

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

WHEREAS you submitted an application on the 2nd day of July 2020 to develop: Land To The South Of Evieon
Maes Meyrick Heolgerrig Merthyr Tydfil short particulars of the application being as follows:-

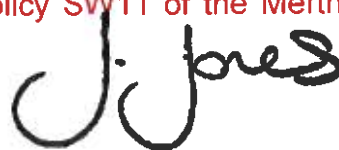
Name of the Applicant**Description of Proposed Development**

Mr and Mrs James
C/o George And Co

Erection of detached dwelling, garage and associated
access/driveway (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 development, by virtue of its location outside the recognised settlement boundary where new housing is strictly controlled, conflicts with Policy SW4 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031
- 2 The proposed development, by virtue of its design and siting in the open countryside, would have an adverse impact on the character and appearance of the surrounding landscape. As such, the proposal is contrary to policies SW11 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 3 The applicant has failed to provide sufficient ecological information to fully consider the potential impacts of the development on protected species, habitats or any other features of ecological interest. As such the proposed development is contrary to Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 4 The proposed access serving the development would be of a poor design with a lack of adequate turning facilities, which would give rise to vehicles reversing onto the adjoining lane, creating a traffic hazard 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.



Date: 14th August 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.