

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 Steve Rees c/o Mr Phil Williams Philwill Planning Consultancy Ltd 71 Heol Treicastell Caerphilly CF48 1AF

WHEREAS you submitted an application on the 27th day of July 2023 to develop: Meadowsweet Farm High Street Trelewis Treharris CF46 6TB short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr Steve Rees
Philwill Planning Consultancy Ltd
14 Pentwyn Deintyr
Quakers Yard
Treharris

Extension to an agricultural building (Full)

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

- 1 It has not been demonstrated that the proposed development at the scale and design proposed is reasonably necessary for the purposes of the agriculture. As such, due to its size and height, it represents an unjustified, intrusive development which would have a harmful impact on the visual amenities of the open countryside. The proposal is therefore contrary to policies SW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan".
- 2 The proposed extension, by virtue of its prominent siting, design, scale and height, would form a discordant and intrusive feature within the open landscape and would cause harm to the character and quality of the Special Landscape Area. As such, the proposal is contrary to Policies SW11 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
- 3 The applicant has failed to provide a Preliminary Roost Assessment (PRA) of the existing building and adjacent Oak Tree. As such, the impact of the proposal on bats and nesting birds have not been fully assessed. The Local Planning Authority is therefore unable to determine whether there would be any adverse impact or the need for and extent of any mitigation. The proposed development is therefore contrary to Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Date: 27th March 2024

Signed:



(Director of Neighbourhood Services)

**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 Planning & Environment Decisions 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 Planning & Environment Decisions Wales, 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 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. Planning & Environment Decisions 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 Planning & Environment Decisions 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 Planning & Environment Decisions 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.