

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:

Roger Field
FTAA LTD
6 HIGH STREET
CRICKHOWELL
POWYS
NP8 1BW

Application Reference:

14/11227/FUL

BRECON BEACONS
NATIONAL PARK

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:

“Demolition of shed and conversion of two existing detached outbuildings to provide one holiday let with a glazed link” (Full Application) at 2 Brunant Road, Clydach, Abergavenny, NP7 0NG

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. NP1v2, NP4v2, NP5v2, NP8v2, NP9v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the provisions 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 development of the types described in Part 1; Classes A, B, C, D, E, F, G and H; Part 2; and Part 40 of Class A of Schedule 2, other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.
- 4 The building which is the subject of this application shall be used for one unit of holiday accommodation only and for no other purpose including any other purpose within Class C of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
- 5 The unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings, including the names and main home addresses of guests, shall be kept up-to-date and made available for the Local Planning Authority to inspect at all reasonable times.
- 6 No development shall take place until details or samples of the doors and windows have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 7 No development shall take place until samples of the slate to be used on the roof have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 8 Foul water and surface water discharges shall be drained separately from the site.

- 9 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
- 10 Prior to commencement of development works, a full working method statement shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved. Construction measures and the method statement shall incorporate the recommendations in Section 9 of the ecological report dated June 2014 and Section 9 of the ecological report dated November 2014.
- 11 The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first use of the development. Following the installation of the mitigation, a report prepared by a suitably qualified bat consultant confirming their adequate installation shall be submitted to and approved in writing by the Local Planning Authority. The results of the post-development monitoring surveys shall be submitted to and approved in writing by the Local Planning Authority within 2 months of their being undertaken.
- 12 No external lighting shall be installed until an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with bat mitigation/enhancement measures and shall be implemented as approved.
- 13 The landscaping plan as shown on Drawing NP9v1 and the planting specification details in Hedge Type 1 shall be implemented in the first planting season following implementation of the development and retained thereafter. Any planting that fails in the first five years shall be replaced in the following planting season.

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 order to safeguard the character and visual amenities of the locality and in accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 4 In accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013 the Local Planning Authority is not prepared to allow the introduction of separate units of residential accommodation in this rural location
- 5 To ensure the approved holiday accommodation is not used for permanent residential accommodation in accordance with policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 6 In the interests of visual amenity and in accordance with CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 7 In the interests of visual amenity and in accordance with CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2013.
- 8 To protect the integrity of the public sewerage system.
- 9 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 10 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 BBNPA. 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.
- 11 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 BBNPA. 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.
- 12 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 BBNPA. 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.
- 13 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 BBNPA. 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

Policies considered relevant to this decision:

Local Development Plan 2013;

CYD LPI Enabling Appropriate Development in the Countryside
Policy 1 Appropriate Development in the National Park
Policy 6 Biodiversity and Development
Policy 7 Protected and Important Wild Species
Policy 12 Light Pollution
Policy 23 Sustainable Design in the Adaption and Re-use of Existing Buildings
Policy 59 Impacts on Traffic
SPI I Sustainable Design

Planning Policy Wales 7th Edition 2014

Technical Advice Note 12 Design 2014

Signed: 

National Park Authorised Officer

Date: 

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).