

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: Alans Tyres c/o Mr Anthony Collins 21 Park Place Pontmorlais Merthyr Tydfil CF47 0DJ

WHEREAS you submitted an application on the 4th March 2020 to develop: Willows House Abercanaid Industrial Estate Abercanaid Merthyr Tydfil CF48 1YF short particulars of the application being as follows:-

Name of the Applicant

Alans Tyres
F.a.o. Mr A Owens
Willows House
Abercanaid Industrial Estate
Abercanaid

Description of Proposed Development

Erection of 9 No. storage units (Full)

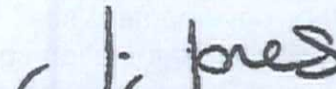
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following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

CONDITIONS

Please see attached.

Date: 23rd April 2020

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:

- Drawing Title: Proposed Site Layout, Drawing Number: 2 of 4, Received on 4 March 2020.

- Drawing Title: Proposed Elevations (Amended) Drawing Number: 4 of 4, Received on 4 March 2020.

- FCA for Storage Units at Abercanaid Industrial Estate prepared by Wallingford HydroSolutions Ltd. Version 1. Reference WHS1729. Dated December 2019. Received on 4 March 2020.

- Coal Mining Risk Assessment: Land at Willows House, Abercanid prepared by Blanford Consulting. Report No. BC/MB/10.19.01. Received on 4 March 2020.

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

- 3 Prior to the construction of the buildings, hereby approved, samples/details of the materials to be used in the construction of the external surfaces of the buildings 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.

- 4 If during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to an approved in writing by the Local Planning Authority. This remediation strategy shall be carried out as approved.

Reason - In the interest of health and safety and environmental amenity and so as to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 **No development shall take place** until intrusive site investigations have been carried out to establish the exact situation in respect of coal mining legacy features. The results of the site investigations 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. Remedial works shall be carried out in accordance with the approved details.

Reason - The site may have coal mining legacy features and as such, in the interests of safety, remedial measures may need to be carried out.

INFORMATIVES

1. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

2. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

3. The application site is within Natural Resources Wales (NRW) flood warning area for Merthyr Tydfil (River Taff). NRW recommend that the owners/occupiers sign up to the NRW Flood Warning Service.

NRW also recommends the applicant to consider the further insurability of the development and advises that they should review the Association of British Insurers published paper 'Climate Adaption: Guidance on Insurance Issues for New Developments' to help ensure any properties are as flood proof as possible and insurable.

4. Wales and West Utilities has pipes in the area. Their apparatus may be affected and at risk from the development. As such they require the developer to contact them directly to discuss their requirements in detail before any works commence on site. Should any diversion works be required, these will be fully chargeable.

5. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

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.