

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: JOL's c/o DarntonB3 Architecture (Aberystwyth Office) F.a.o. Mr Iwan Thomas 30 Pier
Street Aberystwyth SY23 2LN

WHEREAS you submitted an application on the 22nd November 2021 to develop: 30-31 Lower High Street Merthyr Tydfil CF47 8DP short particulars of the application being as follows:-

Name of the Applicant

JOL's
F.a.o. Mr Jamie O'Leary
30-31, Lower High Street
Merthyr Tydfil
CF47 8DP

Description of Proposed Development

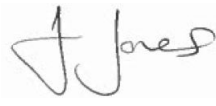
Change of use of ground floor from C2 Residential Institution to A3 Food and Drink and upper floors from C2 Residential Institution to C1 Hotel, to include extensions and external alterations (Full)

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: 8th March 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 no. 14821-DB3-B01-DR-A-213 Revision B (Proposed Elevations 1 and 2) received on 18.02.22

Drawing no. 14821-DB3-B01-DR-A-214 Revision B (Proposed Elevation 3) received on 18.02.22

Drawing no. 14821-DB3-B01-DR-A-208 Revision A (Proposed Elevation 8) received on 22.11.21

Drawing no. 148-DB3-B01-DR-A-207 Revision A (Proposed Elevation 9) received on 22.11.21

Drawing no. 14821-DB3-B01-DR-A-210 Revision B (Proposed South Elevation) Revision B received on 18.02.22

Drawing no. 14821-DB3-B01-DR-A-204 Revision A (Proposed Floor Plans) received on 22.11.21

Drawing no. 14821-DB3-B01-A-202 Revision A (Proposed Ground Floor Plan) received on 22.11.21

Drawing no. 14821-DB3-B01-B01-DR-A-203 Revision B (Proposed First Floor Plan) received on 18.02.22

Drawing no. 14821-DB3-B01-B01-DR-A-201 Revision A (Proposed Basement Floor Plan) received on 22.11.21

Drawing no. 14821-DB3-B01-03-DR-A-205 Revision B (Proposed roof plan) received on 18.02.22

Drawing no. 14821-Db3-B01-B01-DR-A-200 Rev A (Proposed Site Plan) received on 22.11.21

Flood Consequence Assessment Version 1 received on 22.11.21

Environmental Noise Assessment (Hunter Acoustics) received on 22.11.21

Agent's email dated 24.02.22 which includes Systemair roof cowl specification details

Initial Bat Inspection Survey Issue 1 Version C received on 17.02.22

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

- 3 Before works commence details/samples of the following shall be submitted to and approved in writing by the Local Planning Authority and all works undertaken shall be completed in accordance with such approved details/samples.

- I. A sample of the slate for the proposed roof coverings.
- II. Details of the materials and colour of the new windows and doors.
- III. Details and/or samples (including colour) for the proposed external walling materials
- IV. Details of the materials, colour and design proposed for the enclosure and balustrade surrounding the first floor deck area
- V. Details of the colour of the cowl.

Reason - To protect the character of the conservation area in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 The development hereby approved shall be carried out in accordance with the method statement set out in Section 8 of the Initial Bat Inspection Survey (Issue 1 Version C, received 17.02.2022) and details for the provision of a bat box and bird box together with details of their location within the site shall be submitted to and approved in writing by the local planning authority. The bat and bird boxes shall be installed in accordance with the approved details prior to the beneficial use of the approved uses.

Reason - To protect the natural environment and important habitat and to provide biodiversity and environmental enhancements in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 5 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 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.

- 6 The uses hereby permitted shall not commence until a grease trap has been fitted in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained in accordance with the approved details so to prevent grease from entering the public sewerage system.

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

- 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.

- 8 The proposed first floor deck area shall not be brought into the beneficial use until a privacy screen has been erected in accordance with the details illustrated on drawing 14821-DB3-B01-B01-DR-A-210 Revision B. The privacy screen shall be retained as such thereafter.

Reason - To protect the privacy of neighbouring residential occupiers in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

2. 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.

3. 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.

4. The applicant/developer's attention is drawn to the comments received from Natural Resources Wales regarding the potential flood risks associated with the application site.

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.