



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

PLANNING AND REGULATORY **FACT FINDING VISITS**

10.00 AM THURSDAY, 19TH JULY, 2018

LAND ADJACENT TO GARTH COTTAGES AND FOREMAN PLACE, GWYNNES CLOSE, MERTHYR TYDFIL

This Agenda has been prepared by the Democratic Services Department. Any member of the public requiring information should contact the department on (01685 725284) or email democratic@merthyr.gov.uk.

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.

AGENDA

1. Apologies for absence
2. Declarations of Interest

Members 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 and Finance Act 1992 relating to Council Tax, the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct

Note:

- (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

3. P/17/0350 - Land adjacent to Garth Cottages and Foreman Place, Gwynnes Close, Merthyr Tydfil
To consider report of the Deputy Chief Executive **3 - 16**
4. Any other business deemed urgent by the Chair

COMPOSITION:

Councillors: H Barrett (Chair)
C Tovey (Vice-Chair)

Councillors: J Amos, D Chaplin, M Colbran,
E Galsworthy, K Gibbs, C T Jones, G Lewis, J Thomas
and S Thomas

together with appropriate officers

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Agenda Item 3

DATE WRITTEN	8th June 2018
REPORT AUTHOR	Judith Jones
CASE OFFICER	Caroline Pulley
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	20th June 2018

Application No.
P/17/0350

Date
30th November 2017

Determining Authority
MTCBC

Proposed Development

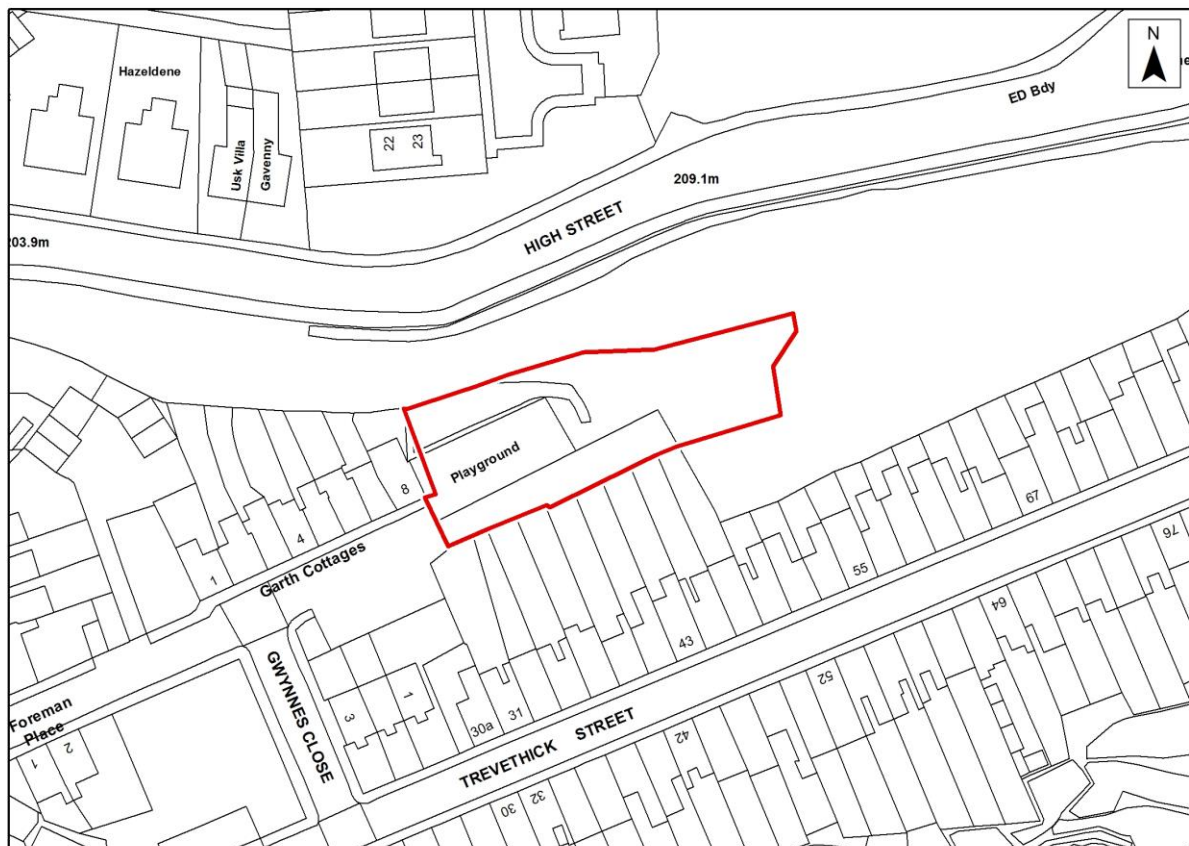
Location

Name & Address of Applicant/Agent

Construction of two buildings comprising 8 flats

Land Adjacent To Garth Cottages And Foreman Place
Gwynnes Close
Merthyr Tydfil

Mr R Price
c/o S4b Architects
Mr R Coles
4B Castle Parade
Usk
NP15 1AA



P/17/0350

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Councillor Clive Jones has requested this application be reported to committee in order to consider the concerns of local residents.

APPLICATION SITE

The application site is an irregular shaped parcel of land measuring approximately 0.1 hectares in area. It is located north east of Garth Cottages and to the north west of Trevethick Street in Merthyr Tydfil. The site is bounded by those streets and a densely covered embankment which forms part of the Town Centre Conservation Area. Topographically, the site slopes downwards from north-west to south-east to a relatively flat plateau area which lies adjacent to the end elevation of number 8 Garth Cottages. Vehicular access is currently achieved from the west via a gated entrance off the highway serving Garth Cottages. It is understood that the site previously accommodated a playground. However, the use of the land as a playground ceased many years ago and the site is now overgrown with clear evidence of fly tipping and large areas of Japanese Knotweed. Adjacent to the site and to the rear of Trevethick Street is a culverted watercourse (Nant Morlais Brook) which discharges into the River Taff.

PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of two buildings comprising a total of 8 self-contained, one bedroom, flats on an area of land situated to the east of 8 Garth Cottages and north of numbers 31 to 55 Trevethick Street, Merthyr Tydfil.

The proposed buildings would be two-storey, each measuring 11.4m in width by 7.8m in depth and finished with a pitched roof reaching a maximum height of 8m. The two buildings would have rendered elevations, concrete tiled roofs and uPVC windows.

Block A would follow the alignment and general layout of the adjacent dwelling, number 8 Garth Cottages. It would face onto the rear of Trevethick Street with its side elevation being positioned 2.7m away from the gable end of number 8 Garth Cottages. Its front elevation would be located 7.5m from the rear gardens of neighbouring properties positioned along Trevethick Street. Block B would be positioned at a right angle to Block A so that its front elevation would face a westerly direction and towards the highway serving Garth Cottages. The two buildings would each comprise two, one bedroom flats on the ground floor (accessed via a side entrance door) with two identical flats being provided at first floor (access being via a ground floor central front entrance door).

The development would be served by 8 off-street parking spaces and access would be gained from the west via the existing highway serving Garth Cottages and the rear of Gwynnes Close. A bicycle storage area is also proposed. Within the far eastern corner of the site and to the rear of Block B, a communal amenity/garden area would serve the needs of the future occupiers of the flats.

The proposed development would require some engineering works including cutting into the embankment and providing a 1.8m high retaining wall to the rear of Block A, to the rear of the parking spaces 5 to 8 and to the northern side elevation of Block B. It is also envisaged that some engineering works would be required to facilitate the communal amenity/garden area within the far eastern corner of the site.

PLANNING HISTORY

There is no recent planning history relating to this application site.

CONSULTATION

Engineering and Traffic Group Leader:	No objection subject to conditions.
Planning Division's Policy & Implementation Officer:	No objection.
Planning Division's Landscape Architect:	Raises no objection but advises that a condition would be required to ensure that Japanese Knotweed present on the site is dealt with appropriately.
Environmental Health Manager:	Raises no objection subject to conditions relating to land contamination, construction operation times and dust control.
Welsh Water:	No objection but it is highlighted that the site is crossed by a public sewer.
Wales & West Utilities:	No objection.
Western Power Distribution:	No response received.
Natural Resources Wales (NRW):	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within the vicinity. 15 letters of objection have been received. The objections and issues raised can be summarised as follows:

The intended use of the buildings

- Concern that the development of one bedroom flats would lead to fewer established families in the area. Residents would prefer a development of 2/3 bedroom houses.
- Increase in anti-social behaviour, burglary, and other crime.

Impact of the proposed development on the culverted watercourse which adjoins the site

- Questions are raised as to whether there is sufficient information to assess the impact of the proposed development on the structural integrity of the culverted watercourse which runs along the rear of Trevethick Street.

Privacy and amenity issues

- Concern has been raised that the removal of trees on this site has affected the privacy of the rear aspect and gardens of Trevethick Street. There is concern that the proposed buildings would overlook the rear garden areas of these properties. There is further concern that the parking areas would be situated close to their rear boundaries, thus further imposing upon the privacy of these properties.
- The development would affect access to the rear gardens of neighbouring properties located on the northern side of Trevethick Street.

Parking and Highway Safety

- Concern that many of the potential occupants will own up to two cars and this would add to the traffic congestion during the mornings;

Other issues

- A question has been raised as to whether a bat survey has been carried out. It is claimed that previously, it was quite usual to see bats flying around the rear of Trevethick Street. However, after MTCBC sold the land, the trees were felled and it is now quite rare to see any bats.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) – Edition 9, November 2016
Technical Advice Note (TAN) 12 – Design
Technical Advice Note (TAN) 15 – Development and Flood Risk

Local Policy

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

Policy BW1 – Development strategy – Primary growth area
Policy BW4 – Settlement boundaries/location constraints
Policy BW6 – Townscape and built heritage
Policy BW7 – Sustainable design and placemaking
Policy BW8 – Development and the water environment
Policy BW12 – Development proposals and transport
Policy BW13 – Managing housing growth
Policy BW16 – Protecting/enhancing the network of leisure facilities
Policy BW17 – Securing community infrastructure benefits

Policy AS4 – Historic landscape
Policy AS22 – Affordable housing contributions
Policy TB11 – Access, parking and accessibility

Supplementary Planning Guidance (SPG) Note No.1 – Affordable Housing
Supplementary Planning Guidance (SPG) Note No.2 – Planning Obligations
Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
Supplementary Planning Guidance (SPG) Note No.5 – Nature and Development

Other documents taken into consideration

Merthyr Tydfil Open Space Strategy, June 2016

PLANNING CONSIDERATIONS

The application proposes the development of 8 residential units on previously developed land, located within the defined settlement limits and a mainly residential area of Merthyr Tydfil. The use of the site for residential purposes in principle is therefore acceptable as it is in compliance with Policy BW4 which amongst other things, seeks to ensure that new development is in keeping with the existing land uses and is sustainable in terms of its location. A section of the eastern part of the site is identified in the Merthyr Tydfil Open Space Strategy as an 'Amenity Greenspace'. However, since the land is now in private ownership (i.e. it used to be owned by the Council) it will be removed when the strategy is next updated. Nevertheless, it should be noted that this area of land is proposed to be used as an amenity area for the future occupiers of the flats and thus, if sympathetically landscaped, would continue to provide some visual amenity value from both within and outside the site. It should also be noted that this land forms part of much larger area of 'Amenity Greenspace' and therefore any loss would be minimal in terms of its impact on the visual appearance of the area.

The concerns raised by residents in relation to the type of housing proposed are acknowledged. However, the proposal would cater for a particular housing need and would simply add to the variety of housing accommodation in the area. Furthermore, the type of housing proposed is not a reason to refuse the application.

The key considerations with regard to the application have therefore been determined as the impact of the proposal on the character and appearance of the area (and the adjoining Town Centre Conservation Area), the residential amenities of those living closest to the site and highway safety. These matters are considered in detail below.

Character and appearance of the area

As specified above, the application proposes the development of 8 residential units provided by two detached, two storey buildings. It is considered that the layout of the development and the design of the buildings would not have a detrimental impact on the overall character and appearance of the area.

The northern boundary of the site does border the Town Centre Conservation Area. However, by siting the development to the side of number 8 Garth Cottages, the impact on the existing trees to the north would be limited. Also, as the development would mainly be

constructed on the flat area of ground, the extent of engineering works required to facilitate this development would not be significant. However, existing and proposed level details are required prior to the commencement of development to ensure that the proposed ground works are acceptable from a visual amenity perspective.

With regard to the design of the proposed flats, the surrounding properties are finished predominately in render. They are all generally consistent in character, although there are some variations in the size of the houses and the pattern of fenestration. The proposed flats would be accommodated within a pair of two-storey buildings which generally reflect the scale, mass and fenestration arrangement of the adjacent terrace to the west. They would represent an acceptable infill development in the area with Block B being located so that it forms a natural end to the terraced street. While the proposed fenestration arrangement is a little unsymmetrical, it does reflect the window patterns of the adjacent houses situated along Garth Cottages. Furthermore, the central access door to the first floor flats does help to break up the front elevation on each of the respective buildings. The external elevations of the buildings would also be rendered which would further ensure that the development is in keeping with the existing character of the area. Therefore, having regard to the above, the design, size and scale of the buildings proposed are not considered to be out of keeping with the character and appearance of the area nor would they have an adverse impact upon the character of the Town Centre Conservation Area. On the basis of the above, the proposed development is compliant with the requirements of Policies BW6 and BW7 of the LDP.

Residential amenity

With regard to the impact on residential amenity, it is considered that the site is capable of being developed without causing a detrimental impact on privacy or overshadowing between the site and existing properties. Although the proposed buildings would be two storeys and developed in close proximity to existing terraced properties, it is considered that the distance between the existing and proposed buildings is sufficient to ensure that the development would not have a significant overbearing or overshadowing impact on the existing dwellings.

Whilst it is accepted that the front elevation of Block A would directly face the rear gardens of numbers 31 – 37 Trevethick Street, this building would be set back roughly in line with the front elevation of the adjoining end of terraced property (8 Garth Cottages). This enables a distance of 7.5m to be maintained between the front building line of Block A and the rear boundary of Trevethick Street, with a further 15m being maintained between the rear boundary and the dwellings themselves. At this distance, it is not considered that the overlooking from Block A would adversely impact upon the privacy of the adjoining properties. While Block B would be sited closer to the rear boundary of Trevethick Street, the primary elevations of this building would face away from the adjoining gardens. This ensures that any direct overlooking from habitable windows is avoided. There are two, small first floor windows being proposed within the side elevation of this building, which would face Trevethick Street, but these windows would serve non-habitable rooms and can be obscurely glazed via a suitably worded condition. In the same way, the windows in the western side elevation of Block A could also be obscured to ensure that there is no adverse overlooking to the window located within the gable end of number 8 Garth Cottages. While the residents of Trevethick Street have also raised concerns in relation to the close proximity of the proposed parking areas to neighbouring houses, the presence of the

existing rear boundary walls/fences would safeguard their privacy from any potential intrusion.

Having regard to the above, the proposed development would not adversely impact upon the amenities or privacy of the adjoining occupiers to such a degree that would warrant the refusal of planning permission. As such the proposal complies with Policy BW7 of the LDP.

Highway safety

With reference to parking and access issues and the objections raised by local residents, the Council's Engineering and Traffic Group Leader has considered the information submitted with the application and has raised no objections subject to conditions. The conditions relate to the submission and approval of full engineering details of the internal road layout, hardstanding materials and surface water drainage.

While residents have suggested that allowing the development would exacerbate traffic congestion in the area, there is no evidence to suggest that this would be the case. As outlined earlier, the proposal includes 8 off-road parking spaces (1 space per flat). Access would be achieved from the west via the existing highway which serves Garth Cottages. While concerns about highway safety and congestion in the surrounding area are noted, the additional traffic generated by 8, one bedroom flats would not result in a significant change to the way in which cars, other vehicles or pedestrians interact. Forward visibility along Garth Cottages is adequate and would allow drivers to see vehicles approaching towards them and sufficient turning facilities would be provided within the site to allow vehicles to enter and exit in a forward gear. Further to this, the application site is located within a sustainable location, close to the town centre, where many day-to-day activities can be accessed on foot, by bicycle or using public transport. As a consequence, residents may choose not to own a car.

Taking all these matters into account, the proposed development would not harm highway or pedestrian safety. Furthermore, given the size of the flats being proposed, the amount of parking being provided is acceptable and as such, the proposal would not lead to a material increase in on-street parking demands in the area. The proposal would therefore comply with Policy BW12 of the LDP.

Other matters

The residents concern regarding the impact of this development upon the culverted watercourse which lies to the rear of Trevethick Street has been fully assessed. In this respect, it is noted that the Council has liaised with the developer to gain the necessary information to enable an assessment to be made of the likely impacts of this proposal on the culvert structure. A survey has been undertaken to find the exact route and depth of the culvert. This confirms that the outer wall of the culvert is positioned 5m to the south of 'Block B' and 2m to the south of the four linear parking spaces which are proposed along the southern boundary of the site. Having assessed the information provided, the Council's Engineering and Traffic Group Manager has raised no objection to the development, noting that the proposal would have no adverse loading on the culvert structure.

Further representations have been received from local residents in relation to the impact of the proposal on the ability of residents to access their rear garden areas from the site. However, this site is within private ownership and as such any access over the land is a civil matter. In terms of the issues and concerns raised regarding anti-social behaviour, burglary and other crime, there is no substantive evidence to indicate that the development of 8, one bedroom flats would be detrimental to community safety. Indeed, the development would provide additional surveillance to the area.

The presence of Japanese Knotweed on this site has been noted and the Council's Landscape Architect has advised a standard condition to ensure that this matter is appropriately addressed prior to the commencement of works on the site, should planning permission be approved. This condition would ensure the control or eradication of this invasive species.

With regard to the query raised in relation to the presence of bats, the Council's Countryside Officer has been consulted and has not raised any concern about the impact of the development on protected species.

Whilst the comments raised by the Environmental Health Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues.

Planning Obligations

Policies BW17 and AS22 of the Merthyr Tydfil Local Development Plan (LDP) 2006-2021 consider the requirement for planning obligations and affordable housing contributions on all residential schemes. On proposed residential developments of less than 10 units or where it can be demonstrated that on-site provision for affordable housing is not possible, the Council will require a financial contribution towards the provision of affordable housing elsewhere in the corresponding growth area of the LDP.

The requirement for an affordable housing contribution towards the proposed development has been assessed by the Planning Division's Policy & Implementation Group Leader. In this instance no planning obligations for the provision of affordable housing or any other contributions have been sought as this would likely render the development financially unviable. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit.

Conclusion

Whilst acknowledging that residents have raised a number of concerns to this proposal, the application is considered to comply with the relevant policies of the local development plan in respect of the provision of new housing within a sustainable location to the north of Merthyr Tydfil Town Centre. Although the proposed site does lie in close proximity to a culverted watercourse, it has been determined that a sufficient separation distance would be maintained between the development and the culvert to ensure no adverse effect upon its integrity. Although a number of objections have been received from local residents in relation to the impact of the proposal upon the privacy and general amenity standards of those living nearby, the development is not considered to be unduly harmful to the amenities of the surrounding properties. The proposal is also considered to be acceptable

in terms of its impact upon the character and appearance of the area, highway safety and the ecological value of the wider area.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (“the WBFG Act”) has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

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:

- Site location plan received on 30th November 2017
- Proposed site plan & typical floor plans - Drawing No. PL 02
- Proposed elevations & site sections - Drawing No. PL 03
- Proposed site sections B-B, C-C & D-D - Drawing No. PL 04
- Relationship between proposed flats at Garth Cottages and Morlais Culvert Merthyr Tydfil April 2018

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

3. **Prior to** the construction of the buildings hereby approved, details and/or samples of the materials to be used in the construction of the external surfaces of the buildings 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.

4. **Prior to** the occupation of the buildings 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 before the beneficial occupation of the flats.

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.

5. **No development shall take place** until a Phase 1 Land Contamination investigation has been carried out. The Phase 1 report shall be submitted to and approved in writing by the local planning authority prior to the commencement of any necessary Phase 2 investigation. The report shall assess potential risks to present and proposed receptors, i.e. humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments. The investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11"

The report shall be prepared by a "competent person" and shall be in accordance with BS10175:2011 Code of Practice for the Investigation of Potentially Contaminated Sites.

Reason - To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Should the Phase 1 Contamination investigation carried out under condition 5 identify the presence of potentially unacceptable risks, no development shall take place until a Phase 2 site investigation has been carried out.

A protocol for the investigation shall be submitted to and approved in writing by the local planning authority before the commencement of the Phase 2 investigation.

The completed Phase 2 investigation report together with any necessary outline remediation options shall be submitted to and approved in writing by the local planning authority prior to any redevelopment or remediation works being carried out.

The report shall assess potential risks to present and proposed receptors, i.e. humans, property including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments. The investigation must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

The report shall be prepared by a "competent person" and shall be in accordance with BS10175:2011 Code of Practice for the Investigation of Potentially Contaminated Sites.

Reason - To ensure the risks from land contamination to future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. Should Land Contamination Remediation Works be identified as necessary under condition 6, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historic environment, has been submitted to and approved in writing by the local planning authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures and details of any necessary long term maintenance and monitoring programme. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 or any subsequent version, in relation to the intended use of the land after remediation.

The development shall be carried out in accordance with the approved remediation scheme unless otherwise agreed in writing by the local planning authority.

Reason - To ensure the risks from land contamination to future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Following completion of measures identified in the approved remediation scheme and prior to the beneficial occupation of the development, a verification report (or validation report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to and approved in writing by the local planning authority.

The approved monitoring and maintenance programme shall be implemented.

The verification report shall be prepared by a third party and a "competent person".

Reason - To ensure the risks from land contamination to future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. **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 BW7 of the Merthyr Tydfil Local Development Plan .

10. **No development shall take place** until details of the construction of the car parking areas shown on drawing number PL02;, including levels, drainage and details of the finished surface have been submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details prior to the occupation of the flats; and the car parking spaces shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

11. **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 use of the development 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.

12. **No development shall take place**, or any demolition works or site clearance, until details of a scheme for the eradication of Japanese Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason - To ensure compliance with the Wildlife and Countryside Act 1981.

13. Before the development hereby permitted is brought into use, the first floor windows in the south-eastern (side) elevation of 'Block B' and the western (side) elevation of 'Block A' shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan

14. 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.

15. **Notwithstanding the submitted plans, no development shall commence** until details of existing ground levels and proposed finished ground and floor levels (including relevant sections) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

16. **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 BW7 of the Merthyr Tydfil Local Development Plan.

17. 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.

INFORMATIVES

1. The applicants/developers attention is drawn to the comments of the Authority's Environmental Health Department regarding the potential problem to neighbouring properties arising from the creation of noise and dust during the construction

process. To avoid unexpected and unnecessary enforcement action by the Public Health and Protection department, the applicant/developer is advised to contact the Environmental Health Department prior to the commencement of development to agree an appropriate method of noise and dust suppression.

2. No surface water from the development should be allowed to be discharged onto the public highway.