

# Brecon Beacons National Park Authority



## Town and Country Planning Act 1990

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

### **Applicant/Agent:**

Dr Gillian Hunt  
Ecotek Architectural Design  
Rose Cottage  
Main Road  
North Clydach  
Abergavenny  
Monmouthshire  
NP7 0LL

### **Application Reference:**

13/08914/FUL

## **NOTICE OF DECISION**



**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:

**“Replace existing conservatory with a single storey extension and also replace existing garage (detached) with a two storey extension” (Full Application) at Bay Cottage, 15 Bank Crescent, Gilwern, Abergavenny NP7 0DL**

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 and NP2v1) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used on the existing building
- 4 Prior to the commencement of development details of the 2m high boundary fence to be erected between the site and number 14 Bank Crescent shall be submitted to an approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved plans and shall be maintained as such thereafter. The fence shall be permanently erected prior to the first beneficial occupation of the two storey extension hereby approved.
- 5 Notwithstanding the provisions of Schedule 2, Part 1 Class A 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 windows shall be inserted in the north-eastern (gable) elevation of the extension hereby approved without the written permission of the Local Planning Authority.

### **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 To ensure the external materials harmonise with the existing building.
- 4 In the interests of protecting the residential amenity of number 14 Bank Crescent.
- 5 In the interests of the residential amenity of those living closest to the site.

### **Informative Notes:**

**Policies considered relevant to this decision:**

- G3:** "Development in the National Park" (Unitary Development Plan 2007)
- G6:** "Design" (Unitary Development Plan 2007)
- ES27:** "House Extensions and Ancillary Buildings" (Unitary Development Plan 2007)
- LPG3:** "Development in the National Park." (Local Plan 1999)
- LPG7:** "Design and energy conservation." (Local Plan 1999)
- LPHI 4:** "House extensions and ancillary buildings" (Local Plan 1999)

Signed: 

**National Park Authorised Officer**

Date: 25<sup>th</sup> April 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).