

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:

Dilworth Design
Moseley School
157A Stratford Road
Shirley
Solihull
B90 3AX

Application Reference:

12/07919/FUL

This permission does NOT
include approval under
Building Regulations

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:

“Retention of single storey side extension and external lighting. Demolition of existing porch and replacement with a canopy porch. Removal of slabs, replace with grass mesh, replace fence with wire” (Full Application) at Grouse Cottage, Cymro Road, Llanelly, Monmouthshire 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 30th March, 2012.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1 and NP3v1) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 Prior to the commencement of any further development a scheme of lighting including methods of preventing light-spill, wattage of lighting and location of lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the beneficial use of the extension hereby approved and lighting of the site shall be provided in accordance with the approved scheme in perpetuity.
- 4 Prior to commencement of any further development plans and details of a hedge planting scheme, including details of plant spacing, protection and species, which will be located along the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in the next planting season after the approval of the scheme.
- 5 Any trees or plants which, within a period of 5 years from the date of planting that die are removed or become seriously damaged or diseased they 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. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year defects period.
- 6 Prior to any further development on site or storage of construction materials or equipment on site plans illustrating the protection of trees in accordance with BS5837:2005 shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be fully implemented and approved by an officer of the Local Planning Authority before any further development commences. Once development has been completed the Local Planning

Authority shall be informed in writing. The tree protection measures shall not be removed until approval is given in writing by the Local Planning Authority.

7 No external fires shall be lit within 20.0 m of any trees.

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 To ensure the development does not impact on a protected species and to ensure the rural characteristics of the area during the hours of darkness.
- 4 To achieve sustainable development through biodiversity enhancement and enhance the character and appearance of the site.
- 5 To ensure sustainable development through biodiversity enhancement and maintain the character and appearance of the site.
- 6 To protect and maintain biodiversity on and around the site and protect and maintain the character and appearance of the site.
- 7 To protect biodiversity on and around the site and protect the character and appearance of the site.

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. 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.
- 3 Only the developments which will or have taken place within the red line shown on approved plan reference NPIVI are the subject of this planning permission.

Policies considered relevant to this decision:

G3: "Development in the National Park" (Unitary Development Plan 2007)
G4: "Development Affecting Trees" (Unitary Development Plan 2007)
G6: "Design" (Unitary Development Plan 2007)
Q1: "Sites of European Importance" (Unitary Development Plan 2007)
Q4: "Protected and Important Wild Species" (Unitary Development Plan 2007)
Q21: "Rights of Way and Long Distance Routes" (Unitary Development Plan 2007)
Q25: "Residential Education, Training and Outd" (Unitary Development Plan 2007)
LPG3: "Development in the National Park." (Local Plan 1999)
LPG4: "Development in the National Park." (Local Plan 1999)
LPG7: "Design and energy conservation." (Local Plan 1999)
LPCL3: "Wildlife and landforms." (Local Plan 1999)
LPCL4: "Wildlife and landforms." (Local Plan 1999)
LPCL6: "Wildlife and landforms." (Local Plan 1999)
LPT1: "Tourist, recreation and education." (Local Plan 1999)
LPT14: "Recreational paths." (Local Plan 1999)

Signed: 

National Park Authorised Officer

Date: 25th 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).

