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20/08/2020

Annwyl Syr/Madam / Dear Sir/Madam,

BWRIAD / PROPOSAL: PROPOSED REFURBISHMENT TO CREATE 15 FLATS AND 7 SELF CONTAINED SERVICED UNITS (HOLIDAY LETS), TOGETHER WITH NEW SHOP FRONT, THIRD FLOOR REAR EXTENSION AND ASSOCIATED BIKE SHED AND BIN STORE. CHANGE OF USE OF SHOP TO CAFÉ (A3 USE).

LLEOLIAD / LOCATION: 40-42 HIGH STREET, MERTHYR TYDFIL, CF47 8DE.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 23 July 2020.

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met. Otherwise, we would object to this planning application.

Requirement: Flood Risk – The Planning Authority to be satisfied that there are overriding reasons for considering for granting the application contrary to national planning policy on development and flood risk. Satisfactory evidence must then be provided to demonstrate that the risks and consequences of flooding can be managed to an acceptable level, in accordance with TAN15.

Flood Risk

The planning application proposes highly vulnerable development (housing). Our Flood Risk Map, which is updated on a quarterly basis, confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15.

We refer you to Section 6 of TAN15 and the Chief Planning Officer letter from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development and emergency services should not be permitting in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development or emergency services in Zone C2.

In the first instance, your Authority should make a planning policy decision on the application. Therefore, unless we receive written confirmation from your Authority that you believe there are overriding reasons to consider granting planning permission, despite the site's location within Zone C2, we do not intend to review the submitted flood consequences assessment (FCA) and we would advise that your Authority should refuse the planning application on planning policy grounds.

The decision as to whether a development should be considered contrary to TAN15 policy is entirely a matter for your Authority. However, if you provide overriding reasons and require our advice, we request sufficient time to review the Applicant's FCA. We will then provide you with technical advice on the acceptability of flooding consequences in accordance with Appendix 1 of TAN15.

If the FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we would **object** to the application.

Please inform us, in accordance with advice in paragraph 11.7 of TAN15, if you are minded to grant permission for the above application contrary to our advice and allow sufficient time for further representations to be made before any consent is granted.

European Protected Species

We note that the bat report submitted in support of the above application (Bat Survey Report, version 2, dated 07/07/20) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted.

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

Paige Minahan

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