered that the additional trails would not result in a significant increase in the level of noise and traffic in the area, to any greater extent than that which already exists. As such the proposal would not have an adverse effect on the continued use of the rights of way or the amenity of other recreational users in the surrounding area. In this regard it is noted that the Rights of Way

Division have not raised any concerns. Therefore the proposal complies with policy BW16 of the LDP.

CONCLUSIONS

For the above reasons the proposed development is considered to be acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **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:

Drawings 125-P-001 to 125-P-026 and 125-P-028 to 125-P-029, Gethin Bikepark Trail Plan and the ecological assessment report prepared by Hawkeswood Ecology (Dated March 2016).

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

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 or works effecting a public right of way you should contact Cheryl Jones on 01685 726225 or email: cheryl.jones@merthyr.gov.uk
2. The applicant / developer is advised to contact the Planning Forester at Natural Resources Wales on 0300 068 0279 prior to works commencing on site, to ensure appropriate timing of works, to minimise / manage any potential ecological impacts on any protected species or habitats (in particular Nightjar birds) and to ensure the proposal complements the planned forestry works.

Agenda Item 4

Application No.
P/16/0057

Date
24th February 2016

Determining Authority
MTCBC

Proposed Development

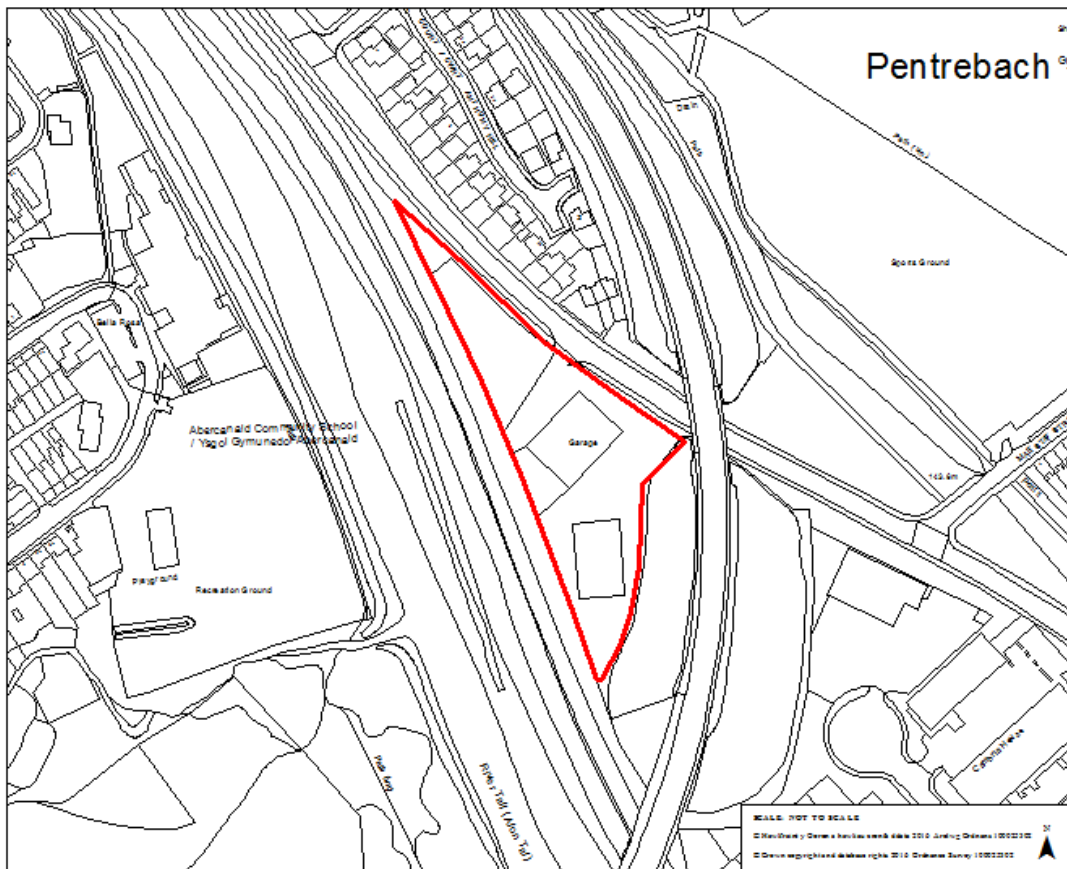
Location

Name & Address of Applicant/Agent

Residential development
(Outline)

P & R Motors Merthyr Ltd
Merthyr Road
Pentrebach
Merthyr Tydfil
CF48 4UB

P & R Motors Merthyr Ltd
c/o Stephen George
Architects
25 Courtland Terrace
Merthyr Tydfil
CF47 0DT



APPLICATION SITE

This application relates to a triangular shaped area of land measuring approximately 0.63 hectares. The site is generally flat with the majority of the land being hard surfaced. Two large commercial buildings are located in the centre and southern parts of the site, which are currently used in association with a vehicle repair business. The northern part of the site is used as a car parking area.

The site has a frontage measuring approximately 165m onto Merthyr Road (A4054) which provides the main access into the site from the north. To the south-east of the site is a woodland area with the A4060(T) flyover beyond, which provides a link to the A470(T).

Adjoining the south-west boundary of the site is a hedgerow and mature trees, which runs parallel to a railway lane with the River Taff beyond.

PROPOSED DEVELOPMENT

Outline planning permission is sought to redevelop the site for residential purposes. All matters relating to the access, appearance, landscaping, layout and scale have been reserved for future considerations. As such, it is only the principle of the development that is to be considered at this stage.

An indicative layout plan has been submitted in support of this application which illustrates a potential scheme for 22 dwellings. The plan suggests that a new access road that links to Merthyr Road could be constructed within the central part of the site. A mixture of detached and semi-detached dwellings could then be located on either side of the new road.

The scale parameters of the proposed dwellings would measure between 5.464m - 9.067m wide, 9.478m - 12.43m deep and 7.752 - 9.5m high.

PLANNING HISTORY

- P/10/0341 - Residential development (outline).
Permission GRANTED on 21.01.2011
- P/10/0311 - Retention of two free standing signs.
Advertisement consent GRANTED on 30.11.2010
- P/06/0102 - Residential development (outline).
Permission GRANTED on 21.03.2007

CONSULTATION

Internal consultees

- Engineering and Traffic
Group Leader - No objection subject to conditions relating to structural design, access, visibility splays and drainage.
- Town Planning Division's
Policy & Implementation
Group Leader - No objection subject to a condition to secure on-site affordable housing provision.
- Town Planning Division's
Countryside Officer - No objection.
- Town Planning Division's
Landscape Architect - No objection.

Environmental Health Manager - No objection subject to conditions relating to construction hours, dust and land contamination.

External consultees

Welsh Government Highways Network Management Division - No objection, subject to the protection of an existing boundary feature forming part of the A4060(T).

Glamorgan Gwent Archaeological Trust - No objection.

Network Rail - No objection.

Welsh Water - No objection subject to conditions relating to foul, surface water and land drainage.

Wales & West Utilities - No objection.

Western Power Distribution - No response.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, three site notices were displayed within the vicinity of the site on the 1st March 2016 and a press notice was displayed in a local newspaper on the 10th March 2016.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

The following policies are relevant to the determination of this application:

National planning policy

Planning Policy Wales (PPW), 8th Edition, January 2016:

Sections 4.11.9 – 4.11.12 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Regard should be given to the appropriate scale, appearance, landscaping and quality of building design and should also be accessible for all.

Sections 5.5.1 – 5.5.3 note that the impact a development proposal may have on wildlife or the landscape is an important consideration in determining applications. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Section 8.7.1 set out the criterion that should be considered where transport implications may occur, such as impacts on local travel demand, public transport provision, accessibility and highway safety.

Sections 9.3.1 – 9.3.4 highlight that new housing schemes should be well integrated with and connect to the existing patterns of settlements. Sensitive infilling of small groups of houses, or minor extensions to groups may be acceptable, though much will depend upon the character of the surroundings. In determining applications for new housing, particular regard shall be given to the area's character, amenity and density. High quality design and landscaping standards are also important.

Section 13.4.1 – 13.4.2 indicate that proposals situated in areas defined as being at high risk to flood hazards should only be permitted where the location of the development can be justified and that the flooding risks can be appropriately managed.

Technical Advice Notes (TAN):

TAN 5 – Nature Conservation and Planning, September 2009

TAN 12 – Design, January 2016

TAN 15 – Development and Flood Risk, July 2004

TAN18 – Transport, March 2007

Local Planning Policy

Adopted Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

- Policy BW1 - Development strategy – Primary Growth Area.
- Policy BW4 - Settlement boundaries / locational constraints.
- Policy BW5 - Natural heritage.
- Policy BW7 - Sustainable design and place making.
- Policy BW8 - Development and the water environment.
- Policy BW12 - Development proposals and transport.
- Policy BW17 - Securing community infrastructure benefits.
- Policy AS1 - Housing allocations in the Primary Growth Area
- Policy AS4 - Historic landscape.
- Policy AS22 - Affordable housing contributions.
- Policy TB11 - Access, parking and accessibility of local facilities.

Other Material Considerations

- SPG1 - Affordable Housing, March 2012.
- SPG2 - Planning Obligations, March 2012.
- SPG4 - Sustainable design, July 2013.
- SPG5 - Nature and Development, May 2015.
- CSS Wales Parking Standards, January 2008.

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement boundary and Primary Growth Area as defined by the LDP, where the majority of new development is encouraged. It is acknowledged that the site is allocated (H36) in the LDP for residential development for up to 22 dwellings. Additionally, outline planning permission has been granted previously (P/10/0341 and P/06/0102) to develop the site for residential purposes, which are identical to this proposal but expired in 2015. Therefore, it is considered that the principle of the development has already been established and complies with policies BW1, BW4 and AS1 of the LDP.

Design

Although matters relating to the general design of the development have been reserved, the indicative layout plan demonstrates that a residential scheme could be achieved within the site. The precise siting and orientation of the dwellings would be considered in detail as part of a reserved matters application. The applicant suggests that the dwellings could be of a similar design to those in the nearby Anthony Hill Court to the north of the site, which would generally be an acceptable approach to the development of the site. The proposed scale parameters of the dwellings are also deemed to be acceptable and would be similar to the existing residential properties in the vicinity. The site could be suitably developed without adversely impacting on the amenities of nearby occupiers, the nearest of which are located in Anthony Hill Court and are separated from the site by Merthyr Road. It is noted that the Town Planning Division's Landscape Architect has raised no objection to the proposal, but notes the need to provide a landscape buffer between the development and Merthyr Road. This can be addressed as part of a reserved matters application. It is considered that the site can be adequately developed without adversely impacting on the character and appearance of the area. Therefore, the proposal complies with policies BW7 and AS4 of the LDP.

Highways

Whilst details relating to the proposed access have been reserved for future consideration it is noted that the indicative layout plan suggests that the existing point of access into the site from Merthyr Road could be utilised, which could accommodate suitable visibility splays. The existing highway network is deemed to be of an adequate standard to accommodate any additional traffic that may be generated and the development would not adversely impinge on the free flow of traffic along Merthyr Road. Furthermore, the site is of a sufficient size to accommodate adequate off-street parking for each dwelling. It is acknowledged that the Engineering and Highways Manager has raised no highway safety concerns. Therefore the proposal complies with policies BW12 and TB11 of the LDP.

Environment

The application site is considered to be of limited ecological value, particularly as the majority of the site is hard landscaped with no features of any significance. The existing trees and hedgerows that adjoin the south-east and south-west boundaries of the site are considered to have an important contribution to the character and quality of the area. These features would not be directly affected by the development and would provide a suitable screen between the development and the railway line. It is acknowledged that the Town

Planning Division's Countryside Officer has not raised any objection to the development. Therefore, the proposal complies with policy BW5 of the LDP.

It is acknowledged that the application site lies within a Zone B flood risk area, where a precautionary approach to the design of the development should be taken i.e. ensure appropriate levels to the development. Residential development in such areas is generally considered to be at a low risk from flooding and any potential issues can be adequately addressed as part of the reserved matters application. In this regard it is noted that the Engineering and Highways Manager has not raised any objection. Therefore the proposal complies with policy BW8 of the LDP.

Planning obligations

Policies BW17 and AS22 of the LDP consider the requirements for planning obligations and affordable housing respectively. In order to ensure the delivery of affordable housing across the County Borough policy AS22 of the LDP seeks, on sites of 10 or more dwellings within the Primary Growth Area, the provision of 10% affordable housing. The Town Planning Division's Policy and Implementation Group Leader has assessed the viability of the development using the Three Dragons Toolkit. In this instance the provision of 10% on-site affordable housing is sought, which (based on the indicative layout) equates to two affordable residential units. This can be secured by means of an appropriately worded condition. No further planning obligations are necessary. Therefore, the proposal complies with policies BW17 and AS22 of the LDP.

CONCLUSIONS

For the above reasons, the proposed development is considered to be acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **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. **Prior to commencement of development** a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure an appropriate level of affordable housing is delivered in accordance with Policies BW19 and AS22 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 commence** until an assessment of the nature and extent of contamination affecting the application site has been submitted to and approved in writing by the local planning authority. This assessment must be carried out by or under the direction of a suitably qualified competent person *in accordance with BS10175 (2011) Investigation of Potentially Contaminated Sites Code of Practice

and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwater and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with Welsh Local Government Association and the Environment Agency Wales' 'Development of Land Affected by Contamination: A guide for Developers' (2012).

Reason - In the interest of health and safety and environmental amenity and so as to accord with Policy BW18 of the Merthyr Tydfil Local Development Plan.

7. **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 dwellings 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.

8. **Prior to the occupation of the dwellings** hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved prior to the occupation of the dwellings.

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.

9. The access onto Merthyr Road (A4054) shall provide visibility splays of 2.4m by 43m in both directions. The visibility splays shall be maintained free of any obstruction exceeding 0.9m high for as long as the development exists.

Reason - In the interests of road safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

10. 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 BW7 of the Merthyr Tydfil Local Development Plan.

11. Demolition or 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 applicant / developer is advised to contact the Welsh Government Network Management Division on 02920 826446 before works commence on site, which may otherwise affect the existing boundary features forming part of the A4060(T).
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FOR INFORMATION – APPEAL RECEIVED

DATE WRITTEN	15 April 2016
REPORT AUTHOR	Judith Jones
CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	27 April 2016

Application No.
P/15/0387

Date
18.11.2015

Determining Authority
MTCBC

Proposed Development

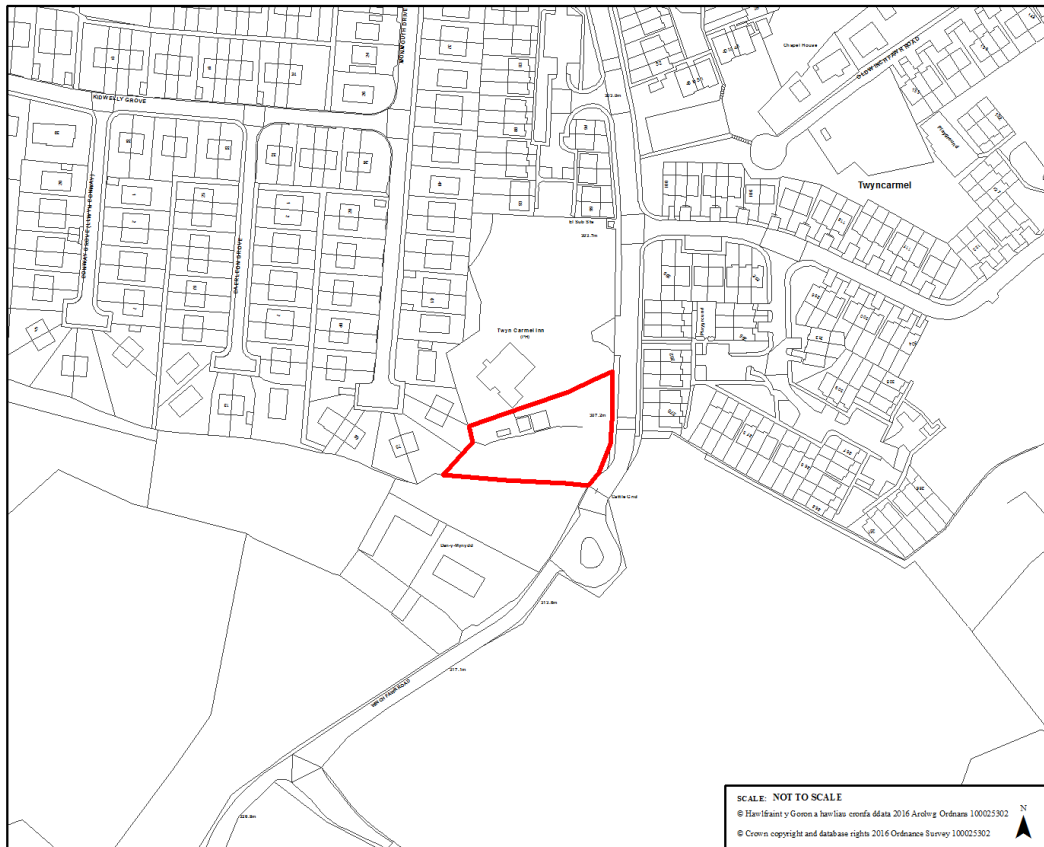
Location

Name & Address of Applicant/Agent

Erection of 8 dwellings with associated garages and access road

Land To The North Of Dan Y Mynydd And To The Rear Of No. 69 And 71 Monmouth Drive (Former Twyncarmel Inn)

Mr A Callen
c/o Agent, Mr Paul Thomas
Utopia Design
5 Amberton Place
Penydarren
Merthyr Tydfil CF47 9HX



TYPE OF APPEAL:
APPEAL REFERENCE NO.:
DATE APPEAL RECEIVED:

AGAINST REFUSAL
APP/U6925/A/16/3144221
23 MARCH 2016

ELLIS COOPER
CORPORATE DIRECTOR (PLACE AND TRANSFORMATION)

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Agenda Item 6

FOR INFORMATION

DATE WRITTEN	13 April 2016
REPORT AUTHOR	Judith Jones
CASE OFFICER	Various
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	27 April 2016

DELEGATED DECISION REPORT LIST: 1 – 31 MARCH 2016

App No	Site	Proposal	Decision	Date of Decision
P/15/0243	Land Adjacent To 13 Woodland Place Bedlinog CF46 6TL	Outline application for a dwelling	Refusal	02/03/2016
P/15/0245	Rock Chapel Moriah Street Merthyr Tydfil	Conversion of building into four, one bedroom flats with external garden and cycle parking area	Full Approval	17/03/2016
P/15/0390	High Street Baptist Chapel High Street Merthyr Tydfil CF47 8DN	Repairs to church roof, walls and rainwater goods. Installation of new boundary walls, railings, gates and wheelchair accessible ramp and reinstatement of pediment stone cross	Listed Building Approval	17/03/2016
P/15/0436	Former Sandbrook Day Centre Queens Road Twynyrodyn Merthyr Tydfil CF47 0ES	New detached dwelling	Full Approval	01/03/2016
P/16/0006	Land Adjoining 47 Cyfarthfa Mews Swansea Road Merthyr Tydfil	Erection of 4 No. residential units (comprising 3 dwellings and a flat above garages), with associated car parking for plots 46 and 47	Full Approval	01/03/2016
P/16/0009	Units 12B And 12C Cyfarthfa Retail Park Swansea Road Merthyr Tydfil	Variation of conditions 1, 32 and 33 of planning permission P/13/0156 to allow an increase in the retail floorspace within Unit 12B and a reduction in retail floorspace within Unit 12C, involving alterations to the ground floor area and mezzanine level	Full Approval	08/03/2016

App No	Site	Proposal	Decision	Date of Decision
P/16/0010	Land North West Of Aartel Bungalow Efi Astex Industrial Estate Merthyr Tydfil	The siting of a mobile home for residential purposes	Refusal	07/03/2016
P/16/0011	41 & 42 Haydn Terrace Penyardren Merthyr Tydfil CF47 9YJ	Demolition of existing semi detached dwellings and detached garage and erection of three terraced dwellings	Full Approval	03/03/2016
P/16/0015	35 Riverside Park Merthyr Tydfil CF47 8PQ	Erection of two storey rear extension and erection of rear conservatory	Full Approval	16/03/2016
P/16/0019	Land To The North West Of Llys Y Fran Station Terrace Bedlinog	Erection of five dwellings with associated landscaping and access road, (Phase 1 of Planning Permission P/14/0130)	Refusal	17/03/2016
P/16/0020	1 Morgan Jones Square Troedyrhiw Merthyr Tydfil CF48 4NF	Erection of a single storey wooden cabin in the front garden (retrospective)	Full Approval	16/03/2016
P/16/0021	3 & 4 Mile End Court High Street Merthyr Tydfil CF47 8UG	Alterations to building to provide one additional residential unit, included increasing the height of the building and roof. Erection of front and rear dormers, alterations to window and door openings and erection of external steps, railings and a gate	Refusal	18/03/2016
P/16/0023	Miniature Railway Cyfarthfa Park Merthyr Tydfil CF47 8RE	Retrospective planning permission for the construction of tunnel portals at Cyfarthfa Miniature Railway	Full Approval	09/03/2016
P/16/0024	3 Beech Grove Gurnos Merthyr Tydfil CF47 9RY	Erection of single storey rear extension	Full Approval	09/03/2016

App No	Site	Proposal	Decision	Date of Decision
P/16/0025	8 Darren View Penyard Merthyr Tydfil CF47 0HH	Erection of two storey rear extension	Full Approval	11/03/2016
P/16/0026	Cadlan 10A The Grove Merthyr Tydfil CF47 8YR	Replace roof of garage with pitched roof	Full Approval	23/03/2016
P/16/0029	61 Brondeg Heolgerrig Merthyr Tydfil CF48 1TP	Remove deadwood and ivy and cut back stubs of oak tree (TPO 2012 - No. 20)	Tree Works Approval	07/03/2016
P/16/0030	35 Sweetwater Park Trefechan Merthyr Tydfil CF48 2LF	Retention of re-graded land to form patio areas, associated retaining walls, boundary fencing, steps and raised decking area	Full Approval	18/03/2016
P/16/0031	7 Graham Way Merthyr Tydfil CF47 8EG	Installation of new shopfront	Full Approval	16/03/2016
P/16/0032	7 Graham Way Merthyr Tydfil CF47 8EG	Installation and display of one internally illuminated fascia sign and one internally illuminated projecting sign	Advertisement Approval	16/03/2016
P/16/0034	47 First Avenue Galon Uchaf Merthyr Tydfil CF47 9UG	Erection of two storey rear extension	Full Approval	16/03/2016
P/16/0037	Toilet Block Nr. Bowls Pavilion Cyfarthfa Park Merthyr Tydfil	Demolition of toilet block	Conservation Area Consent Approval	18/03/2016
P/16/0040	56 Pontmorlais High Street Merthyr Tydfil CF47 8DE	Change of use of ground floor from drop in centre (D1 use class) to take away (A3 use class) to include flue at the rear of the premises and change of use of 1st and 2nd floors from offices into 2 No. 1 bedroom flats (C3 use class)	Full Approval	31/03/2016

App No	Site	Proposal	Decision	Date of Decision
P/16/0041	Land At Bryntirion Road Merthyr Tydfil	Erection of 3 storey dwelling (Outline)	Refusal	09/03/2016
P/16/0050	3 Charlotte Gardens Ivor Street Dowlais Merthyr Tydfil CF48 3LJ	Certificate of Lawfulness for erection of single storey side extension	Certificate of Law Granted	03/03/2016
P/16/0074	40A Sweetwater Park Trefechan Merthyr Tydfil CF48 2LF	Remove dead or damaged branches and reduce crown of oak tree (TPO 37-TS) by approximately 2 metres	Tree Works Approval	17/03/2016