

**Application No.**  
P/16/0096

**Date**  
4th April 2016

**Determining Authority**  
MTCBC

**Proposed Development**

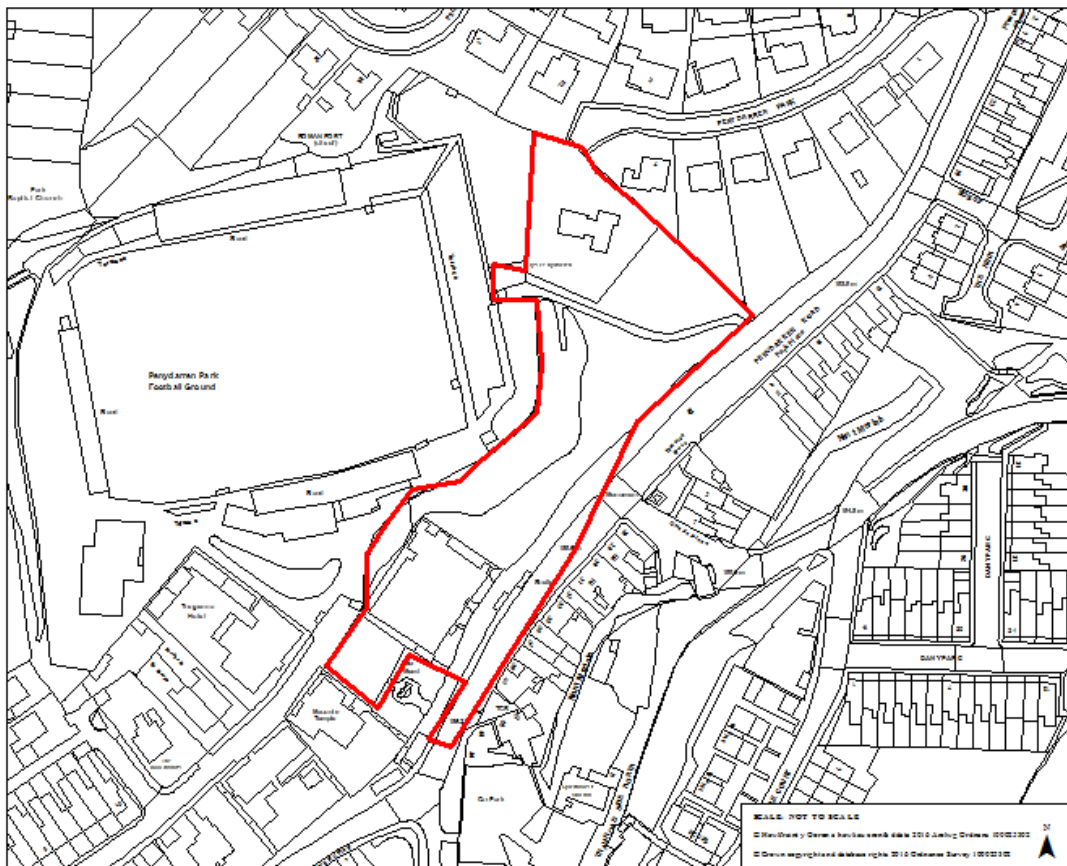
**Location**

**Name & Address of Applicant/Agent**

Construction of an affordable housing scheme (consisting of 12 dwellings and 8 flats) including off street parking, landscaping and associated works

Former Labour Exchange  
Penydarren Road  
Merthyr Tydfil

Mr Marcus Blayney  
3 Alexandra Gate  
Ffordd Pengam  
Tremorfa  
Cardiff



**APPLICATION SITE**

The application site, which measures approximately 0.66 of a hectare, mainly consists of part of the front façade of the former Labour Exchange (a locally listed building), a steep (previously wooded) embankment to the east of this former building and land to the rear of the War Memorial. The application site also includes part of the Promenade, a raised section of footway that forms the southern boundary of the site and abuts Penydarren Road. This section of the Promenade is approximately 180 metres along.

The site is bound by Merthyr Tydfil Football Club to the north-west, the War Memorial and Masonic Temple to the south, Penydarren Road to the east and the rear gardens of 5, 6, 7 and Llys Penydarren in Penydarren Park to the north. The land is steeply sloping and generally falls from north-west to south-east. Committee will probably be aware that some engineering works, including the felling of the majority of trees within the site, have been

undertaken on the site. These operations have been carried out under the planning permission (P/14/0295) which granted permission for the construction of 24 dwellings in January 2015. The site is located within the Town Centre Conservation Area and partially within the Town Centre boundary as defined by the Merthyr Tydfil Local Development Plan.

Committee will also be aware that the majority of the former Labour Exchange building has been demolished under conservation area consent (P/14/0294) also granted in January 2015. As stated above, part of the front façade of the building has been retained.

## PROPOSED DEVELOPMENT

Planning permission is sought for the construction of 20 residential units, comprising of 12 houses and 8 flats. The units would all be constructed for affordable housing purposes. Due to the topography of the site and surrounding area a significant engineering operation (cut and fill), which has commenced, would need to be carried out to accommodate the development. This operation would basically provide two plateaus. The upper plateau would contain the proposed access, internal road, turning facility and some car parking areas. The lower plateau would accommodate the main built development (i.e. the flats and houses).

The flats would be provided in a three storey building located to the south of the retained façade of the former Labour Exchange. Two flats would be accommodated in the ground floor with three in each of the remaining two floors. The building would be 20 metres wide, a maximum of 12.9 metres deep and have a maximum height of 13.5 metres. It would be raised approximately 2.5 – 3.0 metres above the level of the Promenade. A 'zig-zag' ramp would be provided to the front of the flats to enable pedestrian access from the Promenade. A first floor timber walkway would also enable access from the proposed road to the rear of the site. This three storey building would have red brick external walling (with some render to the front elevation and Portland stone linear detailing) with an artificial slate roof.

A hard/soft landscaped courtyard would be provided to the north of the flats. This would be enclosed to its front, eastern boundary, by the retained façade. The façade would undergo extensive repairs and, where necessary, certain elements of the remaining building would be sympathetically replaced. The rear of the façade would be secured by two brick buttresses and the walls faced with lime render. An enclosed bin store, constructed from red brick with a pitched artificial slate roof, would be provided to the rear of this landscaped area and accessed from the raised internal access road.

The houses, constructed in two terraces (consisting of 4 houses and 8 houses respectively) would front the Promenade. They would be two storey in height with each having two bedrooms. The dwellings would have red brick external walling (with Portland stone linear detailing) with an artificial slate roof. Two different house types are proposed. Ten of the twelve houses would be 'double fronted' i.e. they would have a central front door with living space either side and the remaining two houses would be narrower with a front door and one window to the side. The terrace containing eight houses would be stepped and would contain the two narrower houses at the northern end. These two properties would occupy a higher level than the rest of the terrace which would step down with each section containing three houses each. The other terrace containing four houses would be on one level. All houses would be two-storey in height and would be of a vernacular design with simple pitched roofs featuring chimneys. The small front gardens would be secured by a dwarf red

brick wall on top of which would be railings. All of the houses would have pedestrian access onto the Promenade.

Vehicular access would be gained from Park Terrace. A new access road would run along the rear of the proposed residential development and would have a hammer head turning facility. As a result of the topography of the site, the internal road would be constructed at a higher level than the ground floor of the houses and flats. Therefore, as with the flats, a bridged access from the rear of the first floor of the houses would enable access to the internal road.

In total 21 parking spaces would be provided for the 20 units. Ten of the proposed houses would have one off-street parking space each and two houses at the northern end of the site would have two spaces each situated at the end of the proposed access road. A further seven parking spaces are proposed adjacent to the new access road at the entrance of the site and would be reserved for occupiers of the proposed 12 flats.

It is proposed to secure the central section of the steep embankment to the west of the proposed internal access road by means of a method known as soil nailing. These suitably designed 'nails' are inserted into the ground and anchored to secure the slope. The soil nailed areas, along with the remainder of the embankment, would then be hydro seeded with an appropriate species mix.

The application has been supported by:

- A Design and Access Statement (March 2016).
- An Extended Phase 1 Habitat and Species Assessment (April 2014) – Just Mammals Consultancy.
- A Report Following a Survey of Bats and Birds (July 2014) – Just Mammals Consultancy.
- Labour Exchange LVIA Assessment (9.2014) – James Pinder.
- Road Safety Audit Stage 1 & 2 (31/10/14).
- Soil Improvement, Soil Erosion Control & Vegetation Establishment: Merthyr Labour Exchange – David Holland.
- Labour Exchange Merthyr Tydfil, Archaeological Written Scheme of Investigation' (GGAT Project No. P1730 Report No. 2014/088, dated December 2014.

The proposed development would be partly funded through the Vibrant and Viable places project.

## PLANNING HISTORY

P/16/0018	Variation of condition 4 of planning permission P/14/0295 for the construction of 24 dwellings and associated works, to enable the hard and soft landscaping details to be submitted prior to the commencement of the construction of the approved dwellings	Granted 22/02/2016
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P/15/0316	Vary condition 9 and 10 of planning permission of P/14/0295, which requires submission of details within a specified timeframe - Prior to the construction of the approved dwelling (and not prior to the commencement on site)	Granted 30/10/2015
P/15/0290	Remove condition 2 of conservation area consent P/14/0294 which prevents the demolition of any part of the labour exchange before a signed contract for undertaking the construction works granted under planning permission P/14/0295 has been submitted to and approved in writing by the Local Planning Authority	Granted 20.10.2015
P/14/0295	Construction of 24 dwellings, including off street parking, landscaping and associated works	Granted 08.01.2015
P/14/0294	Demolition of part of the Labour Exchange to assist provision of dwellings	Granted 08.01.2015

## CONSULTATION

### Internal Consultees

Group Leader  
Policy and Implementation

No objection.

Town Planning Division's  
Countryside Officer

The proposal is unacceptable. Further details are required with respect to the mitigation required for the loss of biodiversity and subsequent impact on bats

Town Planning Division's  
Landscape Architect

The proposed landscaping scheme is unacceptable as it does not overcome the physical and visual loss of the previous tree cover that had a significant impact upon the landscape character of the local area. The omission of the trees on the Promenade (as previously approved) is regrettable. There is also a shortage of greenspace for both play and amenity purposes. The soil nailing of the steep bank is also unacceptable and would not provide an established evergreen embankment. There is also concern about some of the plant species being proposed.

Town Planning Division's Design  
Heritage and Countryside Officer

No objection, however, the soft landscaping and embankment treatment is poor. Given the significant loss of vegetation, trees in the Promenade are necessary for the development to have a positive contribution to the character of the conservation area.

Engineering and Traffic  
Group Leader

No objection subject to conditions.

Public Protection Manager

No objection subject to conditions

### External Consultees

Glamorgan Gwent  
Archaeological trust

No objection subject to a condition requiring the implementation of a programme of archaeological work

Wales and West Utilities

No objection

Natural Resources Wales

Planning permission should only be granted subject to a condition which requires the recommendations highlighted in section 9 of Survey of the Bat and Birds (July 2014) being carried out.

Dwr Cymru Welsh Water

No objection subject to conditions.

### PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining and nearby properties, 3 site notices were displayed to the front and rear of the site and in Penydarren Park and a press notice was placed in the Merthyr Express on the 8th April 2016.

As a result of the publicity exercise undertaken, no objections were received.

### POLICY CONTEXT

#### National Planning Policy

Planning Policy Wales (PPW) Edition 8 (January 2016) sets out the land use policies of the Welsh Government. The most relevant sections to the proposal are:

Section 2.6.1 – Planning applications must be considered in light of the strategy and policies in the adopted development plan.

Sections 4.11.9 – 4.11.12 sets 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 notes that the impact a development proposal may have on wildlife or the landscape is an important consideration in determining an application. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Paragraph 6.4.6 states that whilst the character and appearance of a conservation area are a major consideration when determining an application; it should not prevent new development from coming forward.

Paragraph 6.5.17 states that should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area or its setting, there will be a strong presumption against the grant of planning permission.

Paragraph 6.5.18 states that: conservation area designation introduces control over the total or substantial demolition of unlisted buildings within conservation areas. In exercising controls, account should be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole. Consideration should also be given to replacement structures. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area.

Sections 9.3.1 – 9.3.4 highlights 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, in particular for affordable housing to meet local needs, 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 13.4.3 points out that 'it is essential that Natural Resources Wales' advice is obtained and given due weight as a material consideration by planning authorities in determining individual planning applications'.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:

TAN 2 - Planning and Affordable Housing: provides advice on provision of affordable homes.

TAN 5 – Nature Conservation and Planning: provides advice on how the planning system should contribute to protecting and enhancing biodiversity.

TAN 12 – Design: advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Welsh Office Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas:

Paragraph 30 states that many conservation areas include the centres of towns and generally there will need to be an emphasis on controlled and positive management of change, to allow the area to remain alive and prosperous, and ensure development accords with the area's special architectural and historic qualities. There is also recognition that conservation areas contain gap sites and buildings that make no positive contribution to the townscape. It is important that new buildings should be designed to respect their context.

Paragraph 33 makes it clear that there is a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. Consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. It has been held that the decision maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.

### Local Planning Policy

The following policies contained within the Merthyr Tydfil Local Development Plan 2006-2021 are relevant to the determination of this application:

- BW1 – Development Strategy – Primary Growth Areas.
- BW4 – Settlement Boundaries/Locational Constraints.
- BW5 – Natural Heritage.
- BW6 – Townscape and Built Heritage.
- BW7 – Sustainable Design and Placemaking
- BW8 – Development and Water Environment
- BW12 – Development Proposals and Transport
- BW17 – Securing Community Infrastructure Benefits
- AS4 – Historic landscape
- AS22 – Affordable Housing Contributions

### Merthyr Tydfil Town Centre Conservation Area Appraisal (June 2009)

The former Labour Exchange is identified as a locally listed building. Its reuse is a priority for the Council. Chapter 6.5 notes the importance of the historic tramway route and the current poor condition of the site. Chapter 7.11 states that regeneration should be encouraged to deal with run down areas, derelict sites and that it should preserve the special historic and architectural interest of the area.

### Supplementary Planning Guidance (SPG):

- SPG1 - Affordable Housing, March 2012
- SPG2 - Planning Obligations, March 2012
- SPG4 - Sustainable Design, July 2013
- SPG5 - Nature and Development, May 2015

### PLANNING CONSIDERATIONS

The application site is located within the Primary Growth Area and settlement boundary as defined by the LDP. The LDP targets the majority of new development towards the main

Merthyr Tydfil settlement (Primary Growth Area) and within settlement boundaries (policies BW1 and BW4 of the LDP). It is also noted that planning permission (P/14/0295) was also granted in January 2015 for a similar proposal, albeit for a greater number of residential units (i.e. 24) and a different layout. As such, the principle of the proposed development is acceptable.

Therefore, the main issues to be considered when determining this application are:

- The impact of the development on the character and appearance of the Town Centre Conservation Area.
- The impact of the development on the amenity of neighbouring residents.
- The impact on ecology.
- The highway safety implications of the development.

### Impact on the character and appearance of the Conservation Area

The main difference between this application and the previously permitted scheme (P/14/0295) is a change in the size, siting and design of the building that would accommodate the flats. The previous permission incorporated the front façade of the former Labour Exchange into the design of this building. This would have enabled a much larger building to be constructed which would have contained 12 flats. The current proposal totally separates the building from the façade. This has resulted in a building (with 8 flats) which has far less mass and bulk and more rhythm and vertical and horizontal emphasis. The design of the building incorporates a step down in height and significant set back (from the main front elevation) as it gets closer to the retained façade. This would not only respect the scale and setting of the remaining façade but also emphasises its historic importance within this part of the conservation area. This part of the proposal is undoubtedly a significant improvement on the previously permitted scheme in terms of its overall design and layout and impact on the character and appearance of the conservation area. The design and layout of the houses and internal road is virtually the same as previously approved under permission P/14/0295. Therefore, as this permission is still extant, there can be no objections to this part of the development in terms of its impact on the character and appearance of the conversation area or wider area.

There is no doubt that the felling of a significant number of trees on the application has had an adverse impact on the character and appearance of the conversation area. However, their loss was accepted by the previously permitted scheme as other material considerations (i.e. developing a derelict site for affordable housing and the retention of former Labour Exchange façade) outweighed this harm. Notwithstanding this, under the previous permission it was proposed to plant trees along the Promenade and replant the 'new' embankment. The current scheme has omitted any tree planting along the Promenade and also seeks to part soil nail and hydro-seed the entire embankment. The applicant has highlighted that when it committed to the project '*it was recognised that there were risks which could not be quantified until a contractor was appointed*'. Wales and West Housing have further pointed out that '*six months into the project we have been faced with a number of major unforeseen issues that are both difficult and expensive to resolve and the project is currently running at a significant deficit*'. The applicant has therefore concluded that the provision of trees along the Promenade is unviable and therefore not proposed. Likewise, the cost of alternatives other than soil nailing part of the embankment has been explored by the applicant. Such alternatives (such as crib walling and re-



designing the layout of the site to incorporate other retaining structures) were found to be too expensive and would therefore also make the development unviable. The applicant has also explored other methods of landscaping the very steep embankment. However, it was concluded that hydro-seeding would be the most appropriate method to landscape this difficult section of the site.

The Town Planning Division's Landscape Architect and Design, Heritage and Conservation Officer are concerned about the omission of the Promenade trees, the proposed soft landscaping and the method of retaining and landscaping the steep embankment. Whilst these concerns are fully appreciated, there are clear financial and other reasons which have resulted in the applicant putting forward the proposed scheme. These factors, combined with the benefits of retaining part of the front façade of the former Labour Exchange, and providing 20 sustainably located affordable housing units, outweigh any harm that may be caused by omitting tree planting along the Promenade and providing a part soil nailed and fully hydro-seeded embankment. It is also considered that when the development is completed the embankment would only be partially visible from outside the site due to the almost continuous linear form of development proposed and the fact that Penydarren Road is below the level of the application site. The applicant has also stated that it is in their own interest to ensure the landscaping of the embankment is successful as it would provide a backdrop for their residents. Therefore, they have suggested that this part of the development would be monitored and hydro-seeded repeatedly if necessary.

Notwithstanding the concerns raised above, the proposed development is considered to revitalise the northern part of the Town Centre Conservation Area and focus activity on the Promenade, a unique structure in Merthyr Tydfil's built environment related to the former Penydarren Tramroad. This area of the public realm is considered to be greatly underused at present and it is considered that new dwellings fronting onto it would enhance its prominence in the town. It is therefore considered that the proposal is acceptable in terms of policies BW6 and BW7 of the LDP.

#### The impact on residential amenity

As there are no significant differences from the previous development permitted (P/14/0295) there are no concerns in terms of loss of amenity to neighbouring residents or occupiers. Indeed, it could be argued that a reduction in the number of residential units at the site would be beneficial in terms of noise and disturbance as there would be fewer vehicular and associated movements/activities. As Committee will also note there have been no objections received as a result of the publicity exercise undertaken. As such, the proposal accords with policy BW7 of the LDP.

#### Ecology

As part of the application, an extended Phase 1 habitat and species assessment and a bats and birds survey report was submitted by the applicant. The Council's Countryside Officer is of the opinion that insufficient details have been provided to mitigate for the loss of biodiversity and the subsequent impact on bats. However, whilst raising concerns, Natural Resources Wales (NRW) has recommended that if the application is permitted a condition must be attached to any permission which requires the recommendations of the bats and birds survey report be undertaken. It is considered that the provision of bat and bird boxes and some native tree planting, as recommended in the above mentioned report, could be

secured by suitably worded conditions if Committee are minded to approve this application. Therefore, whilst the concerns of the Countryside Officer are appreciated, in line with the response from NRW, the proposal is considered acceptable in terms of policy BW5 of the LDP.

### Highway safety

As stated above, the development would result in an improvement, when compared to the previously permitted scheme, in terms of highway and pedestrian safety. There would clearly be less traffic movements along Park Terrace to the site as a result of the reduction in the number of units proposed (i.e. from 24 to 20 units). In addition, since the number of car parking spaces is the same as the previously permitted development, there would be less need for ad-hoc on-street parking. Furthermore, given the site's proximity to the town centre it is hoped that future residents would access local facilities via public transport, by bike or on foot rather than the private motor car, further reducing traffic flows. The internal road and access layouts are identical to those previously approved. As such, the Group Leader Engineering and Traffic has raised no objection to the application.

Therefore, the proposal is considered to comply with policies TB11 and BW12 of the LDP.

### Planning Obligations

Policies BW17 and AS22 of the LDP consider the requirements for planning obligations and affordable housing respectively. The proposed development would provide 100% affordable housing which would be managed by a Registered Social Landlord (Wales & West Housing). Given the level of grant funding required to deliver this scheme and the site constraints encountered there is no viability within the development to provide any additional planning obligations. Accordingly, the proposed development complies with Policies BW17 and AS22 of the LDP.

### Conclusion

The proposal is considered to offer an opportunity to enhance and regenerate a derelict site within the Town Centre Conservation Area and retain the most ornate part of a locally listed building. In addition, it would assist in the provision of affordable housing in a sustainable location within the town centre, reducing the need for residents to travel by car.

Whilst there are concerns about the loss of biodiversity, the proposed landscaping scheme and the engineered treatment of the steep embankment, the benefits of the proposal far outweigh any harm that may be caused by these inadequacies. Furthermore, the positive design changes to the building that would accommodate the flats and the retention of the Labour Exchange façade as a standalone structure are considerable improvements to the previously permitted scheme.

As such 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:

- Location Plan 6679 PL(90) 100
- Proposed Site Plan 1549/4/4/1
- Proposed Site Plan 1549\_4-3/4
- Proposed Elevations Flats 1549\_2-20/2
- Proposed Flats Ground Floor 1549\_1-20/2
- Proposed Flats First Floor 1549\_1-21/1
- Proposed Flats Second Floor 1549\_1-22/1
- Proposed Ramp - Flats 1549\_4-1/1
- Front Elevations of Block A + B 1549\_2-23
- House type Plans and Elevations 1B 6679 PL(20) 217/A
- House Type Plans and Elevations 2A 6679 PL(20) 212/A
- Roof Plans for Block A, B and Flats 1549\_1-26
- Façade: Design Intent 1549\_4-2/2
- Bin store 6679 PL(20) 219/D
- Proposed Street Scene 1549/2/24
- Landscape Proposals sheet 1 of 2 15-34-PL-201/E
- Landscape Proposals sheet 2 of 2 15-34-PL-202/E
- Landscape Planting Plan - Courtyard 15-34-PL-203/0
- Proposed Levels C161041 C001/01/G
- Cut and Fill Plan- C161041 C021/A
- Cut and Fill Sections Sheet 1 of 2 C161041 C22/A
- Cut and Fill Sections Sheet 2 of 2 C161041 C23/A
- Proposed Site Sections 6679 PL(90)201/C
- Proposed Drainage C161041 C002-01/E
- Extended Phase 1 Habitat and Species Assessment (April 2014) - Just Mammals Consultancy
- A Report Following a Survey of Bat and Birds (July 2014) - Just Mammals Consultancy.
- Labour Exchange LVIA Assessment (9.2014) - James Pinder.
- Road Safety Audit Stage 1 & 2 (31/10/14)
- Soil Improvement, Soil Erosion Control & Vegetation Establishment: Merthyr Labour Exchange - David Holland.
- Labour Exchange Merthyr Tydfil, Archaeological Written Scheme of Investigation (GGAT Project No. P1730 Report No. 2014/088, dated December 2014)
- Letter dated 21st September 2016 from Wales & West Housing.

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

3. 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.

4. **No building works shall take place** until samples of the materials to be used in the construction of the external surfaces of the buildings and for all boundary structures have been 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 and appearance of the conservation area in accordance with Policies BW6 and BW7 of the Merthyr Tydfil Local Development Plan.

5. Details of the means of foul and surface water drainage (incorporating SUDS principles where appropriate), shall be submitted to, and approved by the Local Planning Authority in writing, **prior to commencing any works on site**. The development shall be carried out in accordance with the approved details and be completed prior to occupation of any residential unit.

**Reason** - To ensure that drainage is adequately addressed in the development in accordance with policies BW7 and BW8 of the Merthyr Tydfil Local Development Plan.

6. **No works shall commence** until full engineering details of the road layout with sections, street-lighting and surface-water drainage have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the new access road is constructed to an adequate standard in accordance with policies BW7 and BW12 of the Merthyr Tydfil Local Development Plan.

7. Full details and calculations of all earth retaining structures over 1 metre in height shall be submitted to, and approved in writing by, the Local Planning Authority before works on any of these structures commence. The development shall be carried out in accordance with the approved details.

**Reason** - To ensure that all retaining structures are constructed to an adequate standard in accordance.

8. **No development shall take place** until the applicant, or their agents or successors in title, has secured implementation of a programme of archaeological work in accordance with that outlined in the report: 'Labour Exchange Merthyr Tydfil, Archaeological Written Scheme of Investigation' (GGAT Project No. P1730 Report No. 2014/088, dated December 2014).

**Reason** - To identify and record any features of archaeological interest discovered during the works, in order to investigate the impact of the works on the archaeological resource in accordance with policy BW6 of the Merthyr Tydfil Local Development Plan.

9. Notwithstanding the submitted plans, **prior to any works being carried out to the Labour Exchange facade** a method statement for the repairs and alterations to this structure shall be submitted to and approved in writing by the local planning authority. The works to the facade shall only be undertaken in accordance with the approved method statement.

**Reason** - To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the building in accordance with Policy BW7 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. The development, hereby permitted, shall be carried out in accordance with the recommendations set out in the following report:

- A report following a survey for bats and birds by Just Mammals Consultancy (July 2014).

**Reason** - To ensure compliance with wildlife and countryside legislation (including EU Habitats Directive) and to mitigate and/or compensate for environmental losses in accordance with policy BW5 of the Merthyr Tydfil Local Development Plan.

12. **Prior to the commencement of development**, in accordance with recommendation 9.5 of 'A Survey for Bats and Birds - Just Mammals Consultancy (July 2014)' details, including siting and design, of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter.

**Reason** - To provide enhancements for biodiversity in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

13. Construction works on the development site shall not take place other than during the following times:-

Mondays to Fridays - 0800 - 1800 hours

Saturdays - 0900 - 1400 hours

Nor at any time on Sundays, Bank or Public Holidays

Unless otherwise agreed in writing by the Local Planning Authority.

**Reason** - To ensure that noise emitted from this development is not a source of nuisance to occupants of nearby residential properties.

## INFORMATIVES

1. The applicant should be advised that the development should be designed and constructed in accordance with the latest edition of the Merthyr Tydfil County Borough Council Design Guide for Residential, Commercial and Industrial Estate, to comply with Section 38 Adoption Agreement .

The developer is advised to contact Merthyr Tydfil County Borough Council's Highway Division regarding works on and the proposed junction onto Park Terrace BEFORE construction works commence.

2. The developer should that the existing sewer systems need to be investigated to establish their condition and availability of capacity to accommodate proposed development flows, subject to the asset owner's approval. New systems may be required if existing are found to be inadequate.
3. If any bats are encountered during building work, it is important to stop activity in the vicinity of the bat(s). Advice must be sought from Natural Resources Wales or if this is not possible, then from a bat ecologist who holds a licence to disturb bats. To proceed without taking advice would be an offence under the provisions of Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).