

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 Capita F.a.o. Mr I Pritchard St Davids House
Pascal Close St Mellons

WHEREAS you submitted an application on the 12th February 2016 to develop: Site Of Proposed New Bus Station Swan Street Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant	Description of Proposed Development
Merthyr Tydfil County Borough Council F.a.o. Mr C Long Unit 5 Triangle Business Park Pentrebach Merthyr Tydfil	Construction of a new bus station and public realm improvements through the provision of hard and soft landscaping and associated 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: 21st July 2016

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:

CS/74270/PA/103/B - Proposed Bus Station and General Arrangement
CS/74270/PA/106/D - Proposed Bus Station Drainage Layout
CS/74270/PA/107/B - Proposed Bus Station Drainage Areas
CS/74270/PA/108/C - Proposed Bus Station Traffic signs & Road Markings
CS/74270/PA/109/B - Street Lighting
CS/74270/PA/110 - Proposed Access to Service Yard C
CS/74270/PA/111/C - Proposed Bus Station & Access to Service Yard D Swept Path Analysis
CS/74270/PA/113/B - Landscaping Proposals
CS/74270/PA/114.1 - Landscape Proposals (Swan Street Elevation and Section)
CS/74270/PA/116 - Proposed Works to High Street Baptist Church Location Plan
CS/74270/PA/117/A - Proposed Works to High Street Baptist Church Elevations
CS/74270/PA/118 - Proposed Works to High Street Baptist Church Cross Sections
CS/74270/PA/119/B - Proposed Works to High Street Baptist Church Landscaping
CS/74270/PA/120/B - Proposed Wall Service Yard D
CS/74270/PA/121 - Retaining Wall at Service Yard C
PR1-CAP-00-GF-DR-E-0001 - CCTV Installation
PR1-CAP-00-GF-DR-E-0002 - Internal CCTV Installation
061 000-P01 - Masterplan Proposed
061 001-P02 - Proposed Floor Plans
061 002-P02 - Proposed Roof Plan
062 002-P01 - Proposed Site Elevations
062 003-P01 - Proposed Building Elevations
063 002-P01 - Proposed Site Sections
063 003 P01 - Proposed Building Sections
210002 P00 - External Fabric - Stone/Zinc Interface
210009 P00 - External Fabric - Stone Base
210010 P00 - Stone Window Detail
210011 P00 - Typical Zinc Base Detail
210012 P00 - Eaves Detail - Stone wall Cladding
210013 P00 - Eaves Detail - Zinc Wall Cladding
210014 P00 - Zinc Window Detail
Technical Note (bus station layout) (August 2015).
Flood Consequences Assessment (May 2016).
Noise Assessment Report (Residential Amenity) (December 2015).
Air Quality Assessment (May 2016).
Aerial Survey of Bat Boxes at the former Hollies Health Centre, Swan Street, Merthyr Tydfil (November 2015).

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

- 3 **Prior to the construction of the bus station building**, hereby approved, the external materials to be used in the construction of the walls and roof of the building shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 3 discharged on 13.2.19 under app. P/18/0368.

- 4 The proposed walling of the building and boundary walls shall be constructed in strict accordance with details of coursing, jointing, texture relief and colour to be submitted to and approved in writing by the Local Planning Authority and such details shall be demonstrated by the prior construction of a sample panel. The panel shall be retained on site until the completion of the walling.

Reason - To ensure the proposed development will be in keeping with the character of the area in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 4 discharged on 19.2.19 under App. No. P/21/0114.

- 5 The development, hereby permitted, **shall not be commenced** until full details of the paving materials proposed to be used, as indicated on drawing no. CS/74270/PA/113/A, have been submitted to and approved, in writing, by the Local Planning Authority. The bus station shall not be brought into use until the works have been completed in accordance with the approved details.

Reason - To ensure the proposed development will be in keeping with the character of the area in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 5 discharged on 13.2.19 under app. P/18/0368.

- 6 Notwithstanding the submitted plans, **no development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. The scheme shall also include the specification for the tree planting in the resin bound paving.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 6 discharged on 13.2.19 under app. P/18/0368.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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 accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **No development shall take place** until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason - In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 8 discharged on 28.1.19 under app. no. P/18/0389.

- 9 **Prior to the commencement of development**, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason - To protect controlled waters in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 9 discharged on 8.7.19 under app. no. P/19/0162.

- 10 **Prior to the bus station being brought into use**, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason - To protect controlled waters in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 10 discharged on 23.11.21 under app no. P/21/0381.

- 11 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason - To protect controlled waters in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 11 discharged on 23.11.21 under app no. P/21/0381.

- 12 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason - To protect controlled waters in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

- 13 The development shall be carried out in accordance with the amended FCA Merthyr Bus Station, Flood Consequence Assessment', Job No CS/074270, dated May 2016, prepared by Capita and specifically the development proposals included in Appendix B.

Reason - To ensure the building is flood free during a 1% (1 in 100 year) plus climate change annual probability flood event in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

- 14 **Prior to the commencement of development**, in accordance with the Aerial Survey of Bat Boxes at the former Hollies Health Centre, Swan Street, Merthyr Tydfil (November 2015), details for the provision of bat roosting boxes/facilities shall be submitted to and approved

in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter.

Reason - To protect and support priority species in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.

Condition 14 discharged on 19.2.19 under App. No. P/21/0114.

- 15 Construction works shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 09.00 to 14.00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy BW7 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.

