

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 Liam Lazarus c/o Mr Steven George George And Co Studio 01 Crownford House Swan Street

WHEREAS you submitted an application on the 15th June 2023 to develop: 40 - 42 High Street Merthyr Tydfil CF47 8DE short particulars of the application being as follows:-

Name of the Applicant

Mr Liam Lazarus
Haystack Cafe
40-42 High Street
Merthyr Tydfil
CF47 8DE

Description of Proposed Development

Change of use from shop (A1) to cafe (A3) to include extension within central courtyard and outside seating at the rear. Provision of bin store within the central courtyard to serve first floor residents. (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: 14th September 2023

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:

- Location Plan - Drawing 933.1 (received 15.06.23)
- Proposed Ground Floor Plan - Drawing 933.3 (received 15.06.23)
- Proposed Elevations / Elevation G - Drawing 625.009D (received 15.06.23)
- Proposed Side Elevation - Drawing 933.4C (received 15.08.23)
- Proposed Front Elevation - Drawing 933.6 (received 15.08.23)
- Proposed Roof Plan - Drawing 933.8C (received 15.08.23)
- Proposed Elevations / Section C - Drawing 933.9C (received 15.08.23)
- Proposed Elevations / Section F - Drawing 933.10 (received 15.08.23)

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

- 3 **The approved use shall not commence until** the equipment to control the emission of fumes and odour from the premises has been fitted in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason - To protect the amenities of the occupiers of adjoining properties in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 **The approved use shall not commence until** an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason - To protect the integrity of the public sewage system and ensure the free flow of sewage.

- 5 The cafe/bar/restaurant as shown on drawing 933.3 (received 15.06.23) 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.

- 6 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.

- 7 Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To In the interests of local amenity and to avoid statutory nuisance.

INFORMATIVES

1. Refer to consultation response letter from DCWW dated 23.06.23 for further information regarding SUDs and water supply.
2. Refer to consultation response letter from NRW dated 22.06.23 for further information on Flood Risk and other permits/consents/licenses.

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.