

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: Miss Shaida Kashim c/o Phillip Harris 5 Ashlea Drive Thomastown Merthyr Tydfil CF47
0NY

WHEREAS you submitted an application on the 21st December 2020 to develop: 36 Pontmorlais High Street Merthyr Tydfil CF47 8UN short particulars of the application being as follows:-

Name of the Applicant

Miss Shaida Kashim
36 Pontmorlais
High Street
Merthyr Tydfil
CF47 8UN

Description of Proposed Development

Change of use from storage (B8 Use Class) to food and
drink (A3 Use Class) with provision of flue (Full)

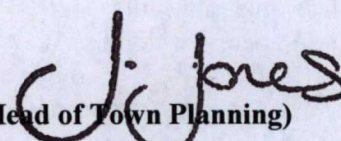
The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans (if any) submitted with the application subject to compliance with the following conditions.

CONDITIONS

Please see attached.

Date: 6th May 2021

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 Title: Proposed Plans and Elevations, Drawing Number: 02020181-02 Rev E, Amended Plan Received on 14 April 2021.

Drawing Title: Site Plan, Drawing Number: 02020181-03 Rev B, Amended Plan Received on 9 March 2021.

Extraction Calculations Received on 26 February 2021.

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

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. The application site lies entirely within Zone C2 of the Development Advice Map (DAM) as contained in TAN15. As such, there are potential flood risks. Natural Resources Wales have therefore advised the installation of flood-proofing measures as part of the development. In areas at risk of flooding, they recommend that 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 into the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels. The developer is referred to their website for further advice and guidance.

Additional guidance including the leaflet 'Prepare your Property for flooding' can be found here <https://www.gov.uk/prepare-for-flooding>

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 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11485/2187544.pdf

Finally, Natural Resources Wales have recommended the developer consider the future insurability of the development now. Although they have no involvement in this matter they would advise the developer to review the Association of British Insurers published paper, 'Climate Adaptation: Guidance on Insurance Issues for New Developments', to help you ensure any properties are as flood proof as possible and insurable.

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.