

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 & Mrs Thomas c/o George And Co 1st Floor Woodfired Studios 62 High Street Merthyr Tydfil
CF47 8DE

WHEREAS you submitted an application on the 15th day of January 2020 to develop: Land Adjacent To Brondeg
Heolgerrig Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr & Mrs Thomas
C/o George And Co

Construct detached 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 dwelling, by virtue of its scale, siting and design would result in an incongruous and insensitive form of development which would not be appropriate to its local context and as such fails to respect the character and appearance of the area. The proposal would therefore be contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 2 The proposed dwelling, by virtue of its siting, scale and design, would have an overbearing impact and result in the loss of light and overshadowing to 2 Brondeg and its rear garden. As such, it would have a significant detrimental impact upon residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 3 The proposed dwelling, by virtue of its design to include a rear first floor balcony area would enable significant overlooking to 2 Brondeg and Ty Newydd. As such, it would have a detrimental impact upon residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 4 No information has been provided to fully assess the impact of the development on biodiversity. As such the proposal is contrary to Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

Date: 24th February 2020

Signed:.....

(Head of Town Planning)

**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 The National Assembly for 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 The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ). The National Assembly for 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. The National Assembly for 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 The National Assembly for 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 The National Assembly for 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.

2006/06