

Brecon Beacons National Park Authority



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

NOTICE OF DECISION



This permission does NOT include approval under Building Regulations

Applicant/Agent:

Ms Nicola Carey
Willowdene
Forge Row
Maesygartha
Gilwern
Monmouthshire
NP7 0HA

Application Reference:

14/11107/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:

**“Proposed dormer window and rooms in roof space to provide ancillary accommodation.”
(Full Application) at Willowdene, Forge Row, Maesygartha, Gilwern Monmouthshire**

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, NP5v2, NP6v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall commence until details of the roof lights have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Willowdene.
- 5 No development shall take place until a full working method statement has been submitted to and agreed in writing by the Local Planning Authority. The approved method statement shall be implemented in full as approved. Construction measures and the method statement shall incorporate the recommendations in Section 9 of the ecological report.
- 6 The biodiversity mitigation measures shall be implemented in full prior to the beneficial use of the attic accommodation hereby approved. Within one month of the installation of the mitigation, a report confirming the implementation and completion of the approved scheme shall be submitted to the Local Planning Authority.
- 7 The results of a monitoring survey in year one following completion of the development shall be submitted to the Local Planning Authority within 2 months of it being undertaken.
- 8 No development shall take place until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The plan shall identify all existing external lighting and all proposed external lighting. The scheme shall avoid conflict with bat mitigation/enhancement measures and shall be implemented in full as approved.

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 that the design and the materials harmonise with the character of the dwelling and the surrounding area.
- 4 It would be contrary to the policies of the Local Planning Authority to grant planning permission for a separate dwelling in this location without proper assessment and application of said policies.
- 5 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006
- 6 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006
- 7 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006
- 8 To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Natural Environment and Rural Communities Act 2006

Informative Notes:

- 1 Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2010 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at:
NRW, Cantref Court, Brecon Road, Abergavenny, NP7 7AX Tel: 01873 737000
- 2 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.

Policies considered relevant to this decision:

Policy 1	Appropriate Development in the National Park
SP3	Environmental Protection – Strategic Policy
Policy 6	Biodiversity and Development
Policy 7	Protected and Important Wild Species
Policy 27	House Extensions and Ancillary Buildings
Policy 59	Impacts of Traffic

Signed:

Ann Jones

National Park Authorised Officer

Date:

16/10/14

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).

