

Land Compensation Act 1961

Section 17 (As Amended)

Certificate of Appropriate Alternative Development

To: C Griffiths c/o D P Griffiths 3 Saint Johns Close Cefn Coed Merthyr Tydfil CF48 2PE

WHEREAS on the 30th day of April 2024, you applied to the Merthyr Tydfil County Borough Council (hereinafter called “the Council”) for a certificate under the above Section in relation to land at:

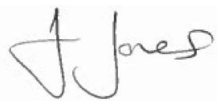
Land To The Rear Of Buckland House High Street Cefn Coed being more particularly defined in the said application.

NOW THEREFORE the Council hereby **CERTIFY** in relation to the said land shown on the plan attached hereto and thereon outlined in red that in the opinion of the Council if the said land were not proposed to be acquired by any Authority possessing compulsory purchase powers, **planning permission for development of (one or more of) the undermentioned class(es) would NOT have been granted in respect of the land in question, that is to say:**

Certificate of alternative appropriate development - C3 Dwelling houses

The reason for the Council’s decision is as follows:

1. The access to the site lacks sufficient driver visibility to ensure safe vehicular access and egress to and from the site and is therefore contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Signed:  (Council’s Authorised Officer)

On behalf of Merthyr Tydfil County Borough Council

Date: 8th July 2025

IMPORTANT – READ THE NOTES ON THE BACK OF THIS FORM

NOTES

Section 18 of the Land Compensation Act 1961 provides as follows:-

18. (1) Where the Local Planning Authority have issued a certificate under Section 17 of this Act in respect of an interest in land –
- (a) the person for the time being entitled to that interest, or
 - (b) any Authority possessing compulsory purchase powers by whom that interest is proposed to be acquired;

May appeal to the Planning & Environment Decisions Wales against that certificate.

- (2) On any appeal under this Section against a certificate the Planning & Environment Decisions Wales shall consider the matters to which the certificate relates as if the application for a certificate under Section 17 of this Act had been made to him in the first instance, and shall either confirm the certificate, or vary it, or cancel it and issue a different certificate in its place, as he may consider appropriate.
- (3) Before determining any such appeal the Planning & Environment Decisions Wales shall, if any such person or authority as is mentioned in paragraph (a) or paragraph (b) of sub-section (1) of this section so desires, afford to each such person or authority and to the Local Planning Authority an opportunity of appearing before and being heard by a person appointed by the Planning & Environment Decisions Wales for the purpose.
- (4) Where an application is made for a certificate under Section 17 of this Act and at the expiry of the time prescribed by a development order for the issue thereof (or, if an extended period is at any time agreed upon in writing by the parties and the Local Planning Authority, at the end of that period) no certificate has been issued by the Local Planning Authority in accordance with that section, the preceding provisions of this section shall apply as if the Local Planning Authority had issued such a certificate containing such a statement as is mentioned in paragraph (b) of sub-section (4) of that section.

The procedure for appealing against the terms of such a certificate is prescribed in paragraph 4 of the Land Compensation Development Order 1963, which reads as follows:-

4. (1) The time for giving notice of an appeal under section 18 shall be within one month of the receipt of the certificate or of the expiry of the time or extended period mentioned in sub-section (4) of that section, as the case may be.
- (2) Notice of appeal shall be given in writing to the Planning & Environment Decisions Wales, and a copy of such notice shall be sent by the appellant (a) to the Local Planning Authority, and (b) to the other of the parties directly concerned.
- (3) The appellants shall within one month of giving notice of appeal, or such longer period as the Secretary of State may in any particular case allow, furnish to the Planning & Environment Decisions Wales one copy of the application to the Local Planning Authority, and of the certificate (if any) issued by the Local Planning Authority, together with a statement of the grounds of appeal.
- (4) If an appellant does not within the time limited under the last preceding paragraph furnish to the National Assembly the copies of the documents thereby required, the appeal shall be treated as withdrawn.