

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
The Town and Country Planning (Development Management Procedure)
(Wales) Order 2012 (as amended)

FULL PLANNING PERMISSION

To: Mr Dan Bufton c/o Mr Paul Thomas Utopia Design 5 Amberton Place Penydarren Merthyr Tydfil

WHEREAS you submitted an application on the 8th August 2024 to develop: Afon Taf High School Yew Street Troedyrhiw Merthyr Tydfil CF48 4ED short particulars of the application being as follows:-

Name of the Applicant

Mr Dan Bufton
Utopia Design
Merthyr Tydfil CBC
Penydarren
Civic Centre

Description of Proposed Development

Construction of new synthetic pitch and erection of associated fences, barriers and storage container. Erection of flood lighting around new synthetic pitch and existing running track. (Full)

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 17th October 2024

Signed:



(Director of Neighbourhood Services)

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

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:

Drawing Title: Proposed Plans, Elevations and Sections, Drawing No.: AFON TAF 01, Received on 8 August 2024.

Drawing Title: Proposed Site Plan, Drawing No.: AFON TAF 02, Received on 8 August 2024.

Green Infrastructure Statement (Document Ref: WWE24118 GIS dated 12/09/2024),

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

- 3 **No development shall commence**, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The CEMP shall include:
 - Construction methods: details of materials, how waste generated will be managed;
 - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
 - Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management;
 - Traffic Management: details of site deliveries, plant on site, wheel wash facilities
 - Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason - In the interest of protecting the environment and to accord with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 **Prior to the beneficial use of the development hereby approved**, details of the biodiversity enhancements, as set out in the Green Infrastructure Statement (Document Ref: WWE24118 GIS dated 12/09/2024), shall be submitted to and agreed in writing by the local planning authority. The details shall include a plan to illustrate the location of the enhancements within the site and a timescale for its implementation. The development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 5 **Prior to the erection of any external lighting hereby approved**, full details of a lighting scheme shall be submitted to and approved in writing by the local planning authority, which shall include:

- Details of the floodlights to be used, including the colour temperature
- A plan illustrating the lux levels across the site
- Details of the mitigation measures to be put in place to minimise the light spill towards the woodland corridor and River Taff to the west of the site.

The development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - To protect the natural environment and minimise impacts on protected species, in accordance with Policies EnW1 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 The athletics track and associated floodlighting hereby approved shall not be in use before 8am or after 9pm on Mondays to Fridays and not before 8am or after 9pm on Saturdays and Sundays.

Reason - In the interest of the visual and residential amenities of the surrounding area and to protect the natural environment, in accordance with Policies SW11, EnW1, EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 The 3G pitch and associated floodlighting hereby approved shall not be in use before 8am or after 9pm on Mondays to Fridays and not before 9am or after 5pm on Saturdays and Sundays.

Reason - In the interest of the visual and residential amenities of the surrounding area and to protect the natural environment, in accordance with Policies SW11, EnW1, EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

NOTES

Your attention is drawn to the following:-

Appeals to the Planning & Environment Decisions Wales:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning & Environment Decisions Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal.
- The Planning & Environment Decisions Wales can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Planning & Environment Decisions Wales need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Planning & Environment Decisions Wales does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or Planning & Environment Decisions Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING PERMISSION HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.