

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 Abdullah Wahdat 182 Caer Wern Merthyr Tydfil CF48 1AB

WHEREAS you submitted an application on the 15th February 2023 to develop: 53 Glebeland Street Merthyr Tydfil CF47 8AT short particulars of the application being as follows:-

Name of the Applicant

Mr Abdullah Wahdat
182 Caer Wern
Merthyr Tydfil
CF48 1AB

Description of Proposed Development

Change of use from office to takeaway and installation of
flue (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: 5th April 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:

Drawing Title: Proposed Side Elevations (x2 Plans), Received on 15 February 2023

Drawing Title: Proposed Rear Elevation, Received on 15 February 2023

Drawing Title: Proposed Floor Plan, Received on 15 February 2023

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

- 3 Before any works commence on site or the use hereby approved is brought into use, details of the extraction system shall be submitted to, and approved in writing by the Local Planning Authority. The use shall not commence until the extraction system has been provided in accordance with the approved details and the flue 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

- 4 The use hereby approved shall not be implemented until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details with the biodiversity enhancement provided within 3 months of the use being implemented and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 11, February 2021) requires all development to maintain and enhance biodiversity.

INFORMATIVES

1. The developer is advise that the application site is located entirely within Zone C2 of the Development Advice Maps (DAM) as contained in TAN15 and the Flood Map for Planning identifies the application site to be at risk of flooding and falling into Flood Zone 3 Rivers. As such the developer may wish to consider incorporating flood resistance / resilience measures into the refurbishment works, and make provisions for flood warning and emergency access / egress.

Additional guidance including the leaflet "Prepare your Property for flooding" can be found by following the link: <https://www.gov.uk/prepare-for-a-flood>

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 by following the link: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11485/2187_544.pdf

The owner/occupier is advised to sign up to our free Flood Warning service. Further details are at [http://naturalresourceswales.gov.uk/flooding/sign-up-to-receive-flood warnings/?lang=en](http://naturalresourceswales.gov.uk/flooding/sign-up-to-receive-flood-warnings/?lang=en)

2. With respect to condition 3, the developer is advised that in order to satisfy the requirements of the Health and Safety at Work etc Act 1974 and the specific regulations made under it [i.e. the Workplace (Health and Safety Welfare) Regulations 1992 and the Gas Safety Installation & Use Regulations 1998], the developer must ensure that their choice of extraction system must be able to provide the same level of performance as specified in the 'DW/172: Specification for Kitchen Ventilation Systems' which sets the bench mark for safe and effective ventilation in commercial kitchens. The developer is therefore advised to consult a suitably qualified individual i.e. commercial heating and ventilation specialist/commercial catering engineer to ensure that their choice of extraction system meets the above mentioned standard. In addition, the extraction system should be designed to avoid causing a statutory nuisance to nearby residents and businesses and should comply with the principles of Best Practicable Means
3. With respect to condition 4, it is advised that 1 no. bat box (woodcrete or woodstone) is erected on the northern elevation. For example, see <https://www.greenwoodsecohabitats.co.uk/shop> (single crevice bat box)

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.