

**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 Adam Hewitt c/o Mr Phillip Tovey Tovey Developments Limited T/A Smart Lettings 50A Oxford Street Pontycymmer Bridgend

**WHEREAS** you submitted an application on the 25th day of March 2024 to develop: Land On The South Side Of Goitre-coed Road Treharris CF46 5BB short particulars of the application being as follows:-

**Name of the Applicant**

**Description of Proposed Development**

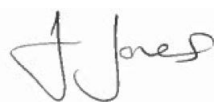
Mr Adam Hewitt  
50 Kingfisher Crescent  
Merthyr Vale  
CF48 4TL

Construction of 13 garages (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 would result in the loss of Ancient Woodland without any justification, compensation or mitigation contrary to Planning Policy Wales 12 and Policy EnW3 of the Merthyr Tydfil Replacement Local Development Plan.
- 2 The application has not demonstrated a net benefit in respect of biodiversity contrary to Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan, Planning Policy Wales 12 and The Environment (Wales) Act 2016.
- 3 There is insufficient room for vehicles to safely enter/exit the site in accordance with the requirements of Manual for Streets resulting in a detriment to highway safety in the area. The proposed development is contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.
- 4 The development by virtue of its scale and prominence would result in a visually incongruous feature within the street scene that is detrimental to the character and appearance of the surrounding area, contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

**Date:** 19th July 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](http://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.