

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: Merthyr Tydfil County Borough Council c/o Mr Barrie Davies Asbri Planning Ltd. Unit 9 Oak Tree Court Cardiff Gate Business Park

WHEREAS you submitted an application on the 17th February 2025 to develop: Pen Y Dre High School Goitre Lane Gurnos Merthyr Tydfil CF47 9BY short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Merthyr Tydfil County Borough Council
Civic Centre,
Castle Street,
Merthyr Tydfil,
CF47 8AN

Solar Farm and associated equipment and cabling (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: 08th 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:

- Proposed PV Array Site Location Plan Drawing No. 26Z006-LAW-XX-X-DR-A-069—1008 P00
- Site Layout Focussed Drawing No. 01105-CSG-XX-00-GA-E-703-001
- CCTV Layout Drawing No. 01105-CSG-XX-00-GA-E-703-002
- Infrastructure Details Drawing No. 01105-CSG-XX-00-GA-E-703-003
- Proposed Typical PV GRP Compound Elevations Drawing No. 26Z006-LAW-XX-X-DR-A-069-1007
- Proposed PV Compound Details Drawing No. 26Z006-LAW-XX-X-DR-A-069-1006
- Proposed PV Site Layout Drawing No. 26Z006-LAW-XX-X-DR-A-069-1005
- Proposed PV Cable Route (Sheet 1 of 4) Drawing No. "6Z006-LAW-XX-X-DR-A-069-1001
- Proposed PV Cable Route (Sheet 2 of 4) Drawing No. "6Z006-LAW-XX-X-DR-A-069-1002 P00
- Proposed PV Cable Route (Sheet 3 of 4) Drawing No. "6Z006-LAW-XX-X-DR-A-069-1003
- Proposed PV Cable Route (Sheet 4 of 4) Drawing No. "6Z006-LAW-XX-X-DR-A-069-1004
- PV Array Drainage Strategy Drawing No. 26Z006-CAM-XX-ZZ_DR-C-5000-S1 P01
- PV Array Sections and Elevations
- Strategic Landscape Plan Drawing No. 2488501-SBC-00-XX-DR-L-401 P04
- Site Green Infrastructure Plan Drawing No. 24885021-SBC-00-XX-DR-L-202 P04
- Updated Preliminary Ecological Appraisal
- Biodiversity Strategy
- Tree Report
- Reptile Survey
- Invertebrate Survey
- Bat and Tree Survey Report
- Planning Policy Ecology Addendum.
- Landscape Visual Appraisal
- Green Infrastructure Statement

Reason - To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3 If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason - To ensure that any risk associated with previously unsuspected contamination at the site is dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land and to ensure that the development can be carried

out safely without unacceptable risk in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 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, fuel, concrete mixing and washing areas) any watercourse or surface drain.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works.
- Resource Management: details of fuel and chemical storage and containment.
- Traffic management: details of site deliveries, plant on site, parking for operatives and visitors, storage on site and wheel wash facilities.
- Erection and maintenance of any temporary boundary treatment.
- Details of any temporary construction lighting (including any light spillage details).
- 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 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.

b Reason - To ensure necessary management measures are agreed and implemented for the protection of the environment during construction in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan Policy.

Condition 4 discharged on 22.07.25 - App No. P/25/0140.

- 5 Any demolition site preparation or construction works shall not take place outside the hours of 08:00 hours to 18:00 hours Mondays to Fridays, and 09:00 hours to 14:00 hours on Saturdays and at not time on Sundays or Public Holidays.

Reason - In the interests of amenity and to comply with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 No surface water or land drainage will be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent Hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment construction in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 7 **No development shall commence**, until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the local planning authority. These details shall include:

- a long term management and maintenance plan (for at least 25 years) setting out all measures for all on site landscaping/habitat/green infrastructure (both retained and new);
- a plan illustrating areas of on-site habitats to be retained, protected and enhanced;
- a Precautionary Working Method Statement (PWMS) for protected species.
- details for the provision of bat boxes, bird boxes, hibernacula, gaps in boundaries for hedgehogs, reptiles etc.
- an implementation programme including the phasing of works; and
- details of the qualified person who will provide ecological supervision.

The development shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **Prior to the installation of any external lighting**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be maintained, together with dark routes for access to any bat boxes;
- details of the siting and type of external lighting to be used together with the proposed colour temperatures;
- Isolux drawings setting out the light spillage in key sensitive areas;

The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 All planting, seeding or turfing comprised in the approved Strategic Landscaping Plan (Drawing No. 2488501-SBC-00-XX-DR-L-401 P04) shall be carried out in the first planting and seeding seasons following the site being brought into beneficial use 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 and provides biodiversity environmental enhancements in the interests of amenity and to accord with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

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.