

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: Mrs Minakshi Gupta c/o Mr J Payne Cwmffynnon Cottage Twyn College Newbridge NP11
3NR

WHEREAS you submitted an application on the 13th July 2021 to develop: 3 Chestnut Way Gurnos
Merthyr Tydfil CF47 9SB short particulars of the application being as follows:-

Name of the Applicant

Mrs Minakshi Gupta
11 Hengoed Road
Hengoed
CF82 7NW

Description of Proposed Development

Change of use of existing retail unit to A3 restaurant (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: 7th April 2022

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 number 001 Rev B received on 11.11.2021

Drawing number 002 Rev A received on 11.11.2021

Drawing number 003 Rev A received on 11.11.2021

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

- 3 Before the use commences, details of a system to prevent waste cooking oil, fats and grease and solid waste from entering the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use of the premises commences and then shall operate in perpetuity.

Reason - To protect the integrity of the public sewage system and ensure the free flow of sewage.

- 4 Before the use commences, a scheme of odour/effluvia/fume control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before the use commences and the use shall thereafter only be operated in accordance with the approved scheme.

Reason - To protect the amenities of the occupiers of adjoining properties in accordance with Policies SW11 and ENW4 of the Merthyr Tydfil Local County Borough Council Replacement Development Plan.

- 5 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.

All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. The applicant/developer should be aware that the choice of extraction system must satisfy the requirements of the Health and Safety at Work etc Act 1974 and the specific regulations made thereafter, being the Workplace (Health and Safety Welfare) Regulations 1992 and the Gas Safety (Installation and Use) Regulations 1998.

The applicant/developer must ensure 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 benchmark for safe and effective ventilation in commercial kitchens.

The applicant must consult a suitably qualified person (i.e. commercial heating and ventilation specialist/commercial catering engineer to ensure that the choice of extraction system meets the above mentioned standard.

3. The developer is advised to fully review the response received from Welsh Water during the application process. The proposed development is crossed by a public sewer and no operational development shall be carried out within 3m of the centreline of this asset. The applicant may also need to apply to Welsh Water for any connection to the sewer under Section 106 of the Water Industry Act 1991.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply system without first having obtained the necessary permissions from Welsh Water.

4. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

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.