

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: Williams c/o Mr Richard Hughes Black Brick Studio LTD 117 Bute Street Cardiff CF10 5AE

WHEREAS you submitted an application on the 12th June 2024 to develop: Units 5 To 8 Phoenix Industrial Estate Goat Mill Road Dowlais CF48 3TD short particulars of the application being as follows:-

Name of the Applicant

Williams
Units 5 To 8 Phoenix Industrial Estate
Goat Mill Road
Dowlais
Merthyr Tydfil

Description of Proposed Development

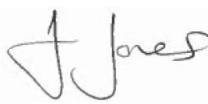
Two storey front extension and extension to side of house
crane and other external alterations (Full)

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: 10th February 2025

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 Title: Proposed Floor Plans, Drawing Number: PL001, Received 12 June 2024

Drawing Title: Proposed Elevations/Site Plan, Drawing Number: PL002, Received 12 June 2024

Drawing Title: Proposed Site Plan, Drawing Number: PL002-2, Rev. 1, Amended Plan Received 4 February 2025

Preliminary Roost Assessment, produced by Acer Ecology, Revision 1 dated 20 November 2024, Received 22 November 2024

Green Infrastructure & Biodiversity Statement produced by Black Brick, dated 13 December 2024 Received 13 December 2024

Coal Mining Risk Assessment produced by Geo Investigate Limited, dated 15 January 2025, reference G24229 Received 16 January 2025

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

- 3 **No development shall take place** until a scheme of intrusive site investigations have been carried out on site to establish the risks posed to the development by past coal mining activity. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any 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. Prior to the first beneficial use of the development remedial measures shall be carried out in accordance with the approved details and retained in perpetuity and a signed statement or declaration (prepared by a suitably competent person) confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

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

- 4 If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in condition 3, 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 unstable and as such in the interests of safety remedial measures may need to be carried out.

- 5 The materials to be used in the construction of the external surfaces of the side extension shall match those used in the existing building.

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.

- 6 **BEFORE** the extensions hereby approved are brought into beneficial use, bat and bird boxes shall be installed in accordance with and drawing number PL002-2 Rev 1. The bat and bird boxes shall be retained in perpetuity thereafter.

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

- 7 **Prior to the installation of any external lighting**, a Lighting Scheme shall be submitted to and agreed in writing by the Local Planning Authority, which shall include:

- Details of the siting and types of all lighting to be used
- Drawings setting out light spillage and demonstrating dark corridors and dark zones to be maintained

Lighting shall only be installed in accordance with the approved details and maintained as such thereafter.

Reason - To limit the impact on protected species and reduce light pollution in accordance with policies EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

INFORMATIVES

1. The developer is advised that any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? - GOV.UK (www.gov.uk)
2. The developer is advised that in areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. In addition, the developer should be aware that wherever coal resources or coal mine features exist at shallow depth or at the surface there is the potential for mine gases to exist.

Where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

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.