

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 Richard Powell c/o Mr Steven George George And Co Studio 01 Crownford House
Swan Street

WHEREAS you submitted an application on the 20th May 2024 to develop: 134 - 135 High Street
Merthyr Tydfil CF47 8DN short particulars of the application being as follows:-

Name of the Applicant

Mr Richard Powell
Alpha Building Group Ltd
25 Brynhyfryd
Glynneath
Neath Port Talbot

Description of Proposed Development

Installation of new shop front, provision of 8 flats at first
and second floor level, demolition of rear annexes and
erection of three storey rear extension with associated
parking (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: 3rd February 2025

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 Title: Elevation (Proposed side), Drawings Number: 1033.08B, Amended plan received 30 January 2025.

Drawing Title: Elevation (Proposed side and rear), Drawings Number: 1033.09B, Amended plan received 30 January 2025.

Drawing Title: Shop front, Drawing Number: 1033.10, Received 30 January 2025.

Drawing Title: Elevation (Proposed rear and rear boundary wall), Drawings Number: 1033.10A, Amended plan received 7 November 2024.

Drawing Title: Elevation (Proposed front and rear), Drawing Number: 1033.11A, Amended plan received 30 January 2025.

Drawing Title: Plans (Proposed ground floor plan), Drawing Number: 1033.12A, Amended plan received 30 January 2025.

Drawing Title: Plans (Proposed first floor plan), Drawing Number: 1033.13A, Amended plan received 30 January 2025.

Drawing Title: Plans (Proposed second floor plan), Drawing Number: 1033.14A, Amended plan received 30 January 2025.

Drawing Title: Proposed Block, Drawing Number: 1033.16, Amended plan received 30 January 2025.

Bat Survey Report, Ref: 1G2024135HighStreet, Version 3, dated 7 November 2024, produced by I & G Ecological Consulting, received 7 November 2024.

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

- 3 **BEFORE** works commence on site details/samples of the following shall be submitted to and approved in writing by the local planning authority:

- The roof tile of the extension
- The stonework to the external elevations of the extension
- The glazed bricks and shopfront colour
- The awning (including dimensions when extended)

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 **No development shall take place** until details of the construction of the car park shown on drawing number 1033.12A, including levels, drainage and details of the finished surface have been submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details prior to the occupation of the flats and the car parking spaces and areas for manoeuvring shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 **BEFORE** works commence of site a Construction Traffic management Plan shall be submitted to and approved in writing by the Local Planning Authority. This document shall contain details of delivery parking, construction workers parking, material storage, and construction access. The development shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety

- 6 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage 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 and ensure no pollution of or detriment to the environment.

- 7 Demolition or construction works shall not take place outside the hours of 08:00 to 16:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 8 **BEFORE** the flats hereby approved are occupied the bat and bird boxes detailed in the Bat Survey Report shall be provided in accordance with Drawing Numbers: 1033.08B and 1033.09B received 30 January 2025 and these shall be retained in perpetuity thereafter.

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

- 9 **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of the green wall. All planting, seeding or turfing comprised in the approved

details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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 No development shall take place until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority which shall include the green wall. The development shall be undertaken, managed and maintained thereafter in accordance with the approved Plan.

Reason - In the interests of biodiversity and visual amenity in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 11 Before the development hereby permitted is brought into use, the windows in the void between the main rear elevation of the building and the eastern elevation of the extension shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the windows that are less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 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.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be

carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The developer is advised that the proposed scheme will require a highway licence to enable access out onto the adopted highway. Accordingly, contact should be made with the council's Highway Maintenance Department regarding the approval of a section 184 license in relation to any the proposed vehicular crossovers. This this must be obtained separate to this planning permission and before construction of the new access point.
4. The developer is advised that the application site is located within a C2 Flood Zone of the Development Advice Map (DAM) and the FNfP identifies the application site to be at risk of flooding and falling within Flood Zone 2 Rivers. It is therefore recommended that the developer/applicant reviews the advice received from Natural Resources Wales (NRW) during the course of this application.
5. The developer's attention is drawn to the comments received from Dwr Cymru Welsh Water during the course of this application.
6. The developer is advised that this permission does not grant permission for any advertisement or sign (including the reinstatement of the historic mural). These may require separate advertisement consent.

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.