

DELEGATED REPORT

Application No:	P/23/0229
Site Address:	Blaen-y-Garth Farm Blaen-y-garth Access Road Pant Merthyr Tydfil CF48 2UY
Development:	Variation of condition 1 of planning permission P/16/0094 to extend the time period for the commencement of development (a further 5 years)
Case Officer:	Gareth Davies
Site Visit:	
Application Expiry Date:	7th October 2025
Consultation reply date expired:	4th June 2026

SITE NOTES:

APPLICATION SITE

This application relates to an area of grassland within the open countryside measuring approximately 3.6 hectares. The site is located in the northern part of the County Borough, adjacent (north-east) to the Brecon Mountain Railway and 0.2km to the north-west of Pant. The site is also situated approximately 1.3km to the south of the Brecon Beacons National Park.

The site itself comprises 3 field enclosures with a number of trees and hedgerows scattered along the boundaries. In the northern part of the site is a farmyard together with the former Blaen Y Garth farmhouse and barn, which is in a dilapidated condition due to the loss of its roof, which has resulted in significant damage to its interior. It is noted that the farmhouse is a Grade II listed building. It appears that the farmhouse has not been occupied for a considerable length of time and the barn has been used for storage and the keeping of animals.

A former railway line runs along the southern boundary of the site which is defined as a raised embankment and is intersected by an existing stone track that provides access to the farmhouse. This track links to the car parking area serving the Brecon Mountain Railway (to the south-west), with access then on to the main highway (a link road between Pant and Pontsticill to the north).

PROPOSED DEVELOPMENT

This is an application under Section 73 of the Town & Country Planning Act 1990 to vary condition 1 of planning permission P/16/0094 to allow further time for the commencement of development. Planning permission was granted on 4th October 2018, and this application was submitted before the original planning permission expired on 2nd October 2023. The description of development and the content of the application remain unaltered, and the original detail as previously reported is repeated here for the sake of completeness.

Full planning permission is sought for the creation of a tourist holiday park to accommodate a total of 57 camping and caravan pitches, comprising 20 mobile homes, 14 touring caravan pitches, 15 tent pitches and 8 glamping pods. Additionally, two amenity buildings are proposed, which would provide toilet and showering facilities. There would be a change of use and restoration of the existing farmhouse to accommodate an office, storeroom, and shop, together with the conversion and extension of the barn to provide a tourist information area and cafe.

The restoration of the farmhouse would involve the provision of a new slate roof, the installation of new timber framed sash windows and timber doors, together with a new lime wash finish to the external elevations. The existing modern porch would be removed and replaced with a new timber canopy. Additionally, the existing dry-stone walls adjoining and surrounding the farmhouse would be restored. The internal layout of the farmhouse would remain unchanged.

The existing barn originally comprised a stone-built structure with a pitched slate roof, which has since been lost with only the walls now still standing. Previously attached to one side was a dilapidated steel profiled clad shed which had been used to accommodate animals. It is proposed that this lost element of the building be replaced with a new extension of a similar scale to accommodate part of the proposed cafe. The extension would measure 5.6m wide by 10.5m deep and 2.5m high with a flat roof. The external finishes would comprise timber cladding on the external elevations together with a glazed corridor linking the extension to the original barn structure.

One of the toilet/shower blocks (amenity building 1) would be located to the north (rear) of the barn to serve nearby glamping pods and tent pitches. This building would measure 15m wide by 5.6m deep and 4.3m high with a pitched roof. The other amenity building would be located to the south-east of the farmhouse adjacent to large stone walls, which appear to be the remains of a former building/structure. This amenity building would measure 15m by 5.6m deep and 4.3m high with a pitched roof. The external finishes of both amenity buildings would comprise render on the elevations with a slate roof and would include 2.3m high stone walls that screen the entrances.

The proposed mobile homes would be located within the south-east part of the site and would generally be of a simple timber construction with elongated windows and a large, glazed entrance. Each mobile home would be prefabricated and of the same design measuring 6.7m wide by 11.9m deep and 2.9m high with a flat roof. Each unit would also incorporate a small, decked area to provide external amenity space.

The proposed touring caravan and tent pitches would be provided at the centre of the site, together with two ponds, which would help support a sustainable drainage system. In the

northern extent of the site, glamping pods would be provided, which generally consist of a canvas structure measuring 5.6m wide by 8m deep and 3.1m high.

A detailed landscaping scheme has been provided, the submitted plans illustrate the development would involve the restoration of existing stone boundary walls, the planting of trees alongside the new tracks within the site and scattered amongst the various pitches. A woodland area would also be provided in the south-east corner of the site.

To accommodate the development a new access track into the site is proposed, which would vary between 3.9m and 5.5m wide over a length of 170m. This track would provide a new link between the Brecon Mountain Railway carpark and the existing track serving the farmhouse. Additionally, a network of new tracks would be formed within the site to provide access to the respective camping/caravan pitches along with some parking bays. The main tracks and parking bays would be surfaced with compacted Whindust and the secondary tracks and hardstanding areas for the touring caravans would be constructed using an 'X-Grid' grass road system.

The current application is supported by: -

- Preliminary Ecological Appraisal including Bat Survey
- Green Infrastructure Statement
- Heritage Statement

PLANNING HISTORY

P/23/0228 - Listed Building Consent is sought for the restoration of the external and internal fabric of the farmhouse to enable the building to be brought back into beneficial use. - not yet determined.

P/16/0095 – Listed Building Consent for the conversion of Blaen-Y-Garth Farmhouse, including internal and external restoration works, to accommodate an office, storeroom, and shop, as part of a tourist holiday park development. The conversion of existing barn, including the demolition of a side annexe with associated internal and external works, to provide a tourist information area and cafe – Approved 3rd October 2018

P/16/0094 - Full planning permission is sought for the creation of tourist holiday park comprising 57 camping and caravan pitches. The restoration and change of use of the farmhouse to accommodate an office, storerooms, and shop. Conversion and extension to existing barn to provide tourist information area and cafe. Erection of two amenity buildings and construction of a new vehicular access road, landscaping, and associated infrastructure works

CONSULTATION

Engineering & Highways – No objection

Estates – No objection

Councils Ecologist – No objection

Environmental Health – No objection

Rights of Way – no response received.

Natural Resources Wales – No objection

Dwr Cymru Welsh Water – No objection

South Wales Fire & Rescue Service – No objection

Heneb – No objection

HSE – No objection

Cadw – No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a letter was sent to Garth Farm (adjoining property) and to the Brecon Mountain Railway Ltd. On 24th October 2023, and site notices were displayed within the vicinity of the site on 11th March 2024. No observations or objections have been received as a result of the public consultation exercise.

Due to the applicant providing additional required information to support the application a further round of consultation was undertaken with site notices posted on site on 20th May 2026 and neighbour notification letters were sent on 14th May 2026.

POLICY CONTEXT

The following policies are relevant to the determination of this application: -

National Policy

Future Wales The National Plan 2040 (February 2021)

Policy 1- Where Wales will grow.

Policy 2 – Shaping Urban Growth and Regeneration.

Policy 3 – Supporting Urban Growth and Regeneration

Policy 7 – Delivering Affordable Homes

Policy 33 – National Growth Area – Cardiff Newport and the Valleys

Planning Policy Wales (Edition 12 February 2024)

Paragraph 2.26 – Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process.

Paragraph 3.9 – the special characteristics of an area should be central to the design of a development. The layout, form, scale, and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.

Paragraph 3.55 – Previously developed land should, wherever possible be used in preference to greenfield sites where it is suitable for development. In settlements such

land should generally be considered suitable for appropriate development where its re use will promote sustainability principles, and any constraints can be overcome.

Paragraph 3.60 - ... new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Paragraph 4.51 - Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity, and a place to relax often in the presence of nature.

Paragraph 5.41 - For planning purposes, the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long-term prosperity, jobs, and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.

Paragraph 5.42 - Economic land uses include the traditional employment land uses (offices, research and development, industry, and warehousing), as well as uses such as retail, tourism, and public services.

Paragraph 5.51 - Tourism involves a wide range of activities, facilities and types of development and is vital to economic prosperity and job creation in many parts of Wales. Tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection.

Paragraph 5.52 - The planning system encourages tourism where it contributes to economic development, conservation, rural diversification, urban regeneration, and social inclusion, while recognising the needs of visitors and those of local communities... In addition to supporting the continued success of existing tourist areas, appropriate tourism-related development in new destinations is encouraged.

Paragraph 5.53 - In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy. In addition to more traditional forms of rural tourism, planning authorities should plan positively for active, green, and cultural tourism where they are appropriate. Development should be sympathetic in nature and scale to the local environment.

Paragraph 5.57 - Planning authorities should adopt positive approaches to proposals which utilise previously developed or disused land and water bodies for tourism uses.

Merthyr Tydfil Replacement Local Development Plan 2016 – 2031

The relevant LDP Objectives are: -

- LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.

- LDP Objective 6 Sustainable Design: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.
- LDP Objective 7 Transport: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling, and public transport links.
- LDP Objective 10 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.

The following development plan policies would apply: -

- Policy SW4: Settlement Boundaries
- Policy SW9: Planning Obligations
- Policy SW11 Sustainable Design and Placemaking
- Policy SW12: Improving the Transport Network
- Policy CW1: Historic Environment.
- Policy EnW1: Nature Conservation & Ecosystem Resilience
- Policy EnW4: Environmental Protection.
- Policy EcW7: Tourism, Leisure, and Recreational Development

The following supplementary planning guidance is also applicable: -

Merthyr Tydfil Local Development Plan Supplementary Planning

- Guidance Note 4: Sustainable Design (July 2013).
- Guidance Note 5: Nature and Development

PLANNING CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

In this instance, the applicants have applied under s.73 Town and Country Planning Act 1990 to amend condition 1 of Planning Permission P/16/0094 (see above) to extend the period of time within which development must commence. In such circumstances the Local Planning Authority are required to consider only the conditions subject to which the planning permission should be granted and in doing so the Local Planning Authority must consider whether there has been any change in policy or any other material circumstance that might affect the proposal. If the application is successful, this results in the grant of a new permission.

The Local Planning Authority may grant the permission subject to conditions differing from those to which the previous permission was granted or refuse the application. The Local Planning Authority however do not have the power to impose conditions which could not

have been imposed on the original permission nor impose conditions that would result in a fundamental alteration to the development approved by the original application. Whether the application is granted or refused the original grant of planning permission would remain, albeit that in this case it would be time expired.

The key consideration in the determination of this application is that planning policy remains supportive of the proposed development within the terms laid down by the adopted Merthyr Tydfil Replacement Local Development Plan the earlier application having been determined under its predecessor. Additionally, since that original grant of planning permission, Planning Policy Wales has been updated to its 12th edition and the impact of this will also need to be considered within the context of the proposed development. Future Wales – The National Plan has also been introduced since the original grant of permission and the impact of this will also need to be considered.

Applications made under Section 73 of the Town & Country Planning Act 1990 allow the Local Planning Authority to do one of two things when an applicant seeks to vary the condition, it can: -

- (a) Grant consent either with or without conditions; or,
- (b) Refuse.

In that the Council can approve with or without conditions, it is also appropriate to consider the extent and nature of all the previous conditions attached and if the application is to be granted amend them to reflect current circumstances and requirements.

The original grant of planning permission for the development of this site as a tourist and recreation facility was acceptable in principle and compliant with planning policy at the local and national level. Since the original grant of planning permission, the following changes have occurred in terms of planning policy: -

- Future Wales - The National Plan 2040 (February 2021) has been introduced.
- Planning Policy Wales has been updated to its 12th Edition, and
- The Merthyr Tydfil Local Development Plan has been replaced by the Merthyr Tydfil Replacement Local Development Plan.

However, across all three of these documents there is still support for appropriately designed and located recreational and tourist facilities, including in circumstances where they might come forward outside of defined settlement limits as is the case in this instance. This is most noticeably articulated under Polic EcW7 of the Replacement Local Development Plan which specifically supports the development of tourism related facilities which the current submission continues to meet.

The design and landscaping of the site was the subject of detailed consideration when the original planning application was first determined. At that time the proposed changes including the restoration of the listed building and the introduction of mobile homes and glamping pods on to the site along with the new buildings, access improvements and the restoration of field boundaries were found to be acceptable in the planning balance, the restoration of the listed building and the benefit that would bring more than off sets the impact of the overall development on its setting. This will remain the case as then, as now the proposed development is respectful of its setting within the historic landscape area and its close proximity to the Bannau Brychiniog National Park. As such the proposal is

compliant with the requirements of Replacement Development Plan Policies SW11 and EnW5 in as much as they relate to this particular issue.

The site is located in a landscape of historic interest and there are a number of historic features within the site and the wider area which includes the listed farmhouse, ventilation shafts all listed and the Morlais Hill Ring Cairn and Morlais Castle outside but close to the site which are both Scheduled Ancient Monuments (SAM's). The original application was supported by a Historic Impact Assessment that evaluated the impact of the proposals on the historic resource. The conclusion of the assessment was that the proposed development was justified on the basis that the change in the character of the area was justified on the basis the development would deliver the restoration of the listed farmstead and the historic field boundaries. Given the deterioration of the listed farmstead since the original grant of planning permission the case today is more pressing than ever and in accordance with the requirements of Replacement Local Development Plan Policy CW1.

The current application is supported by an updated Preliminary Ecological Appraisal in light of the concerns originally raised in respect of the site. The loss of the roof has reduced the potential for bats to roost on the site though the remaining structures and field boundaries still offer opportunities for foraging. The potential for reptiles at the site remains low due to the fact the site has a short and uniform grass sward. Notwithstanding the above, the application offers the opportunity to deliver net benefit for biodiversity which can be delivered through planning conditions attached to any permission that might be granted as was the case with the original grant of planning permission. It should be noted that the Council's Ecologist has not objected to the renewal of planning permission and the proposals remain in accordance with the requirements of Replacement Local Development Plan Policy EnW1, particularly as under the current application a landscaping plan has been provided lending greater certainty to the intention to improve biodiversity in the south eastern part of the site.

Access to the site as at present would be via the existing car park serving the Brecon Mountain Railway which itself has been subject of some improvements and resurfacing works. Access into the site and its internal roads, tracks will be privately maintained and linked to the existing track. The original application was the subject of a Transport Assessment which found the proposals acceptable as they would not have any undue and passing bays adverse impact on the wider highway network. The current submission has been the subject of consultation with the Engineering and Highways Manager who has confirmed the proposals remain acceptable subject to the same conditions as originally imposed on the 2016 applications. As such the proposals remain acceptable and in compliance with the requirements of Replacement Local Development Plan Policies SW11 and SW12 in as much as they relate to this issue.

The nearest residential properties are located at least 0.2km away from the site taking into the account the location and context of the site, the development would not have an adverse impact on residential amenity in terms of loss of privacy, overbearing impacts or through excess noise and disturbance. In this respect, it is acknowledged that no such concerns have been raised by local residents following the publicity exercise undertaken. Therefore, the proposal complies with policy SW11 of the Replacement Local Development Plan.

CONCLUSIONS

The proposed development remains acceptable in terms of planning policy and all other relevant material planning considerations.

The duty to improve the economic, social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons, the proposed development is acceptable and complies with the relevant Replacement Local Development Plan policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS** and the **ISSUANCE OF THE LISTED BUILDING CONSENT (P/23/0228)**.

CONDITIONS/REASONS:

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. 04b - Cafe & Visitor Information centre, received 10.02.2018
Drawing No. 04d - Farmhouse as Proposed, received 30.04.2018
Drawing No. 04e - Mobile Home, received 30.03.2016
Drawing No. 04f - Glamping Tent, received 30.03.2016
Drawing No. 04g - Amenity Building 1, received 30.03.2016
Drawing No. 04h - Amenity Building 2, received 30.03.2016
Drawing No. 0002 - Existing & Proposed Site Plan, received 11.07.2018
Drawing No. 0007 - Existing & Proposed Site Sections A, received 02.03.2018
Drawing No. 0008 - Existing & Proposed Site Sections B, received 02.03.2018
Drawing No. 0009 - Farmhouse Site Layout, received 02.03.2018
Drawing No. 0011 - Gas Pipeline Analysis, received 11.07.2018
Drawing No. 0012 - Landscaping Details, received 11.07.2018
Drawing No. 0015 - Road Sections, received 02.03.2018
Drawing No. 0016 - Existing and Proposed Spot Levels, received 13.07.2018

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

3. The development, consisting of mobiles homes, caravans, glamping tents and camping pitches, 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 at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all 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 SW4 of the Merthyr Tydfil Replacement Local Development Plan.

4. Before the tourist holiday park hereby permitted is brought into beneficial use, the listed building (Blaen Y Garth Farmhouse) shall have been repaired and restored completely in accordance with the details approved by the listed building consent P/16/0095.

Reason - To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the listed building in accordance with Policy CW1 of the Merthyr Tydfil Replacement Local Development Plan.

5. **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 beneficial use of the development and retained in perpetuity.

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

6. **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.

7. **Prior to works commencing on site**, details for the construction of the new access road, compacted 'whindust' tracks, 'X-Grid grass road' system and hardstanding areas, as illustrated on drawing no. 0012 (Landscape Details), shall be submitted to and approved in writing by the Local Planning Authority. The access road, tracks and hardstanding areas shall be completed in accordance with the approved details prior to the beneficial use of the holiday park and maintained as such thereafter.

Reason - In the interests of road safety in accordance with Policies SW11 of the Merthyr Tydfil Replacement Local Development Plan.

8. The siting of mobile homes, caravans, glamping tents and camping pitches shall be limited to the number and specific locations as indicated on the proposed site plan (Drawing No. 002, received 2nd March 2018). No additional mobile homes, caravans, glamping tents or camping pitches 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 Policy SW4 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.

9. **No development shall take place** until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) A statement setting out the design objectives and how these will be delivered;
- ii) earthworks showing existing and proposed finished levels or contours;
- iii) means of enclosure and retaining structures, including the restoration/repairs to existing stone walls;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.), and
- vi) water features.

Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate and an implementation programme (including phasing of work where relevant).

The hard landscaping works shall be completed in accordance with the approved details **prior to the opening of the tourist holiday park to members of the public**. 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 opening of the tourist holiday park to members of the public 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 a countryside location in the interests of amenity and to accord with Policies SW11 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.

10. **No development shall take place** until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall focus on bats, reptiles, nesting birds, trees and boundary walls/hedgerows 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;
- 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. 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 in accordance with the approved details and timing of the plan.

Reason - To protect the natural environment in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

11. **Prior to the opening of the tourist holiday park** to members of the public, details of the external lighting scheme 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 opening of the tourist holiday park to members of the public 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 EnW4 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.

12. **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 - To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to accord with policy CW1 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. The grant of planning permission does not entitle developers to obstruct a public right of way. Enforcement action may be taken against any person who obstructs or damages a right of way. Development, in so far as it affects a right of way, should not be started; and the right of way should be kept open for public use until the necessary order under s.247 or s.257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has come into effect. Nor should it be assumed that because planning permission has been granted an order will invariably be made or confirmed. If you need help or advice concerning the diversion or extinguishment order you should contact the Town Planning Division on 01685 726213/planning@merthyr.gov.uk. If you need advice about the right of way you should contact the Rights of Way Division on 01685 725309/rightsofway@merthyr.gov.uk.
2. 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.

3. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

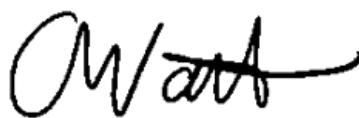
4. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

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.

RECOMMENDATION ENDORSED

p.p.

A handwritten signature in black ink, appearing to read 'Watt', written over a horizontal line.

Director of Neighbourhood Services

DATE: 23rd July 2026