

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 Chris Marshall c/o Hayston Developments & Planning Ltd Mr Andrew Vaughan-Harries The
Planning Studio Hayston Bridge Johnston

WHEREAS you submitted an application on the 18th day of August 2022 to develop: Land Northwest Of Aartal Bungalow Efi Industrial Estate Brecon Road Merthyr Tydfil CF47 8RB short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr Chris Marshall
Caravan
Land Northwest of Aartal Bungalow,
Off Brecon Road
Merthyr Tydfil

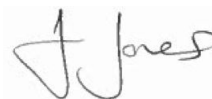
Resiting of existing residential mobile home, expansion of residential curtilage and construction of day room/utility area, provision of ancillary tourer and parking area with ecological enhancements (Full)

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

- 1 The proposal, by virtue of the extended hardstanding area and re-profiling works to the eastern embankment, has resulted in the loss of grassland and woodland areas to the detriment of the character and appearance of Cyfarthfa Conservation Area and the quality of the Nant Morlais & Cwm Taf Fechan Special Landscape Area. Therefore, the development is contrary to policies CW1 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan.
- 2 The proposal, by virtue of the loss of grassland and woodland habitat environments, has a detrimental impact on the conservation value of the Cwm Taf Fechan Site of Importance to Nature Conservation. The development fails to maintain and enhance biodiversity interests and is therefore contrary to policies EnW1 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan.
- 3 The proposed extended residential use (highly vulnerable development), would be inappropriately located partly within a zone C2 flood risk area, as defined by the Development Advice Map (DAM), referred to under TAN15: Development and Flood Risk. Therefore the development is contrary to policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan, Planning Policy Wales (11th Edition) and TAN15: Development and Flood Risk.

Date: 15th November 2022

Signed:



(Director of Neighbourhood Services)

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.