

Merthyr Tydfil County Borough Council
Town Planning Division

“What is Town Planning?”

An introductory guide to town planning and building control in Merthyr Tydfil



Planning Information Leaflet No 1

A N Davies- Head of Town Planning
Town Planning Division
Merthyr Tydfil County Borough
Council
Ty Keir Hardie
Riverside Court
Avenue De Clichy
Merthyr Tydfil
CF47 8XF



What is town (and country) planning?

Town and country planning is the process of making decisions on the development and use of land. It is a tool for guiding and facilitating development and regeneration in a way that also preserves the best features of our environment.

What does the Town Planning Division do?

The Council's Town Planning Division deals with matters relating to planning and building control in the County Borough, including the development plan, planning applications, enforcement, listed buildings, conservation areas, tree preservation orders, ecology/landscapes, Building Regulations, dangerous structures and demolitions. (N.B. this Council does not deal with planning in the area of the County Borough within the Brecon Beacons National Park, but does deal with building control matters in that area).

What is the difference between planning and the Building Regulations?

Planning deals with the land-use related merits of development and only these can be considered when making planning decisions. The Building Regulations control the physical construction of buildings through setting the minimum building standards required. It is very important to understand that a Building Regulations application is DISTINCTLY SEPARATE from a planning application and that BOTH types of consent may be needed to carry out development.

When is a planning application required?

A planning application must be made to the Council when a development requires planning permission. All development requires planning permission, except where the Welsh Assembly

Government issues an order stating it does not, or the development is exceptionally minor. If you are intending to develop any land, you should seek advice from the Council about the requirement for planning permission.

Is it just buildings which require planning permission?

No- development encompasses a range of activities, including erecting and altering buildings and structures, putting up advertisements and signs, surfacing, demolition and changes of use (regardless of whether any physical alterations are required).

What is a development plan?

A development plan sets out allocations for various land uses and includes criteria based policies for development. The Council is legally obliged to make planning decisions in accordance with the adopted development plan unless there is a good reason not to. The current adopted development plan for the County Borough comprises the Mid Glamorgan (Merthyr Tydfil County Borough) Replacement Structure Plan and the Merthyr Tydfil Borough Local Plan.

How is a decision made on a planning application?

Decisions are made on planning applications either by the Council's Planning and Regulatory Committee or its planning officers under delegated powers. Applications may be approved (often with conditions) or refused. The content of the development plan is the primary consideration in deciding planning applications. However, other important considerations could be national planning guidance, compatibility of the use to the area, highway safety, impact on neighbour amenity, design and the impact on

protected species and important habitats (including sites afforded statutory protection). Non- land use considerations such as the impact on property prices, private views and the personality of the applicant are not relevant issues.

Is there a right to object to planning applications?

Anyone can object to a planning application. All applications are publicised by one or more of the following methods: a notice near the site, a press notice, the notification of neighbours adjoining an application site directly by letter. Copies of plans are available to view at the Town Planning Division in Ty Keir Hardie. Objections to planning applications are only valid if they relate to land use considerations.

Is there a right to appeal a planning decision?

Applicants have the right to appeal if their application is refused, if they disagree with any of the conditions attached to an approval or if the Council has not decided their application within eight weeks of it being submitted. There are no rights of appeal for neighbours, but they can make a complaint to the Local Government Ombudsman if they consider procedures have been incorrectly followed. Those with a sufficient interest can seek a judicial review if they consider a planning decision has been reached unlawfully.

What is enforcement?

Enforcement is the process of dealing with unauthorised development, i.e. when a development takes place without planning permission, when a condition attached to an approval has been breached or when a

development is not built in accordance with approved plans. Such development could eventually result in an unauthorised use being required to cease, an unauthorised building being demolished, or in some cases prosecution.

What are listed buildings?

Listed buildings are those which have been put on a list of buildings of special architectural or historic interest by Cadw due to their national importance. Most alterations to listed buildings require "listed building consent" and may also require planning permission.

What are conservation areas?

Conservation areas are designated by the Council in areas of special architectural or historic interest. There are stricter controls on development in conservation areas to ensure it preserves or enhances the character of the conservation area and there are controls on works to trees, regardless of whether they are covered by a tree preservation order or not.

What is a tree preservation order?

A tree preservation order is made by the Council to protect trees which make a significant positive impact on their local surroundings. Such an order prevents works being carried out on the trees (including felling) without permission from the Council.

Do advertisements and signs need planning permission?

In many cases advertisements and signs require advertisement consent from the Council. You should contact the Town Planning Division for advice on this matter if you intend to erect an advertisement or sign.

When is a Building Regulations application required?

The Building Control Section of the Town Planning Division deals with Building Regulations applications. You should contact this section for advice of requirements under the Building Regulations if you intend to carry out any form of building work, whether internal or external. It is important to be aware that Building Regulations approval may be required even if planning permission is not. You should therefore make sure you have enquired about both consents before starting any work. All decisions on Building Regulations applications are made by professional officers under delegated powers.

What other work is Building Control responsible for?

The Building Control Section also deals with dangerous structures and demolitions. You should contact this Section if you wish to carry out demolition work or if you are concerned that a structure may be dangerous.

For further queries please contact the address on the front or:

For town planning matters:

Tel: 01685 726213

Email: planning@merthyr.gov.uk

For building control matters:

Tel. 01685 726263

Email: steven.jones@merthyr.gov.uk

Further information is also available at www.merthyr.gov.uk, including a link to the national Planning Portal, an online one-stop shop for planning information and services for the whole of England and Wales.

