

FormN2V

Code No. P/21/0261

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 Chris Marshall c/o Hayston Developments & Planning Ltd F.a.o. Mr A Vaughan-Harries The Planning Studio Hayston Bridge Johnston

WHEREAS you submitted an application on the 14th day of July 2021 to develop: Land South Of Unit 7 Efi Industrial Estate Merthyr Tydfil CF47 8RB short particulars of the application being as follows:-

Name of the Applicant

Mr Chris Marshall
C/O Agent
United Kingdom

Description of Proposed Development

Provision of dwelling (live/work) together with parking, landscaping and 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:

Please find attached.

Date: 16th November 2021

Signed:.....
(Head of Town Planning)



**IT IS IMPORTANT THAT YOU READ
THE NOTES ATTACHED TO THIS FORM**

REASONS

- 1 The proposed development would result in the loss of employment land that is allocated for business use, which would lead to an unacceptable change in the nature of the employment site, contrary to Policy EcW2 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 2 The proposed development, by virtue of its location and layout, would be at odds with the wider character of the Efi Industrial Estate, would fail to preserve or enhance the character or appearance of the Cyfarthfa Conservation Area and would significantly harm the setting of the Pont Y Cafnau Bridge. Therefore, the development runs contrary to Policies SW11, CW1 and CW2 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 3 The existing access leading to the site and its junction with Brecon Road is of a sub-standard design with inadequate visibility splays, turning radii, poor surfacing and lack of pedestrian segregation. The increased use of this road would exacerbate existing traffic hazards that impede on the free flow of traffic to the detriment of highway and pedestrian safety. As such, the proposed development is contrary to Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 4 Insufficient information has been provided to fully assess the impact of the proposed development on protected species (including bats & otters), habitats or any other features of ecological interest within the application site and the Cwm Fechan Taff Site of Importance for Nature Conservation. As such, the proposed development is contrary to Policies EnW1 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 5 The proposed development, which includes an industrial yard, has the potential to give rise to unacceptable levels of noise and disturbance to the detriment of the amenities of the neighbouring residential properties along Pandy Close. Therefore, the development runs contrary to Policy SW11, of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

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.

