

# 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:**

Roger Field  
FTAA LTD  
6 High Street  
Crickhowell  
Powys / Powys  
NP8 1BW

#### **Application Reference:**

12/08713/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:

**“Demolition of garage, construction of single storey extension and replacement porch” (Full Application) at 1 Forest Hill, Gilwern, Abergavenny, NP7 0DY**

subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1, NP3v1, NP4v1 and schedule of proposed materials contained in section 11 of the planning application form) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 Should any of the three trees illustrated on approved plan NP3v1 die, become diseased or damaged with 5 years of the commencement of development plans and details regarding replacement trees will be submitted to and approved in writing by the Local Planning Authority. The plans and details shall include the location, size, species and planting schedule including measures of support and protection. The plan and details approved by the Local Planning Authority shall be carried out in full during the next available planting season. Should within 5 years of planting any tree(s) require replacement due to damage, disease or death the tree(s) shall be replaced with the same species.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no windows shall at any time be placed in the northern elevation of the extension hereby permitted.
- 5 Works to remove the roof of the existing shed/garage building should be completed by hand.

#### **Reasons:**

- 1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 In the interests of biodiversity and the character and appearance of the locality.
- 4 In order to protect the residential amenity of adjacent properties.
- 5 To ensure any protected species are not disturbed during demolition works.

#### **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.
- 3 Work should halt immediately and CCW contacted for advice in the unexpected event that bats are discovered during the course of the development. To proceed without seeking the advice of CCW may result in an offence being committed. CCW, Cantref Court, Brecon Road, Abergavenny, NP7 7AX.
- 4 The timing of development works should be such as to avoid conflict with the bird nesting season.

**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)  
**Q4:** "Protected and Important Wild Species" (Unitary Development Plan 2007)  
**Q11:** "Sites of Archaeological Importance" (Unitary Development Plan 2007)  
**Q21:** "Rights of Way and Long Distance Routes" (Unitary Development Plan 2007)  
**Q8:** "Historic Landscapes" (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)  
**LPCL6:** "Wildlife and landforms." (Local Plan 1999)  
**LPCL9:** "Archaeology and cultural features." (Local Plan 1999)  
**LPPU8:** "Fuel and Power Supply" (Local Plan 1999)  
**LPT14:** "Recreational paths." (Local Plan 1999)

Signed:



**National Park Authorised Officer**

Date: 5<sup>th</sup> February 2013

**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).

