

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES)
ORDER 2012 (as amended)**

REFUSAL OF PERMISSION

To: Mr and Mrs Marsh c/o George And Co Studio 1 Crownford House Swansea Merthyr Tydfil

WHEREAS you submitted an application on the 7th day of October 2022 to develop: Ty Beili Glas 29 Winchfawr Heolgerrig Merthyr Tydfil CF48 1RD short particulars of the application being as follows:-

Name of the Applicant

Mr and Mrs Marsh
29 Ty Beili Glas Winchfawr
Heolgerrig
Merthyr Tydfil
CF48 1RD

Description of Proposed Development

Change of use of land to garden and construction of new garage/workshop to be ancillary to main dwelling (Full)

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL as the Local Planning Authority hereby REFUSE TO PERMIT the proposed development for the following reasons, namely:

- 1 The proposed development, by virtue of its scale, nature and location would result in an unacceptable and unsustainable encroachment into the open countryside contrary to policy SW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
- 2 The proposed garage/workshop building, by virtue of its siting, overall visual appearance, design, scale and height, would form a discordant and incongruous feature within the landscape. This would be detrimental to the character and appearance of the wider area. As such, the proposal is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
- 3 Insufficient information has been provided to demonstrate whether or not the site is safe and stable enough to accommodate the proposed development having regard to its location within the Coal Authority High Risk Development Area. As such the proposal is contrary to paragraphs 6.9.22 to 6.9.27 of Planning Policy Wales.

Date: 20th December 2022

Signed:



(Director of Neighbourhood Services)

**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

NOTES

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, he/she may appeal to Planning & Environment Decisions Wales in accordance with Section 78(i) of the Town and Country Planning Act 1990, within SIX MONTHS of the receipt of this Notice. (Appeals must be made on a form which is obtainable from Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ). Alternatively you can use the Planning & Environment Decisions Wales website (www.gov.wales/planningappeal) to complete your appeal. Planning & Environment Decisions Wales has the power to allow a longer period for the giving of notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. Planning & Environment Decisions Wales is not required to entertain an appeal if it appears to it that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by Planning & Environment Decisions Wales, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Council in which the land is situated, a purchase notice requiring 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.
- (3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by Planning & Environment Decisions Wales on appeal or on a reference of the application to it. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.