

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 Carwyn Iles c/o Phillip Harris 3dcadwales 5 Ashlea Drive Thomastown Merthyr Tydfil
CF47 0NY

WHEREAS you submitted an application on the 25th November 2025 to develop: Old Saw Mill Court Street Merthyr Tydfil CF47 8DU short particulars of the application being as follows:-

Name of the Applicant

Mr Carwyn Iles
Harp Funeral Home
Pant Road
Dowlais
Merthyr Tydfil

Description of Proposed Development

Demolish existing units and construct five new units and 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: 21st July 2026

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 document:

Drawing Title: Existing and Proposed Site Plans, Drawing Number SM-04, Rev C, Received on 27 April 2026

Drawing Title: Existing & Proposed Plans, Drawing No. SM-01, Rev D, Received on 12 June 2026

Drawing Title: Ecology Enhancement and Lighting Plan, Drawing No. SM-11, Rev A, Received on 30 June 2026

Drawing Title: Proposed Elevations, Drawing Number SM-03, Rev C, Received on 17 July 2026

Amended Ecological Survey - Initial Bat Inspection Report, Issue 1B, by BE Ecology, Received 30 June 2026

Green Infrastructure Statement and Biodiversity Enhancement Scheme Form, Received 17 July 2026

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

- 3 **No development shall commence** until components 1 and 2 as set out below for a scheme to deal with the risks associated with land contamination have been submitted to and approved in writing by the Local Planning Authority:

1. A Phase 1 Preliminary Risk Assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from land contamination at the site

- 2. A Phase 2 Site Investigation Scheme, based on the findings of the Phase 1 assessment. The specific approach, scope, and methodologies of this investigation must be submitted to and approved in writing by the Local Planning Authority prior to any physical on-site drilling or sampling work being undertaken.

Following completion of demolition works but prior to the commencement of any building construction or foundation works, component 3 below must be submitted to and approved in writing by the Local Planning Authority:

- 3. The Results of the Approved Phase 2 Site Investigation alongside a detailed risk assessment and, based on these, an options appraisal and Remediation Strategy giving full details of the ground remediation measures required and how they are to be undertaken.

Prior to the beneficial use of the development, component 4 must be submitted to and approved in writing by the Local Planning Authority:

- 4. A Verification Report providing definitive data and evidence demonstrating that the works set out in the approved remediation strategy in (3) are complete, confirming the ground is safe for its intended use.

Reason - To ensure the risks associated with potential contamination at the site have been fully considered prior to the commencement of development, and where necessary, remediation measures and long term monitoring are implemented to prevent unacceptable risks from contamination. To accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

- 4 Prior to any building works associated with the alteration of Unit 1 and construction of Units 2, 3, 4 and 5 hereby approved, full details including samples and finished colour of the materials to be used for the proposed render finish, doors and roller shutter doors shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and maintained as such in perpetuity.

Reason - In the interests visual amenity of the area, the town centre conservation area and nearby listed buildings and to accord with TAN 24: The Historic Environment (May 2017) and Policies CW1 and SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

- 5 **Prior to the development hereby approved coming into beneficial use** the bird and bat boxes shall be provided in accordance with approved plan Ecology Enhancement and Lighting Plan, Drawing No. SM-11, Rev A. The bird and bat boxes shall be maintained as such in perpetuity.

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 Development Plan (2016-2031).

- 6 **In the first planting season (March to May) after the development hereby approved coming into beneficial use**, the proposed planting shall be provided in accordance with the approved Green Infrastructure Statement and Biodiversity Enhancement Scheme Form. The scheme of planting shall be maintained as such in perpetuity.

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 Development Plan (2016-2031).

- 7 External lighting shall be erected strictly in accordance with approved plan Ecology Enhancement and Lighting Plan, Drawing No. SM-11, Rev A. Prior to the installation of any further external lighting, a revised lighting scheme shall be submitted to and approved in writing by the local planning authority. Any revised scheme of lighting shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - In the interest of maintaining and enhancing biodiversity and to accord with Planning Policy Wales and Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

- 8 **Prior to the development hereby approved coming into beneficial use** the approved vehicular access and parking/turning area shall be surfaced in consolidated materials (not loose stone or chipping) and shall be retained thereafter for the parking of vehicles. The parking and turning area shall remain available for such purpose in perpetuity.

Reason - In the interests of highway safety and ensure a suitable surface material is used, the parking and turning area is retained for the development and ensure vehicles can exit the site in a forward gear, and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031)

- 9 At no time shall any access point on to the public highway or footpath be fitted with any doors or gates which open outwards.

Reason - To prevent obstruction to the highway, in the interests of highway safety to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 10 Notwithstanding the provisions of Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), the boundary enclosure along the Yew Street and Court Street frontages shall be retained as shown on approved plan Proposed Elevations, Drawing Number SM-03, Rev C. The approved stone boundary wall height, and the approved railings, shall not be changed, modified, or replaced with any alternative enclosure treatment or design.

Reason - To ensure that adequate highway visibility and sightlines are maintained for the new vehicular access on Yew Street in the interests of highway safety and the free flow of traffic, and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).

- 11 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 and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

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. Please be advised that the granting of this planning permission does not grant any Advertisement Consent under the Town and Country Planning (Control of Advertisements) Regulations. Any advertisement or signage displayed on the approved plans is not covered by this permission. The display of any advertisement is subject to a separate application process and is dealt with under permission reference P/25/0313.
4. The applicant is advised that the development site is located adjacent to Amey Infrastructure Wales (AIW) managed rail infrastructure. Prior to the commencement of any demolition or construction works onsite, the developer must contact AIW Asset Protection to establish a Basic Asset Protection Agreement and determine any potential interface with railway assets. The AIW Asset Protection team should be contacted initially via email at: CVLassetprotection@amey.co.uk.
5. The developer/applicant attention is drawn to the consultation response from Dwr Cymru Welsh Water (DCWW) received 24 June 2026. Although the proposed development is located more than 3 metres from the public foul sewer, the applicant is advised that DCWW retains statutory rights of access to its apparatus under the Water Industry Act 1991. The applicant must contact DCWW Developer Services before starting work to ensure that structural loads or excavations do not adversely affect the asset. Compliance with Building Regulations Part H may also be required.

The developer/applicant attention is also drawn to the advisory notes set out in the consultation response from DCWW received 24 June 2026.

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.