

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: The Urbanists c/o The Urbanists F.a.o. Mr Liam Hopkins 8A The Creative Quarter Morgan Arcade Cardiff

WHEREAS you submitted an application on the 20th July 2022 to develop: Gethin Woodland Centre A470 Pentrebach To Rhydycar Northbound Abercarnaid Merthyr Tydfil CF48 1YZ short particulars of the application being as follows:-

Name of the Applicant

The Urbanists
F.a.o. Liam Hopkins
8A Morgan Arcade
Abercarnaid
Cardiff

Description of Proposed Development

Provision of 29 camping pods, changing village, vehicle workshop, children's play area and associated access, drainage and landscape infrastructure (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: 17th February 2023

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:

Dwg No. 18/461/01 Rev J - BPW Landscape Masterplan, received 16.08.2022

Dwg No. 19/461/09 Rev J - Detailed Landscape Proposals Masterplan, received 16.08.2022

Dwg No. 19/461/10 Rev E - BPW Landscape Maintenance Plan, received 20.07.2022

Dwg No. 22/461/25 - BPW Landscape Masterplan Tree Cover, received 20.07.2022

Tree Protection Plans, prepared by Treescene Arboricultural Consultants

Dwg No. (60)010 Rev C - Site Wide Sections, received 16.08.2022

Dwg No. 814.001 Plans, received 20.07.2022

Dwg No. 814.002 Plans, received 20.07.2022

Dwg No. 814.003 Plans, received 20.07.2022

Dwg No. 814.004 Plans, received 20.07.2022

Dwg No. 814.005 Plans, received 20.07.2022

Dwg No. 814.006 Plans & Section, received 20.07.2022

Ecological Impact Assessment Report, Ref WWe22067 ECIA Rev C, dated 16.01.2023

Habitat Management Plan, Ref WWe22067 HMP 2022, dated 22.06.2022

Wildlife Protection Plan, Ref WWe20037 WPP Rev G, dated 23.06.2022

Woodland Management Plan, Ref WWe20037 WMP Rev A, dated 30.06.2022

Landscape Maintenance Programme, dated 03.11.2022

Arboricultural Method Statement and Tree Protection Plan, dated 25.04.2022

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

- 3 **Prior to works commencing on site**, details/samples of the timber/metal cladding and roofing material, including the planted green roof, to be used in the construction of the camping pods, shower block, storage containers and vehicle workshop, 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 3 discharged on 21.03.2023 – App No. P/23/0231

- 4 **No development shall commence**, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The CEMP shall include:

i) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

ii) CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.

iii) Control of Nuisances: details of dust control measures.

iv) Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.

v) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

vi) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

vii) Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented in accordance with the approved details during the site preparation and construction phases of the development.

Reason - In the interest of protecting the environment and to accord with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

Condition 4 discharged on 02.02.2024 – App No P/23/0241

- 5 **No development shall commence** until a drainage scheme for the disposal of foul drainage has been submitted to and approved in writing by the local planning authority. The drainage scheme shall be carried out in accordance with the approved details.

Reason - In the interest of protecting the water environment and public amenity, in accordance with policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

Condition 5 discharged on 04.06.2024 – App No. P/23/0263

- 6 **Prior to the installation of any external lighting** a light mitigation strategy, including details of dark corridors to be retained across the site and measures to reduce light spillage onto foraging habitats for bats, 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 beneficial use of the camping pods and shepherd huts 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, in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.

Condition 6 discharged on 20.12.2023 – App No. P/23/0089

- 7 **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.

- 8 The development hereby approved shall be carried out in accordance with the recommendations of the Ecological Impact Assessment Report (Ref WWE22067 ECIA Rev C) and the Wildlife Protection Plan (Ref WWE20037 WPP Rev G).

Reason - To protect the natural environment in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.

- 9 The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan (dated 25.04.2022).

Reason - To protect the natural environment and the features of the Special Landscape Area, in accordance with Policies EnW1, EnW2, EnW3 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.

- 10 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No. 19/461/09 Rev J) shall be carried out in the first planting and seeding seasons following the beneficial use of the camping pods and shepherds huts, 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 Policies SW11 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 The development hereby approved shall be carried out in accordance with the Woodland Management Plan (Ref WWE20037 WMP Rev A) for a period of 25 years, starting from the date the camping pods and shepherd huts are first occupied.

Reason - In the interest of protecting the woodland environment, in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.

- 12 The proposed camping pods and shepherd huts, hereby approved, 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 by Bike Park Wales and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of 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.

- 13 The siting of the camping pods and shepherd huts shall be limited to the number and specific locations as indicated on the proposed BPW Landscape Masterplan (Drawing No. 18/461/01 Rev J). No additional camping pods or shepherd huts 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 Policies SW11 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.

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.