

FormN3V

Code No. P/19/0328

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

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 A Uygun 2 Taff Fawr Close Pontycapel Road Cefn Coed Merthyr Tydfil

WHEREAS you submitted an application on the 16th day of December 2019 to develop: 2 Taff Fawr Close Pontycapel Road Cefn Coed Merthyr Tydfil CF48 2RF short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr A Uygun
2 Taff Fawr Close
Pontycapel Road
Cefn Coed
Merthyr Tydfil

Erection of timber fence (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 fence by virtue of its excessive height, design and construction represents an unattractive and incongruous feature which harms the visual amenity of the adjoining property of 37a Pontycapel Road. It is therefore contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
- 2 The proposed fence by virtue of its excessive height and relationship with the adjoining dwelling known as 37a Pontycapel Road has resulted in an oppressive and overbearing development which gives rise to an undesirable loss of light to the rear garden of this property. As such it has a harmful impact on residential amenity contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

Date: 4th 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 12 WEEKS 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.