

**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: Mr Richards + Mr Powell c/o George And Co F.a.o. Mr R Stuckey 1st Floor Woodfired  
Studios 62 High Street Merthyr Tydfil

**WHEREAS** you submitted an application on the 4th September 2019 to develop: 40 - 42 High Street Merthyr Tydfil CF47 8DE short particulars of the application being as follows:-

**Name of the Applicant**

Mr Richards + Mr Powell  
C/o George And Co

**Description of Proposed Development**

Proposed refurbishment to create 12 flats and 7 self contained serviced units (holiday lets), together with new shop front, third floor rear extension and associated bike shed and bin store. Change of use of shop to cafe/bar/restaurant (A3 Use) and provision of ground floor storage areas. (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:** 29<sup>th</sup> October 2020

**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 No. 625.001A (Proposed Ground Floor Plans), received 07.10.2020
- Drawing No. 625.011B (Proposed Elevations), received 13.08.2020
- Drawing No. 625.002A (Proposed First Floor Plan), received 23.07.2020
- Drawing No. 625.007 (Proposed Roof Plan), received 23.07.2020
- Drawing No. 625.009B (Proposed Elevations), received 23.07.2020
- Drawing No. 625.003A (Proposed Second Floor Plan), received 23.07.2020
- Drawing No. 625.006 (Proposed Elevations), received 23.07.2020
- Drawing No. 625.004A (Proposed Third Floor Plan), received 23.07.2020
- Drawing No. 625.005 (Proposed Section), received 23.07.2020
- Drawing No. 625.010 (Proposed Elevations), received 23.07.2020
- Drawing No. 625.100 (Shopfront Sections), received 13.08.2020
- Drawing No. 625.101 (Shopfront detail), received 13.08.2020
- Bat Survey Report, received 08.07.2020

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

- 3 **Prior to the construction of the extension** hereby approved details/samples of the materials to be used in the construction of the external surfaces of the shop fronts and rear extension 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 20.04.2023 – App No. P/22/0247**

- 4 No surface water from any increase in the roof area of the building or impermeable surfaces within the site shall be allowed to drain directly or indirectly to the public sewerage system.

**Reason** - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents, to ensure no pollution of or detriment to the environment and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 **Prior to the occupation of the flats** an external lighting plan shall be submitted to and approved in writing by the local planning authority, which shall have regard to the recommendations as set out in Section 5.1 of the Bat Survey Report (received 08.07.2020).

**Reason** - To minimise any potential harm to protected species and to protect/enhance the natural environment in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

- 6 The cafe/bar/restaurant as shown on drawing 625.001A (received 07.10.20) hereby approved, shall only be used as a cafe/bar/restaurant and for no other purpose in Class A3 of the schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended), nor in any provision equivalent to the Class in any statutory instrument revoking and re-enacting the Order.

**Reason** - To clearly define the scope of this permission in the interest of protecting the viability and vitality of the Town Centre and to preserve and enhance the character of the Town Centre Conservation Area, in accordance with policies EcW3 and CW1 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](http://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.**