

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: G&B Investments Ltd c/o XL Property Ltd F.a.o. Ms L Forsyth Innisfree Lansdown Road
Bath

WHEREAS you submitted an application on the 4th August 2021 to develop: Ethan Arcade 92 - 94 High Street Merthyr Tydfil CF47 8UP short particulars of the application being as follows:-

Name of the Applicant

G&B Investments Ltd
11-17 Fowler Road
Ilford
Essex
IG6 3UJ

Description of Proposed Development

Conversion of 1st and 2nd floor to 6 No. studio flats and 6
No. holiday lets (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: 25th March 2022

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 No. 9435-103 Rev P4 - Proposed Plans, received 21.02.2022

Drawing No. 9435-104 Rev P4 - Existing and Proposed Sections, received 21.02.2022

Drawing No. 9435-105 Rev P4 - Existing and Proposed Elevations, received 21.02.2022

Bat Emergence and Re-Entrance Survey, received 13.01.2022

Flood Consequence Survey, dated 03.08.2021

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

- 3 **Prior to the occupation of the flats hereby approved**, a noise assessment shall be submitted, as recommended in the Environment Noise Assessment (6048/ENA1_Rev1), which shall include the results of a further break-out assessment to be submitted to and approved in writing by the local planning authority. Details shall also be provided of the music noise limits and the measures that shall be put in place to ensure such limits are not exceeded. The approved measures shall be implemented prior to the occupation of the flats and shall be retained at all times thereafter.

Reason - To ensure appropriate noise insulation and mitigation measures are in place in the interest of residential amenity of the future occupants of the flats, in accordance with policies SW11 and EnW4 of the Merthyr Tydfil Replacement Local Development Plan

- 4 **No development shall take place** until a method statement, comprising a brief precautionary check to rule out the presence of bats or more recent droppings, has first been submitted to and approved by the local planning authority. The method statement shall be implemented fully in accordance with the approved details and under the supervision of a suitably qualified ecologist. Details of the results of the pre-commencement check shall be submitted for approval by the local planning authority **prior to commencement of works**.

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

- 5 **Prior to the occupation of the flats hereby approved**, three bat boxes shall be installed on the western elevation of the building, as recommended in the Bat Emergence and Re-Entrance Survey and illustrated on the proposed elevations (Drawing No. 9435-105 Rev P4).

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

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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