

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 Blaenau Gwent County Borough Council F.a.o.
Mr J Allen Municipal Offices, Civic Centre Ebbw Vale NP23 6XB

WHEREAS you submitted an application on the 1st October 2018 to develop: Former Vaynor & Penderyn High School And Godre Coed Playing Fields Old Church Street Cefn Coed Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Merthyr Tydfil County Borough Council
F.a.o. Mr C Jones
Unit 5, Triangle Business Park
Pentrebach
Merthyr Tydfil

Description of Proposed Development

Construction of a new Primary school on the former School Site and provision of internal access road, car park and games area on part of the Godre'r Coed playing field site (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 December 2018

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 Numbers: TS1048 - P04; TS1048 - P05; TS1048 - P06; TS1048 - P07; TS1048 - P08; TS1048 - P09; TS1048 - P12; TS1048 - P13; 4324-WSP-XX-CP-DR-CH-100-001/S01; 4324-WSP-XX-CP-DR-CH-100-002/S01.

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

- 3 **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.

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.

- 4 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.

- 5 Prior to the construction of the school building hereby approved samples of the materials to be used in the construction of the external surfaces 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 acceptable in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

Condition 5 discharged on 15.6.20 - App. No. P/20/0044.

- 6 Notwithstanding the submitted plans, prior to the occupation of the school hereby approved the colour and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the school is brought into use.

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

- 7 Prior to the access road hereby approved being brought into use, details of the entrance gate and railings shall be submitted to and approved in writing by the local planning authority. The entrance gate and railings shall be erected as approved before the road is brought into use.

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

- 8 **No development shall commence** until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the relevant part of the development being brought into use.

Reason - To ensure adequate disposal of foul and surface water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

Condition 8 discharged on 14.10.19 - App. No. P/19/0107.

- 9 **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 BW7 of the Merthyr Tydfil Local Development Plan.

Condition 9 Discharged on 25.04.2019 - App. No. P19/0094

- 10 **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction;
- and

vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 10 discharged on 7.8.19 App. No. P/19/0093.

- 11 Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1400 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.

- 12 **BEFORE the development hereby approved commences on-site**, a site investigation to determine the nature and extent of contamination shall be undertaken, and the results provided to the Local Planning Authority in the form of a risk assessment. The site investigation should include sampling of the fill material through trial pits or boreholes. If the site investigation results indicate that the site is contaminated, a scheme of remediation works shall be submitted to and approved by the Local Planning Authority in writing. The scheme as approved shall be fully implemented and completed **BEFORE** the development hereby approved commences on site.

Reason - To ensure that any contaminated soil or material is addressed and dealt with in an appropriate manner, in the public interest and in the interests of the future occupiers of the dwelling hereby approved.

Condition 12 Discharged on 19/06/19 App No. P/19/0111.

- 13 If the site investigation indicates that the site is contaminated, the school hereby approved shall not be occupied until a third party report which verifies that the submitted scheme of remediation works have been implemented in full, has been submitted to and approved in writing by the Local Planning Authority. This report should also provide evidence that any material imported to the site as part of any remediation strategy is free from contamination.

Reason - To ensure that any contaminated soil or material is addressed and dealt with in an appropriate manner, in the public interest and in the interests of the future occupiers of the dwelling hereby approved.

- 14 Before the school hereby permitted is brought into use, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The recommendations contained within the approved School Travel Plan should be implemented in full thereafter.

Reason - In order to promote sustainable modes of transport. in accordance with Policy BW12 of the Merthyr Tydfil Local Development Plan.

- 15 Before the school hereby permitted is brought into use, a Road Safety Audit shall be submitted to and approved in writing by the local planning authority. Any measures recommended in the audit reports shall be fully implemented in accordance with a timescale which has first been submitted to and agreed in writing by the local planning authority.

Reason - In the interests of highway and pedestrian safety in accordance with Policies BW12 and TB11 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.