

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 Liam Griffiths Asbri Planning Ltd. Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS

WHEREAS you submitted an application on the 19th February 2024 to develop: Land to the North of Goitre Lane Gurnos Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

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

Description of Proposed Development

Construction of a new Primary School including access, landscaping, play / sports pitches, parking, external works, swale, plant 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: 1st August 2024

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

- 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:

Site Location Plan 26CB01-LAW-XX-GF-DR-A-039-0001-P02
Ground Floor Plan GA 26CB01-LAW-XX-GF-DR-A-061-1001_P04
Roof Plan GA 26CB01-LAW-XX-GF-DR-A-061-1002_P02
Proposed North, West, East & South Elevation 26CB01-LAW-32-XX-DR-A-062-2100_P03
Proposed Sections 26CB01-LAW-XX-GF-DR-A-063-001_P03
Existing Site Plan 26CB01-LAW-30-GF-D-A-039-002_P01
Proposed Site Plan 26CB01-LAW-30-00-D-A-069001_P00
Vehicle Swept Path Analysis - Fire Tender CC2538-CAM-XX-XX-DR-C-0100-P04
Vehicle Swept Path Analysis – Refuse CC2538-CAM-XX-XX-DR-C-0101-P04
Vehicle Swept Path Analysis - Standard Rigid Bus CC2538-CAM-XX-XX-DR-C-0102-P04
Vehicle Swept Path Analysis - Rigid Truck CC2538-CAM-XX-XX-DR-C-0103-P03
Vehicle Swept Path Analysis - Standard Design Vehicle CC2538-CAM-XX-XX-DR-C-0104-P03
Proposed External Hard Works 26CB01-CAM-50-XX-D-C-1100-S4-P04
Proposed Levels Plan 26CB01-CAM-51-XX-D-C-0600-S4-P04
General Arrangement Plan 26CB01-CAM-52-XX-D-C-0002-S4-P01
Proposed Surface Water Drainage Plan 26CB01-CAM-52-XX-D-C-0504-S4-P03
Proposed Foul Water Drainage Plan 26CB01-CAM-52-XX-D-C-0509-S4-P03
Pitch Drainage Construction Details 26CB01-CAM-52-XX-D-C-1105-S4-P02
Drainage Construction Details 26CB01-CAM-52-XX-D-C-1106-S4-P02
Drainage Construction Details 26CB01-CAM-52-XX-D-C-1107-S4-P02
Proposed Catchment Plan 26CB01-CAM-53-XX-D-C-1500-S4-P03
External Services Plan 26CB01-WSP-73-00-D-ME-500301_P02
Landscape and GI Constraints and Opportunities Plan 2387201-SBC-00-XX-DR-L-300-PR02
Tree Pits and Hedge Details 2387201-SBC-00-XX-DR-L-500-PR01
Strategic Soft Landscape Plan 26CB01-SBC-00-XX-DR-L-0400_P04
External Areas Calculations 26CB01-SBC-00-XX-DR-L-0401_P03
West off-site habitat compensation sketch design 26CB01-SBC-00-XX-DR-L-0402_P04
South off-site habitat compensation sketch design 26CB01-SBC-00-XX-DR-L-0403_P04
Biodiversity Enhancement Plan 26CB01-SBC-00-XX-DR-L-0405_P01
Biodiversity Strategy V2 14th May 2024 Ecological Services
Ecological Impact Assessment V2 13th May 2024
Ecology & Landscape Addendum V1 9th May 2024
Invertebrate Survey Report October 2022
Phase One Ecology Report
Reptile Survey Report 30th October 2023
Bats and Tree Survey 12th February 2024
Project Specific Method Statement Morgan Sindall

GI Statement Rev F 15 05 24 (Soltys Brewster)
Remediation Strategy 15th March 2024 (Ashfield)
Arboricultural Report 8th April 2025 (ArbTS)
Planning Statement February 2024 (Asbri Planning)
Design and Access Statement February 2024 (Lawray Architects)
Transport Assessment February 2024 (Asbri Transport)
Travel Plan February 2024
Acoustic Report (Formant Ltd)
Baseline Noise Survey Report
Energy Statement February 2024 WSP
Site Investigation Report November 2023 (Integral Geotechnique)
Archaeological and Heritage Desk-Based Assessment January 2024 EDP

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

- 3 **No buildings within the application site shall be brought into beneficial use** until such time as reinforcement works to the local water supply network to serve the development have been completed as identified in a Hydraulic Modelling Assessment and that written confirmation of this has been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure the site is served by a suitable potable water supply in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SO04087205.

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 in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 5 No surface water and/or land drainage shall 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 in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 6 The development hereby approved shall not be brought into beneficial use until the provision of a grease trap has been installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason - To protect the integrity of the public sewage system and ensure the free flow of sewage in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 7 **Prior to the school building being brought into beneficial use** details of cycle stands for visitors and staff shall be submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be implemented in accordance with the approved details prior to the school building being brought into beneficial use and shall be retained in good condition thereafter.

Reason - To support sustainable transport and in the interests of highway safety in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

- 8 The parking facilities shall be laid out in accordance with the Proposed Site Plan (Drawing No. 26CB01-LAW-30-00-D-A-0690011 - P00) and constructed in consolidated materials, details of which shall first be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of the school building. The development shall be completed in accordance with the approved details prior to the beneficial occupation of the school building and the parking and turning area shall remain available for such purpose at all times thereafter.

Reason - To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

- 9 The proposed highway works along Goitre Lane as shown on the General Arrangement Plan (Drawing No. 26CB01-CAM-52-XX-D-C-0002-P01) which includes a new toucan crossing and roundabout shall be provided prior to the school building being brought in to beneficial use.

Reason - In the interests of highway safety in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

- 10 Prior to the construction of the development hereby approved details/samples of the materials to be used in the construction of the external surfaces of the building(s) 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 and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Condition 10 discharged on 24.03.25 App No. P/25/0060.

- 11 **Prior to the development hereby approved coming into beneficial use**, a detailed plan indicating the positions, height, design, materials 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 in accordance with the approved details prior to the school building being brought into beneficial use.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 12 The solar panels hereby approved and associated equipment shall be removed from the site in its entirety within 2 months of it no longer being required for generating electricity or 25 years from the date of this permission, whichever is sooner.

Reason - In the interests of visual amenity and no permanent degradation of panels which would no longer be required in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan

- 13 **Prior to the development hereby approved coming into beneficial use** the biodiversity/ecological enhancements as shown on the Proposed North, West, East & South Elevation (Drawing No. 26CB01-LAW-32-XX-DR-A-062-2100_P03) and shall be implemented in full and maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 14 **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 provided from north to south and east to west across the site, together with dark routes for access to the integral bat boxes.
- a plan illustrating the lux levels across the site overlaid with the dark corridors
- the onsite lighting shall include details of the proposed colour temperatures
- details of night control to ensure lighting is not operational when not required.

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

Reason - To ensure there is no adverse impact upon European Protected Species in accordance with Policy EnW2 of the Merthyr Tydfil Replacement Local Development Plan.

- 15 Prior to the beneficial occupation of the new school building, the electric vehicle charging points shall be provided in accordance with the submitted details as shown on the Proposed Site Plan (Drawing No. 26CB01-LAW-30-00-D-A-069001_P00) and should be retained as such in perpetuity.

Reason - To support the use of electric vehicles in accordance with Policy SW12 of the Merthyr Tydfil Replacement Local Development Plan and Policy 12 of Future Wales

- 16 All soft landscaping as proposed shall be carried out no later than the first planting season following the beneficial occupation of the development hereby approved. If within a period of up to five years from the planting of any proposed landscaping, any tree or hedgerow planted is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), a replacement of the same species

and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - To safeguard long term amenity, landscape and ecological interests in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan

- 17 Prior to the construction of any retaining walls which exceeds 1m in height, details, including structural calculations and facing materials, shall be submitted to and approved in writing by the Local Planning Authority. The retaining 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.

- 18 Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 0800 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. Technical approval of the proposed S278 works on the existing highway will be required from the Highway Authority.
2. The proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.
3. Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately (0300 065 3000).
4. Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.

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.