

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: MKR Properties Ltd c/o Powell Dobson Architects F.a.o. Mr I Faulkner Suite 1F, Eastern
Business Park Wern Fawr Road

WHEREAS you submitted an application on the 3rd June 2020 to develop: Land At Pant Industrial Estate
Pant Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

MKR Properties Ltd
Unit 1
Pontsarn Road
Merthyr Tydfil
CF48 2TN

Description of Proposed Development

Erection of industrial units (Use Classes B1, B2, B8) 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: 12th August 2020

Signed:



(Director of Neighbourhood Services)

**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. 1970 (05) 102 Rev C Proposed Site Plan received on 10.07.2020

Drawing no. 19070 (05) 201 Rev A Unit 1 - Floor plans and elevations received on 03.06.2020

Drawing no. 19070 (05) 201 Rev A Unit 2 - Floor plans and Elevations received on 03.06.2020

Drawing no. 19070 (05) 202 Rev C Units 3 & 4 - Floor plans and elevations received on 03.06.2020

Drawing no. 19070 (05) 203 Rev B Units 5, 6 & 7 Floor plans and elevations received on 03.06.2020

Drawing no. 19070 (05) 204 Rev A Units 8-14 Floor plans and elevations received on 03.06.2020

Drawing no. 1970 (05) 104 Rev B Proposed Site Sections received on 03.06.2020

Drawing no. 305056-020 Rev B Proposed External Levels Layout received on 03.06.2020

Drawing no. 305056-045 Proposed Road Construction Details Sheet 01 received on 03.06.2020

Drawing no. 305056-046 Proposed Road Construction Details Sheet 02 received on 03.06.2020

Drawing no. 305056-040 Proposed Drainage Construction Details Sheet 01 received on 03.06.2020

Drawing no. 305056-041 Proposed Drainage Construction Details Sheet 02 received on 03.06.2020

Drawing no. 305056-042 Proposed Drainage Construction Details Sheet 03 received on 03.06.2020

Drawing no. 305056-043 Proposed Drainage Construction Details Sheet 04 received on 03.06.2020

Drawing no. 305056-004 Rev A Post Development Surface Water Runoff received on 03.06.2020

Drawing no. 305056-031 Existing Underground Drainage Remediation Works Layout received on 03.06.2020

Drawing no. CA 2020-44 Rev A Landscape Overall Proposals received on 29.07.2020

Drawing no. CA 2020-46 Rev A Landscape Planting Details received on 29.07.2020

MKR: Pant Industrial Estate: Planting Schedule received on 29.07.2020

Drawing no. CA 2020-43 Landscape Existing and Overlay received on 29.07.2020

Drawing no. CA 2020-45 Rev A Tree Section Rain Garden received on 29.07.2020

Drawing no. 305056-032 Rev B Proposed Underground Drainage Layout received on 31.07.2020

Drawing no. 5055-HAH-00-SW-DR-E-60-0101 Rev P02 Site Wide Landlord Electrical Services received on 05.08.2020

Ecological Assessment Issue 1VD received on 05.08.2020

Planting Methodology and Aftercare Landscape Ecology Management Plan LEMP Rev 5 August 2020 received on 05.08.2020

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

- 3 **Prior to the occupation of any unit hereby approved**, the 2.5m by 40m vision splays shall be provided in accordance with the details shown on drawing 1970 (05) 102 Rev C and shall thereafter be maintained free of any obstruction exceeding 0.9m in height.

Reason - In the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 Prior to the occupation of the units hereby approved a 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 as approved before the uses are commenced.

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.

Condition 4 Discharged on 01.10.20 App No. P/20/0208.

- 5 No unit shall be occupied until space has been laid out within the site in accordance with drawing no 1970 (05) 102 Rev C for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available for the parking of vehicles/such purposes in perpetuity.

Reason - In the interests of highway safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping (as illustrated on drawing numbers CA 2020-44 Rev A, CA 2020-46 Rev A, CA 2020-45 Rev A, 1970 (05) 102 Rev C and within the MKR planting schedule) 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.

- 7 No materials, products, equipment or machinery shall be stored outside the building(s) hereby approved.

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

- 8 **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 .

Condition 8 discharged on 02.11.23 App No. P/23/0227.

- 9 **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any contamination and/or land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the first beneficial use of the development in accordance with the approved details and retained in perpetuity.

Reason - The site may be contaminated or unstable and as such in the interests of safety remedial measures may need to be carried out.

Condition 9 Discharged on 01.10.20 App No. P/20/0208.

- 10 If during the course of development, any unexpected contamination or land instability issues are found which were not identified in the site investigation referred to in condition 9, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the period agreed in the remediation scheme.

Reason - The site may be contaminated or unstable and as such in the interests of safety remedial measures may need to be carried out.

- 11 **Prior to the beneficial occupation of the units hereby approved**, details of the CCTV cameras shall be submitted to and approved in writing by the local planning authority. The details shall include the height of the proposed poles and the design of the proposed CCTV cameras. The CCTV cameras shall be installed in accordance with the approved details.

Reason - To protect the natural environment and important environment and in the interests of visually acceptable amenity and residential amenity.

- 12 **Prior to the occupation of the buildings** hereby approved, details of the sub station, bin storage and bicycle storage facilities as illustrated on drawing no 1970 (05) 102 Rev C and CA 2020-44 Rev A, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details prior to the occupation of the buildings.

Reason - In the interests of visual amenity and support sustainable forms of transport and to accord with Policies SW11 and SW12 of the Merthyr Tydfil Local Development Plan.

- 13 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.

INFORMATIVES

1. The developer should note that the proposed development is crossed by a public sewer. The presence of such an asset may affect the proposal. As such, the advice of Welsh Water should be sought prior to the commencement of the development.
2. The developer should be aware that advertisement consent may be required from the local planning authority for the erection of the signage shown on the proposed drawings.
3. 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.

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.