

Brecon Beacons National Park Authority



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

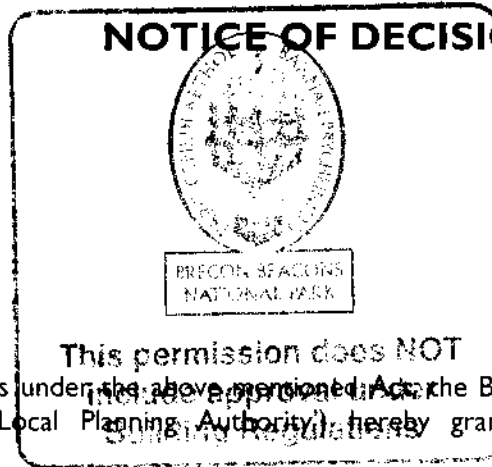
NOTICE OF DECISION

Applicant/Agent:

C Meredith
8 Beech Grove
Festival Park
Ebbw Vale
B. Gwent
NP23 8WQ

Application Reference:

11/07447/REM



In pursuance of its powers under the above mentioned Act, the Brecon Beacons National Park Authority (hereinafter called 'the Local Planning Authority') hereby grants **PERMISSION** for the following development:

“Access, parking and turning, scale of building, appearance of building, layout of site inc building and parking and shed.” (Approval of Reserved Matters) at Pant -Yr - Eros, Fairhome, Lower Common, Gilwern Monmouthshire

subject to the following condition(s):

- 1 Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP4v1 rcvd 30/11/2011; NP2v2, NP3v2, NP5v1 rcvd 1/2/2012; NP1v2, NP6v1 rcvd 6/3/2012), unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4 Notwithstanding the details hereby approved, no new openings (either window or doors) including additional roof lights, shall be inserted in either the north or south elevations (either side elevation).
- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, amending and re-enacting that Order) no development of the types described in Part(s) 1 Class(es) A, B, E, F, G and Part 2 Class(es) A, B of Schedule 2, other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.
- 6 The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve 6 credits under category En1 in accordance with the requirements of Code for Sustainable Homes: Technical Guide April 2009 (or such national measure of sustainability for house design that replaces that scheme. The dwelling shall not be occupied until a Final Code Certificate has been issued for it certifying that a minimum of Code Level 3 has been achieved.
- 7 The dwelling hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 8 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

The landscaping scheme shall include:

- (a) Full details of all existing physical and landscape features on the site including the position, species, height, girth, spread and condition of all trees, clearly distinguishing between those features to be retained and those to be removed.
- (b) Full details of all proposed fencing, screen walls, hedges, hard surfaces, earth moulding, tree and shrub planting.
- (c) Full details of all protective measures to prevent damage during the course of development to trees and other features to be retained, in accordance with BS 5837:2005 Trees in relation to Construction.
- (d) A written specification clearly describing species, sizes, densities and planting numbers.

None of the existing trees and/or hedgerows on the site shall be felled or wilfully damaged or destroyed. The detailed plan to be submitted shall show accurately the position, spread and species of each existing tree/hedgerow on the site, how these are to be incorporated into the layout of the development and measures for their protection during the construction period. Trees should be protected using scaffold frame supporting wild mesh panel fencing sited on the edge of the Root Protection Area as defined in BS 5837:2005.

- 9 Foul water and surface water discharges shall be drained separately from the site
- 10 Land drainage runoff shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reasons:

- 1 To enable the National Park Authority to exercise proper control over these aspects of the development.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 To ensure that the materials harmonise with the surroundings.
- 4 In order to maintain the amenity of the neighbouring properties and prevent unacceptable over looking.
- 5 In order to safeguard the character and visual amenities of the locality.
- 6 In the interests of clarity and in order to encourage the creation of sustainable homes.
- 7 To prevent hydraulic overloading of the public sewerage system, pollution of the environment and in the interests of a sustainable form of development.
- 8 To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 9 To protect the integrity of the public sewerage system
- 10 To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informative Notes:

- 1 The developer shall note if there are changes to the plans hereby approved due to building regulation requirements or any third party requirements, details should also be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work.
- 2 It is strongly advised that thorough site assessments are undertaken in relation to other constraints on and around the site which are not planning related but that you will need to consider and contact the responsible Authority or provider. These may include the location of utility infrastructure such as main sewers crossing the site, electricity lines, telephone lines, water pipelines (this list is not exhaustive).
- 3 If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.
- 4 Please note that prior to the commencement of any works approval will be required for the landscaping scheme.

Policies considered relevant to this decision:

G3: "Development in the National Park" (Unitary Development Plan 2007)

G6: "Design" (Unitary Development Plan 2007)

LPG3: "Development in the National Park." (Local Plan 1999)

LPG7: "Design and energy conservation." (Local Plan 1999)

LPH3: "New housing in larger settlements." (Local Plan 1999)

Signed: 

National Park Authorised Officer

Date: 22nd March 2012

Brecon Beacons National Park Authority

NOTES TO APPLICANT

Appeals to the National Assembly for Wales

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the National Assembly for Wales under Section 78 of the Town and Country Planning Act 1990 (as amended).

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ.

The National Assembly for Wales can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The National Assembly for Wales need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the National Assembly for Wales does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

If either the local planning authority or the National Assembly for Wales refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the local planning authority in whose area the land is situated. This notice will require the local planning authority to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the National Assembly for Wales on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990 (as amended).

Notes

Failure to adhere to the details of the approved proposals for development contained in this application, or to comply with any conditions or limitations subject to which this permission was granted, will constitute a breach of planning control. This may result in the local planning authority serving an enforcement notice requiring the breach to be remedied under Section 172 of the Town and Country Planning Act 1990 (as amended).