

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:

Mr Daryl Jones
Persimmon Homes
Persimmon House
Llantrisant Business Park
Llantrisant
Rhondda Cynon Taff
CF72 8YP
United Kingdom

Application Reference:

15/12338/CON



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:

“Variation of condition 2 of planning permission 13/10295/FUL to allow for minor material amendments to the layout, external works and house finishes layout of plots 1, 2, 64, 65, 66, 67, 68 and 69.” (Variation/Renewal of Conditions) at Land at Cae Meldon, Gilwern,

subject to the following condition(s):

- 1 Consent is granted for minor material amendment to planning permission reference 13/10295/FUL dated 7 October 2014, by permitting development to continue in accordance with condition 2 and 3 below, which respectively substitute for condition 2 and 10 of the original consent. Consent remains subject to the other conditions and legal agreement under Section 106 of the Town and Country Planning Act 1990 imposed therein, so far as the same are still subsisting and capable of taking effect.
 - 2 The development shall be carried out in all respects strictly in accordance with the approved plans [drawing nos. NP1v1, NP15v1 to NP30v1 (inclusive), NP32v1 to NP35v1 (inclusive), NP36v1 (also applicable to plot 41), NP37v1 (also applicable to plot 37), NP38v1 (also applicable to plot 37), NP39v1 to NP45v1 (inclusive), NP46v1 (excluding plot 36), NP47v1 (excluding plot 39), NP48v1 to NP55v1 (inclusive), NP56v1 (excluding plot 38), NP57v1 to NP60v1 (inclusive), NP61v1 (excluding plot 41), NP62v1 (excluding plot 37), NP63v1 (excluding plot 37), NP64v1, NP66v1 to NP83v1 (inclusive) received on the 13th December, 2013; drawing nos. NP5v2, NP6v2 (apart from section D-D) and NP87v1 received on 24th March, 2014; drawing no. NP84v2 received on the 14th May, 2014; drawing no. NP65v2 received on the 3rd July, 2014; drawing no. NP2v1 received on the 17th June, 2015; drawing no. NP3v1 received 17th June, 2015 and drawing no. NP4v1 received on the 17th June, 2015] except where otherwise stipulated by conditions attached to this permission.
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- Notwithstanding the approved plans as listed in condition 1 updated versions of the relevant plans, in accordance with the approved site layout plan for the development (NP4v1 received 17th June, 2015 (Phasing Plan, Section D-D Site Cross Section, Storey Height Plan, House Finishes Plan, External Works Plan, Arboricultural Impact Plan, Arboricultural Constraints Plan, Perimeter Planting and Tree Planting Plan and a Planning Layout West Landscaping Plan) have by the 30th August 2015 been submitted to the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved updated versions.

Reasons:

- 1 To ensure this variation of condition remains a permission subordinate to the original planning permission.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 To ensure an orderly and consistent form of development and to avoid confusion as to the nature of the approved plans.

Informative Notes:

- 1 All notes on the original planning permission 13/10295/FUL remain as information for the developer.

Policies considered relevant to this decision:

Planning Policy Wales (Edition 7: July 2014)
Technical Advice Note 12: Design (July 2014)
Technical Advice Note 5: Nature Conservation and Planning (September 2009)
Local Development Plan (December 2013 - 2022)
SPI National Park Policy
Policy I Appropriate Development in the National Park
S LP2 Settlements Appropriate Development

Signed: *Cefn Morgan*

National Park Authorised Officer

Date: *18th August '15*

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).

