

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: Robertson c/o Stephens Scown LLP Chris Tofts Osprey House Malpas Road Truro

WHEREAS you submitted an application on the 12th day of February 2021 to develop: Trago Mills Development Site Swansea Road Merthyr Tydfil CF48 1HT short particulars of the application being as follows:-

Name of the Applicant

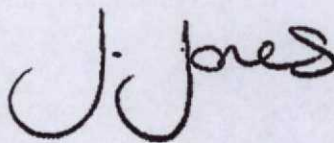
Robertson
Trago Mills
Twowatersfoot
Liskeard
PL14 6HY

Description of Proposed Development

Variation of Condition 3 (Food Retailing) of outline planning permission P/00/0268 to enable two mobile convenience traders to operate from the carpark (Removal of Condition)

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

- 1 The variation of condition 3 of planning permission P/00/0268 would result in the use of sales pitches in an out of town centre location, which undermines and causes unacceptable harm to the viability and vitality of the town centre, contrary to policies EcW3 and EcW6 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.



Date: 27th May 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.