

Ein cyf/Our ref: CAS-259316-C9B8
Eich cyf/Your ref: P/24/0150

Merthyr Tydfil County Borough Council
Unit 5 Triangle Business Park
Pentrebach
CF48 4TQ

Dyddiad/Date: 04 July 2024

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD/PROPOSAL: CHANGE OF USE OF FIRST, SECOND AND THIRD FLOOR
BAR/RESTAURANT TO FOUR NEW FLATS WITH ACCESS FROM STREET LEVEL**

LLEOLIAD/LOCATION: 104 BAR, 104 HIGH STREET, MERTHYR TYDFIL, CF47 8AP

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 01 July 2024.

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

Our Flood Risk Map confirms the site to be entirely within Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies the application site to be at risk of flooding and is within Flood Zone 2 (Rivers).

The proposal will result in highly vulnerable development (residential) being introduced into an area of flood risk. We refer you to Section 6 of TAN 15 and the Chief Planning Officer [letter](#) from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN 15). The justification tests in paragraph 6.2 do not apply to highly vulnerable development in Zone C2. It is for your Authority to make a planning policy decision on the application. Notwithstanding this policy position, we provide the following advice:

The highly vulnerable development will be elevated above the flood risk and there is no change in the vulnerability use at the ground floor level. Therefore, given the nature of the proposed development **we have no objection to the application as submitted** and we consider the proposal could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

In areas at risk of flooding, we recommend 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.

We refer the applicant to our [website](#) for further advice and guidance is available. Additional guidance including the leaflet "Prepare your Property for flooding" can be found [here](#).

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', can be found [here](#).

It is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN 15, and you must be satisfied the development is acceptable in terms of flood risk, particularly with regard to access and egress considerations and emergency planning purposes. To aid your decision making, you may ask the applicant to submit a Flood Consequences Assessment (FCA), or the applicant may decide to undertake a FCA for their own benefit, for example, for awareness raising, to inform an evacuation plan, the provision of flood resistance and/or resilience measures.

We recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Sarah Lund

Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.