

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 Bernard Llewellyn c/o Mr Brian Griffin Brian Griffin P & C C Limited The Cottage Green Bottom
Littledean

WHEREAS you submitted an application on the 28th day of March 2023 to develop: Pendducae Fawr Farm
Treharris CF46 6UE short particulars of the application being as follows:-

Name of the Applicant

Description of Proposed Development

Mr Bernard Llewellyn
Ffyon duon farm,
Bargoed
CF81 9NP

Erection of rural enterprise dwelling (Full)

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

- 1 Insufficient justification has been submitted to demonstrate the need for a new permanent rural enterprise dwelling in the countryside, in that the submission does not adequately demonstrate the functional, time, financial sustainability or other dwelling tests of paragraph 4.7.1 of TAN 6. As such, the development is contrary to policy SW4 'Settlement Boundaries' of the Merthyr Tydfil Replacement Local Development Plan 2016-2031, paragraph 4.7.1 of Technical Advice Note 6: Planning for Sustainable Rural Communities, July 2010 and paragraph 4.2.37 of Planning Policy Wales (Edition 11) February 2021.
- 2 The proposed dwelling by virtue of its design and choice of materials would be inappropriate to its local context resulting in an unacceptable impact on the rural character and appearance of the surrounding landscape. As such, the development is contrary to policy SW11 'Sustainable Design and Placemaking' (criterion 1) of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
- 3 Insufficient information has been submitted to enable the local planning authority to fully assess the ecological impact of the proposed development. As such, the proposed development is contrary to Policy EnW1 'Nature Conservation and Ecosystem Resilience' of the adopted Merthyr Tydfil Replacement Local Development Plan 2016 - 2031.

Date: 12th December 2023

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.