

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 David Pittham c/o Mr Carl Golding Carl Golding Architectural Service Ltd.
38 Highfield Crescent NP10 8GU United Kingdom

WHEREAS you submitted an application on the 2nd November 2020 to develop: 18 Pontmorlais High Street Merthyr Tydfil CF47 8UB short particulars of the application being as follows:-

Name of the Applicant

Mr David Pittham
26 Home Farm Way
Penllergaer
Swansea
SA4 9HF

Description of Proposed Development

Change of use from retail (A1 Use Class) to restaurant (A3 Use Class) at ground floor and lower ground floor, to include a two storey rear extension, new shop front and other external alterations. Refurbish the existing 3 bedroom flat at first and second floors. (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: 10th December 2020

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: PL(99)03, received: 2nd November 2020;
- Drawing no: 0014/PL(90)03, received: 2nd November 2020;
- Drawing no: 0014/PL(99)04, received: 2nd November 2020;
- Drawing no: 0014/PL(99)05, received: 2nd November 2020;
- Drawing no: 0014/PL(99)06, received: 2nd November 2020;
- BE Ecological Ltd, 18 High Street, Merthyr Tydfil, Bat Survey, Issue 1, Version B, September 2020, received: 2nd November 2020.

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

- 3 **Prior to the commencement of development** the following samples/details shall be submitted to and approved in writing by the Local Planning Authority:

- slates;
- lime render;
- timber dormer window and timber conservation roof light (to include section details);
- cast iron rainwater goods;

The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason - To ensure that the external appearance of the property will be in keeping with the character of the area in the interests of visual amenity and to accord with Policies SW11 and CW1 of the Merthyr Tydfil Replacement Local Development Plan.

- 4 No surface water shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

- 5 The A3 use hereby permitted shall be used as a restaurant/public house only and for no other purpose (including any other purpose in class A3 of the schedule of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason - To restrict the development and prevent an adverse impact on the character and appearance of the conservation area and the vitality and viability of the town centre in

accordance with Policies SW11, CW1, EcW3 and EcW5 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

NOTES

Your attention is drawn to the following:-

Appeals to the Welsh Government:

- 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 Welsh Government 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 The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ. Alternatively you can use the Planning Inspectorate website (<https:acp.planninginspectorate.gov.uk>) to complete your appeal.
- The Welsh Government 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 Welsh Government 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 Welsh Government 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 the Welsh Government 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.