



Working with the citizens of Monmouthshire

**Tystysgrif Defnydd neu Ddatblygiad Cyfreithiol Arfaethedig
Certificate of Proposed Lawful Use or Development**

**Deddf Cynllunio Tref a Gwlad 1990 Adran 192
(fel y'i diwygiwyd gan Adran 10 Deddf Cynllunio ac Iawndal 1991)
Gorchymyn Cynllunio Tref a Gwlad (Datblygiad Cyffredinol a Ganiateir)
(Diwygiad) (Cymru) 2013 Erthygl 24**

**Town and Country Planning Act 1990 Section 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013
Article 24**

Rhif Cais/Application No: **DM/2021/01050**

Ymgeisydd/ Applicant:	ORBIS EDUCATION & CARE LTD C/O AGENTS United Kingdom	Asiant/Agent	Mrs Arran Dallimore UNIT 1A COMPASS BUSINESS PARK PACIFIC ROAD OCEAN PARK CARDIFF CF24 5HL United Kingdom
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Mae **CYNGOR SIR FYNWY** fel yr Awdurdod Cynllunio Lleol yn **ardystio** ar **11 June 2021** bod defnydd neu weithrediad neu fater arall a ddisgrifiwyd yn yr Atodlen Gyntaf i'r Dystysgrif hon yng nghyswllt y tir a nodwyd yn Ail Atodlen y Dystysgrif hon ac a ddynodwyd ar y cynlluniau y cyferirir atynt yn y Drydedd Atodlen i'r Dystysgrif hon yn **gyfreithlon** o fewn ystyr Adran 191 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd) am y rheswm/rhesymau a nodir ar y dudalen ddilynol.

MONMOUTHSHIRE COUNTY COUNCIL as Local Planning Authority **certifies** that on the **11 June 2021** use or operation or other matter described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and identified on the plans referred to in the Third Schedule to this Certificate **were lawful** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended) for the reason(s) set out on the following page.

PLEASE READ THE ATTACHED NOTES

Dyddiad/Date: 22 September 2021

Llofnod/Signed:



Rheolwr Gwasanaethau Datblygu/Development Services Manager

Cyngor Sir Fynwy/Monmouthshire County Council
Neuadd y Sir/County Hall
Rhadyr/Rhadyr
Brynbuga/Usk. NP15 1GA

PWYSIG MAE'R CYFATHREBIAD YMA'N EFFEITHIO AR EICH EIDDO
IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

Atodlen Gyntaf/First Schedule:	Use as a care home for up to 2 adults.
Ail Atodlen/Second Schedule:	4 Cwm Felin Merthyr Road Llanfoist Abergavenny Monmouthshire
Trydydd Atodlen/Third Schedule:	Site Layout AL(00)02 - , Other STATEMENT - , Other APPENDIX 1 - , Other APPENDIX 2 - , Other APPENDIX 3 - ,

Rheswm/Rhesymau
Reason(s):

1 The proposal would not materially change the use (Class C3) of the land and buildings and, therefore, does not constitute development as defined by Sec 55(1) of The Town & Country Planning Act 1990.

NODIADAU

1. Cyhoeddir y dystysgrif hon yn llwyr ar gyfer diben adran 191 Deddf Cynllunio Tref a Gwlad 1990 (fel y'i diwygiwyd).
2. Mae'n ardystio bod defnydd neu weithrediadau neu'r mater a nodwyd yn yr Atodlen Gyntaf fel bod yn digwydd ar y tir a ddisgrifir yn yr Ail Atodlen yn gyfreithiol ar y dyddiad a nodwyd ac, felly, nad oeddent yn atebol i weithredu gorfodaeth dan adran 172 Deddf 1990 ar y dyddiad hwnnw.
3. Dim ond i faint y defnydd neu weithrediadau neu fater a ddisgrifiwyd yn yr Atodlen Gyntaf ac i'r tir a nodir yn yr Ail Atodlen ac a ddynodir ar y cynllun a atodir mae'r dystysgrif hon yn berthnasol. Gall unrhyw ddefnydd neu weithrediadau neu fater sy'n sylweddol wahanol i'r hyn a ddisgrifir neu sy'n cyfeirio at dir arall wneud y perchennog neu ddefnyddiwr yn atebol i weithredu gorfodaeth.
4. Caiff effaith y dystysgrif hefyd ei gymhwyso gan yr amod yn adran 192(4) Deddf 1990, fel y'i diwygiwyd, sy'n nodi mai dim ond lle na fu unrhyw newid sylweddol, cyn y sefydlwyd y defnydd neu ddechrau'r gweithrediadau, y mae tybiad pendant o gyfreithlondeb defnydd neu weithrediad a ddisgrifir, yn unrhyw un o'r materion sy'n berthnasol i benderfynu ar gyfreithlondeb o'r fath.

NOTES

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use or operations or matter specified in the First Schedule taking place on the land described in the Second Schedule were lawful on the specified date and, thus, were not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use or operations or matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or operations or matter which are materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.