

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 Abdul Karim c/o Mr Philip Harris 3dcadwales Limited 5 Ashlea Drive Thomastown
Merthyr Tydfil

WHEREAS you submitted an application on the 14th December 2021 to develop: Red Spice 1 Bethesda Street Merthyr Tydfil CF47 8LL short particulars of the application being as follows:-

Name of the Applicant

Mr Abdul Karim
Red Spice, 1, Bethesda Street
Merthyr Tydfil
CF47 8LL
United Kingdom

Description of Proposed Development

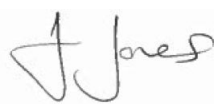
Erection of rear extension, covered seating area, new rear wall, railings and gate and installation of 5 no. fixed benches (Full)

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: 7th February 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 Title: Proposed Plan, Drawing Number: RS-04 Rev. C, Amended Plan Received on 2 February 2022

Drawing Title: Proposed Elevations, Drawing Number: RS-05 Rev. C, Amended Plan Received on 2 February 2022

Drawing Title: Existing and Proposed Side 2 Elevation, Drawing Number: RS-06 Rev. D, Amended Plan Received on 2 February 2022

Drawing Title: Proposed Site, Drawing Number: RS-07 Rev. C, Amended Plan Received on 2 February 2022

Drawing Title: Enclosed Seating Area Front Elevation, Drawing Number: RS-08 Rev. B, Amended Plan Received on 2 February 2022

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

- 3 Before the canopy, hereby approved, is constructed the boundary wall shall finished in render to match the external elevations of the existing building.

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 **Prior to works commencing on site** details of a single bird box (suitable for a dipper and wagtail) and a single bat box (three crevice) including the specification and exact siting, shall be submitted to an approved in writing by the Local Planning Authority. The bat and bird boxes shall be erected before the development, hereby approved, is completed and shall be retained in perpetuity thereafter.

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

INFORMATIVES

1. The application site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). In areas at risk of flooding, Natural Resources Wales recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood-proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

Further advice and guidance is available on the Natural Resources Wales website. Additional guidance including the leaflet "Prepare your Property for flooding" can be using the following link <https://www.gov.uk/prepare-for-flooding/future-flooding>

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties', using the following link https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11485/2187544.pdf

2. The developer is advised that the Environmental Permitting Regulations (2016) require them to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the River Taff, a designated "main river". Further advice and guidance is available on the Natural Resources Wales website at: <http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-riskactivity-permits-information/?lang=en>.
3. The developer is advised that due to the proximity of the site to the River Taff, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works and maintenance in or near water' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>.
4. 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.

5. 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.

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.