

# Brecon Beacons National Park Authority



## Town and Country Planning Act 1990

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

### REFUSAL OF PERMISSION FOR DEVELOPMENT

**Applicant/Agent:**

Mrs Ceri Porter  
Prospero Planning Limited  
56 Grove Terrace  
Penarth  
Vale of Glamorgan  
CF64 2NL

**Application Reference:**

13/09630/FUL

**REFUSE**

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

**"Proposed detached dwelling." (Full Application) at Lleuad Newydd, Station Road, Clydach, NP7 0LY**

for the following reason(s):

- 1 The proposed dwelling, by reason of its orientation, design, form and excessive bulk and scale fails to positively respond to the established character, scale and appearance of its surroundings. It would instead appear unrelated to and out of keeping with the existing dwellings in the immediate street scene to the detriment of the overall character and appearance of this part of Clydach. As such the proposed development would conflict with Policies G3 (iii) and G6 (ii) of the approved Brecon Beacons National Park approved Unitary Development Plan, and policies G3 (i) and G7 (i) of the Brecon Beacons National Park Local Plan (1999), as well as guidance within Technical Advice Note 12 (Design).
- 2 Insufficient information has been submitted to demonstrate that the proposed development would not have a detrimental impact upon highway and pedestrian safety. The proposed development is therefore deemed to conflict with Policies G3 (vii and ix) and G6 (vi) of the approved Brecon Beacons Unitary Development Plan, and policies G3 (iv and v) and G7 (ii).

**Policies considered relevant to this decision:**

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

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

**Q10:** "Nationally Import. Archaeological Remain" (Unitary Development Plan 2007)

**Q11:** "Sites of Archaeological Importance" (Unitary Development Plan 2007)

**Q12:** "Archaeological Evaluation" (Unitary Development Plan 2007)

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

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

**LPH2:** "New housing in larger settlements." (Local Plan 1999)

**LPCL8:** "Archaeology and cultural features." (Local Plan 1999)

**LPCL9:** "Archaeology and cultural features." (Local Plan 1999)

**LPCL10:** "Archaeology and cultural features." (Local Plan 1999)

**G4:** "Development Affecting Trees" (Unitary Development Plan 2007)

Signed:

*Cefn Morgan*

**National Park Authorised Officer**

Date:

*9<sup>th</sup> August '13*

**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 wish to appeal, then you must do so within six months of the date of this notice, using a form which you can obtain from the Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can submit your appeal online via their website at [www.planningportal.gov.uk/planning/appeals/appeals](http://www.planningportal.gov.uk/planning/appeals/appeals)

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).