

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 Jason Cox c/o Mr Anthony Collins 21 Park Place Pontmorlais Merthyr Tydfil CF47 0DJ

WHEREAS you submitted an application on the 14th day of March 2022 to develop: Builders Yard & Premises Elwyn Drive Twynyrodyn Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Mr Jason Cox
7 Mardy Close
Merthyr Tydfil
CF47 0YH

Description of Proposed Development

Erection of 4 no. dwellings (2 no. detached and 1. no pair of semi detached) including demolition of existing office building with stores (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 development as proposed by reason of its siting, scale, height and relationship with neighbouring properties would have an unacceptable adverse impact upon the living conditions of neighbouring occupiers contrary to the requirements of point 3 of Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.
- 2 The proposed layout is not appropriate to its context as it fails to make a positive contribution to the character and amenity of the area contrary to points 1 and 2 of Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.
- 3 The application has not demonstrated a net benefit in respect of biodiversity contrary to Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan, Planning Policy Wales 11 and The Environment (Wales) Act 2016.

Date: 1st February 2024

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.