

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 Nicholas Brannan c/o Miss Cerys Matthews Technia Environment and Planning Limited
Unit 1 Foxes Lane Oakdale Business Park Blackwood NP12 4AB

WHEREAS you submitted an application on the 8th October 2024 to develop: Plot 5 Pengarnddu Industrial Estate Dowlais Merthyr Tydfil CF48 2TA short particulars of the application being as follows:-

Name of the Applicant

Mr Nicholas Brannan
Merthyr Borough Recycling Centre Ltd
C/O Agent

Description of Proposed Development

Extension to building for the storage of waste, plant and equipment with associated drainage infrastructure (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: 13th May 2025

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:

- Location of bird boxes Drawing no: 11131-000-D (Rev A), received: 14th February 2025;
- Parking and Active Travel Provisions Drawing no: 11131 - 000 - G (Rev A), received: 14th February 2025;
- Lighting Plan Drawing no: 11131-000- E (Rev B), received: 14th February 2025;
- Swept Path Drawing no: 11131 - 000 - F (Rev A), received: 14th February 2025;
- Site Plan Drawing no: 11131-000-C (Rev A), received: 14th February 2025;
- Location Plan Drawing no: 11131-000-A (Rev A), received: 14th February 2025;
- Proposed Luminaires - Orangetek - ignis mini, received: 19th November 2024;
- Existing and Proposed Floor Plans Drawing no: 11131-001-A, received: 8th October 2025;
- Existing and Proposed Roof Plans Drawing no: 11131-001-B, received: 8th October 2025;
- Existing and Proposed Elevations Drawing Number 11131-001-C, received: 8th October 2025;
- Green Infrastructure Statement, received: 8th October 2024.

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

- 3 No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 Prior to the beneficial use of the extension hereby approved, a plan indicating the positions, height, design, materials and type of motorcycle and bicycle bays to be provided, shall be submitted to and approved by the local planning authority. The motorcycle and bicycle bays shall be completed as approved, prior to the beneficial use of the extension.

Reason - To ensure that the new development will be appropriately sited and adequate for use, in the interests of highway and pedestrian safety, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 The car parking area hereby approved, as indicated on Parking and Active Travel Provisions Drawing no: 11131 - 000 - G (Rev A), received: 14th February 2025, shall be completed in accordance with the approved details prior to the beneficial use of the extension and shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of highway and pedestrian safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 Prior to the beneficial use of the extension hereby approved, the enhancement measures proposed, as stipulated in the Green Infrastructure Statement and shown on plan 'Location of bird boxes Drawing no: 11131-000-D (Rev A)', shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil 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.

3. The applicant/developer's attention is drawn to the comments received from Welsh Water during the course of this application. Their records indicate that the site is crossed by a trunk/distribution watermain. Under the Water Industry Act 1991, Dwr Cymru has rights of access to its apparatus at all times.

Some public sewers and lateral drains may not be recorded on Welsh Waters maps because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal.

The applicant is advised to contact Welsh Water on 0800 917 2652 and request a sewer trace to establish the location and status of the apparatus. The applicant is advised that diversion works/other works may be required to accommodate the proposed development.

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.