

# Brecon Beacons National Park Authority

## Town and Country Planning Act 1990

## Town and Country Planning (General Development Procedure) Order 1995

### NOTICE OF DECISION

BRECON BEACONS  
NATIONAL PARK

This permission does NOT  
include approval under  
Building Regulations

**Applicant/Agent:**

Mrs Louise Adcock  
Dilworth Design  
157A Stratford Road  
Shirley  
Solihull  
B90 3AX

**Application Reference:**

12/07799/FUL

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:

**“Retrospective Planning Approval for a system of retaining walls and the proposed cladding of the walls” (Full Application) at Grouse Cottage, Cymro Road, Gilwern, Abergavenny NP7 0HH**

subject to the following condition(s):

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the 1990 Town and Country Planning Act (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the above Act, shall have been deemed to have been implemented on 12/03/12 .
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NPIv1 received 12/03/12) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 All stone walling shall be carried out using either new or second-hand natural stone with appropriate colour, texture and weathering characteristics. Details of the source and samples shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The approved stone shall be laid on its natural bed with (in the case of second-hand stone) its undressed weathered face exposed on the external face, and shall be coursed and pointed.

The developers shall complete only the first three to five square meters of stone walling which shall be subject to inspection by an officer of the National Park Authority. Written approval must be obtained before further stone walling is undertaken. All subsequent walling shall closely match the approved sample walling in terms of colour, size and coursing and in colour, thickness and style of pointing.

**Reasons:**

- 1 To comply with Section 73A of the above Act.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 In the interest of the character and appearance of the building and surrounding area.

**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 Without the appropriate licence it is a criminal offence to harm or disturb many protected species of mammal (for example bats), reptile, amphibian, bird, plant and habitat. It is also an offence to disturb the nests or eggs of any wild bird during their breeding season. For further information about protected species visit [www.ccw.gov.uk](http://www.ccw.gov.uk). If, during any works in relation to the development hereby permitted any protected species are discovered or nesting birds disturbed, works must immediately cease and the Countryside Council for Wales be contacted on 0845 1306229.

**Policies considered relevant to this decision:**

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

**G6:** "Design" (Unitary Development Plan 2007)

**Q21:** "Rights of Way and Long Distance Routes" (Unitary Development Plan 2007)

**H4:** "Notifiable Installations" (Unitary Development Plan 2007)

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

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

**LPT14:** "Recreational paths." (Local Plan 1999)

**LPPU8:** "Fuel and Power Supply" (Local Plan 1999)

Signed: 

**National Park Authorised Officer**

Date: 3rd May 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).

