

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: Corona Vulcan Merthyr Limited c/o Mr Colin Burnett Burnett Planning 7-10 Adam Street
London WC2N 6AA

WHEREAS you submitted an application on the 23rd October 2023 to develop: Land To The South Of
Cyfarthfa Retail Park Swansea Road Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Corona Vulcan Merthyr Limited
C/o Brookfield Properties
One Canada Square
Level 26 Canary Wharf
London

Description of Proposed Development

Variation of condition 1 of planning permission P/18/0399
(relating to a new coffee shop with drive thru) to extend
the period of time for development to commence by a
further 5 years (renewal) (Removal/Variation of Condition)

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: 1st May 2024

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. 18126 (05) 003 Rev B - Proposed Site Plan
Drawing no. 18126 (05) 004 - Proposed Plans
Drawing no. 18126 (05) 005 - Proposed Elevations
Drawing no. 18126 (05) 006 - Proposed Site Sections
Drawing no. 001 Rev B - Softworks Drawing
Drawing no. 0015 Rev A02 - Coffee Drive Through

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

- 3 The unit hereby approved shall only be occupied by a A3 (food & drink) Use or used as a coffee shop, sandwich shop or bakery and not for any other purpose including those set out in class A1 of the schedule for the Town and Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification.

Reason - To protect the vitality and viability of town/local centres in accordance with Policy EcW6 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 **Prior to the construction of the elevations of the coffee shop** hereby approved details/samples of the materials to be used in the construction of the external surfaces of the building 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.

- 5 **Prior to the opening of the coffee shop** hereby approved, details of a highway barrier as illustrated in Drawing no. 0015 Rev A02 - Coffee Drive Thru, shall be submitted to and approved in writing by the local planning authority. The highway barrier shall be constructed in accordance with the approved details prior to the opening of the coffee shop and retained as such thereafter.

Reason - In the interests of road safety in accordance with Policy SW12 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 6 **Prior to the construction of the car park**, details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height shall be 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.

- 7 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EcW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **Prior to the occupation of the coffee shop** hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including any highway barriers around the car park, shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the coffee shop is brought into beneficial use.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 9 All planting, seeding or turfing comprised in the approved details of landscaping (Drawing no. 001 Rev B - Softwork's Drawing) shall be carried out in the first planting and seeding seasons following the occupation of the coffee shop 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 Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 Prior to the commencement of the development hereby approved the number, type and location of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 No external lighting shall be erected until a detailed lighting scheme has been submitted to and approved in writing by the local planning authority. The lighting scheme shall be carried out in accordance with the approved details and shall be retained as such for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council 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.