

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: Welsh Water c/o Mott MacDonald F.a.o. Mr J Holbrook Templeback 10 Temple Back
Redcliff 10 Temple Back Redcliff

WHEREAS you submitted an application on the 24th September 2020 to develop: Pengarnddu Service Reservoir Pengarnddu Industrial Estate Dowlais Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Welsh Water
Linea
Fortran Road
Cardiff
CF30 0EH

Description of Proposed Development

Construction a 9ML (mega litre) 2-cell reservoir and associated engineering, access and landscaping works (Full)

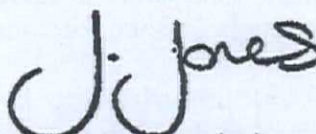
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 14th January 2021

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:

- Dwg No. B10237-123532-ZZ-XX-DR-ZA-PN0069, Rev P03 - Proposed Site Plan (received 24.09.2020)
- Dwg No. B10237-123532-XX-XX-DR-LA-D19003, Rev P02 - Landscaping and Planting General Arrangement (received 24.09.2020)
- Dwg No. B10237-123532-XX-XX-DR-LA-D19004, Rev P01 - Proposed Sections (received 24.09.2020)
- Ecological Impact Assessment Report (received 24.09.2020)
- Contract Management Plan, Rev D (received 10.12.2020)
- Assessment of the Significance of the Impact of Development on Historic Landscape (received 24.09.2020)

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

- 3 **Prior to the development being brought into use**, details including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height shall be 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.

- 4 **Prior to the development being brought into use**, details of the surface material for the access tracks shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

Reason - To ensure that the new development will sensitively integrated with the surrounding historic landscape in accordance with policies CW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 **Prior to the development being brought into use** of the reservoir hereby approved, details of the gravel material to be laid across the top of the reservoir shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details.

Reason - To ensure that the new development will sensitively integrated with the surrounding historic landscape in accordance with policies CW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **Prior to the development being brought into use**, details of the design and finish of the wire mesh fencing 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.

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.

- 7 A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority **prior to the development being brought into use**. The landscape management plan shall be carried out as approved and all planting, seeding or turfing comprised in the approved details of landscaping shall be implemented in the first planting and seeding seasons following the completion of the development.

Reason - To ensure that the new development appropriately integrates with the surrounding landscape and provides suitable habitat environments in accordance with policies EnW1, EnW3 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **Prior to the development being brought into use**, the two brash piles and two hibernacula shall be provided in the locations as set out in the Landscaping and Planning General Arrangements plan (Dwg No. B10237-123532-XX-XX-DR-LA-D19003, Rev P02).

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 **Prior to works commencing on site** a written scheme of historic environment mitigation shall be submitted to 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 in accordance with policy CW1 of Merthyr Tydfil Replacement Local Development Plan.

Condition 9 Discharged on 04.03.2021 – App Ref P/21/0041

- 10 Demolition or 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. A detailed report on the archaeological work, as required by condition 9, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork. The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA) (www.archaeologists.net/codes/cifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited MCIfA Member.

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.