

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 Stephen Wall c/o Philip Griffiths Architect F.a.o. Mr David Philip Griffiths 3 St Johns Close Cefn Coed Merthyr Tydfil

WHEREAS you submitted an application on the 9th day of October 2020 to develop: Land Adjacent To Sunnybank Mount Pleasant Heolgerrig Merthyr Tydfil short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr Stephen Wall
17 Westland Drive
Hayes
Bromley
Kent

Construct a detached dwelling and a detached garage (Outline)

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

- 1 The engineering works required to create the vision splays would significantly harm the character and appearance of the area, contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 2 The proposed dwelling, by virtue of its elevated location, siting, mass and height, would result in dominant and incongruous form of development detrimental to the character and appearance of the area. As such, it would not contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 3 The proposed dwelling, by virtue of its elevated location, siting, mass and height, would have an overbearing impact on the rear garden area of 17 Farm Road, Mount Pleasant. As such, there would be a loss of residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 4 The proposed dwelling, by virtue of its elevated location, siting and height, would allow for direct overlooking into the rear garden areas and windows serving the properties at 15, 16 and 17 Martin Close. 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.
- 5 The existing highways (Farm Road & Mount Pleasant road) serving the site are sub-standard in their design with narrow carriageways, limited facility for passing vehicles, restricted forward visibility for drivers and a lack of pedestrian segregation. The increased use of these roads would create traffic hazards to the detriment of highway and pedestrian safety. As such, the proposed development is contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

- 6 No bat activity survey has been provided to fully assess the impact of the development upon protected species. As such the proposal is contrary to Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

Date: 3rd June 2021

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.

