

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: Bike Park Wales c/o The Urbanists F.a.o. Mr L Hopkins The Creative Quarter 8A Morgan
Acade Cardiff

WHEREAS you submitted an application on the 18th March 2019 to develop: Bike Park Wales Gethin Woodland Centre Abercanaid Merthyr Tydfil CF48 1YZ short particulars of the application being as follows:-

Name of the Applicant

Bike Park Wales
F.a.o. Mr M Astley
Gethin Woodland Centre
Abercanaid
Merthyr Tydfil

Description of Proposed Development

Provision of 36 camping pods and 5 chalets, erection of shower/toilet block and creation of play and picnic area. Construction of new parking area (150 spaces) with overflow carpark (46 spaces), together with a trail maintenance yard, new highway access routes, ground profile works, drainage,, infrastructure and landscape works (Full)

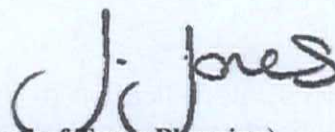
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following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

CONDITIONS

Please see attached.

Date: 9th January 2020

Signed:


(Head of Town Planning)

**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 No. 19/461/09 Rev D - Detailed Landscape Proposals Masterplan
- Drawing No. 19/461/10 Rev D - BPW Landscape Maintenance Plan
- Drawing No. (60)P01 Rev N - Proposed Site Wide External Works Scheme
- Drawing No. (60)P10 Rev B - Site Wide Sections
- Drawing No. RCD01 - Road / Parking Construction Detail
- Drawing No. LT1811.04.05 - Camping Accommodation
- Drawing No. LT1811.04.04 - Proposed Shower Block
- Ecological Impact Assessment Report
- Habitat Management Plan (Dated 10th October 2019)
- Tree Survey Addendum (Dated 19th December 2018)
- Tree Survey (Dated 11th November 2019)
- 10 Year Landscape Maintenance Programme (Dated 4th October 2019)
- Arboricultural Method Statement and Tree Protection Plan (Dated 14th November 2019)

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

- 3 The development, consisting of camping pods and chalets, shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept by Bike Park Wales and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason - The site is unacceptable for permanent housing by reason of its location in the open countryside in accordance with Policy BW4 of the Merthyr Tydfil Local Development Plan.

- 4 The siting of campervans and camping pods shall be limited to the number and specific locations as indicated on the proposed BPW Landscape Masterplan (Drawing No. 18/461/01 Rev H). No additional campervans or camping pods shall be located within the site.

Reason - To avoid intensification of the development within a countryside location, in the interests of the character and appearance of the area, highway safety and to accord with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

- 5 **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in

accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan .

- 6 **No development shall take place** until a Wildlife Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendation of the Ecological Impact Assessment and shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction, including a pollution prevention plan to protect all watercourses and ponds within the site and surrounding area;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season);
- d. A timetable for the implementation of the mitigation measures set out in the Habitat Management Plan;
- e. Details of the location for 5 bat boxes (Schegler Type 2FN);
- f. Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

Condition 6 Discharged on 07.01.2021 - App No. P/20/0277.

- 7 **Prior to the installation of any external lighting** a light mitigation strategy, including details of dark corridors to be retained across the site and measures to reduce light spillage onto foraging habitats for bats, shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details prior to the beneficial use of the camping pods and chalets and shall be maintained as such thereafter.

Reason - To minimise the impact of external lighting serving the development within a countryside location and in the interest of the environment for protected species and to accord with policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

- 8 The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan.

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

- 9 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No. 19/461/09 Rev D) shall be carried out in the first planting and seeding seasons following the beneficial use of the camping pods and chalets, 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 protect the natural environment in accordance with Policies BW5 & BW7 of the Merthyr Tydfil Local Development Plan.

- 10 **Prior to the erection of the camping pods and chalets** hereby approved, a Woodland Management Plan for a period of 25 years, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and ensure the long-term management of the woodland areas, in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

NOTES

Your attention is drawn to the following:-

Appeals to the Welsh Government:

- 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 Welsh Government 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 The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use the Planning Inspectorate website (<https:acp.planninginspectorate.gov.uk>) to complete your appeal.
- The Welsh Government 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 Welsh Government 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 Welsh Government 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 the Welsh Government 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.