

Planning (Listed Buildings & Conservation Areas) Act 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (WALES) REGULATIONS 2012

REFUSAL OF PERMISSION

To: Mr George Olney C/o Mr Philip Harris3dcadwales Limited 5 Ashlea Drive Thomastown
Merthyr Tydfil CF47 0NY

WHEREAS you did on the 27th day of February 2024 make application in writing for listed building consent in respect of the works detailed below at: 2 Quay Row Abercanaid Merthyr Tydfil CF48 1YP

which is a building listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Name of the Applicant

Description of Proposed Development

Mr George Olney

Remove two chimneys from listed building

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 would result in a detrimental visual impact that would fail to preserve or enhance the character or appearance of the Listed Building contrary to the requirements of Planning Policy Wales 12, Historic Environment (Wales) Act 2016, The Planning (Listed Building and Conservation Areas) Act 1990 and Policies SW11 (1) and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan
2. The proposed development has failed to demonstrate that there would be no unacceptable adverse impact upon ecology, biodiversity or European Protected Species by virtue of the absence of appropriate level of ecological survey and appropriate mitigation contrary to Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Date: 12th April 2024

Signed:



(Director of Neighbourhood Services)

(Please See Note on Back)

NOTES

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he/she may appeal to the Planning & Environment Decisions Wales in accordance with Sections 20, 21 and 22 of Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this Notice. (Appeals must be made on a form which is obtainable from the Planning & Environment Decisions, 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 power to allow a longer period for the giving of a 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.
- (2) If Listed Building Consent 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 reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he/she may serve on the Council of the district a Listed Building Purchase Notice requiring that Council to purchase his/her interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act
- (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 him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.