

Brecon Beacons National Park Authority



Town and Country Planning Act 1990 Town and Country Planning (General Development Procedure) Order 1995

NOTICE OF DECISION

BRECON BEACONS
NATIONAL PARK

This permission does NOT
include approval under
Building Regulations

Applicant/Agent:

Mr Simon Brown
Simon Brown
14 Monk Street
Monmouth
Monmouthshire
NP25 3NZ

Application Reference:

15/12382/CON

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 approvals 10/04640/FUL to allow amendments to approved design.” (Variation/Renewal of Conditions) at The Long Barn, Ty Mawr Road, Gilwern, Monmouthshire NP7 0EB

subject to the following condition(s):

- 1 The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1; NP2v1; NP3v1; NP4v1; NP5v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4 Prior to the installation of the consented internal insulation, full details (including the method for attaching the insulation to the walls of the listed building) shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in complete accordance with the approved specification.
- 5 The development and construction works shall be carried out strictly in accordance with Method Statement, Issue 2, dated 8th July 2015 and drawing NP5v1 as submitted to the Local Planning Authority.
- 6 The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first use of the development. Within three months of the first use of the building, a report prepared by a suitably qualified bat consultant confirming their adequate installation shall be submitted to the Local Planning Authority.
- 7 Annual monitoring surveys shall be undertaken in accordance with the approved Method Statement, Issue 2, dated 8th July 2015 (page 17-18, paragraph F.2). The results of these surveys shall be submitted to the local planning authority within 2 months of their being undertaken.
- 8 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; Class A Schedule 2 and Part 40; Classes A, B, E, F other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.

- 9 Full planning permission is given for conversion to a single dwellinghouse only, the annex accommodation shown on approved drawing NP3v1 shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse.

Reasons:

- 1 Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 To ensure that the materials harmonise with the surroundings.
- 4 To ensure that impacts on the listed building are minimised.
- 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. 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. 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. 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 In order to safeguard the character and visual amenities of the historic listed building, the character of the building and the locality.
- 9 For clarity as to the nature of the planning permission which includes reference to annex accommodation.

Informative Notes:

- 1 The details submitted under discharge of conditions application reference 15/12458/DISCON are considered sufficient to meet the requirements of conditions 3 and 4 of this decision notice as advised by letter on the 10 August 2015. The purpose of conditions 3 and 4 is to allow for a further submission of details if necessary.
- 2 The applicant should apply to NRW for a European Protected Species licence under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon bats. Please note that the granting of planning permission does not negate the need to obtain a licence.
- 3 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: 0300 065 3000

Policies considered relevant to this decision:

CYD LPI Enabling Appropriate Development in the Countryside (Local Development Plan 2013)
Policy 1 Appropriate Development in the National Park (Local Development Plan 2013)
Policy 6 Biodiversity and Development (Local Development Plan 2013)
Policy 7 Protected and Important Wild Species (Local Development Plan 2013)
Policy 57 Use of Non Mains Sewerage Solutions (Local Development Plan 2013)
Policy 59 Impacts of Traffic (Local Development Plan 2013)
Planning Policy Wales 4th Edition (2014)
Technical Advice Note 6: Planning for sustainable rural communities (2012)

Technical Advice Note 12: Design (2014)

Signed: *J. Wetton*

Date: *14th August 2015*

National Park Authorised Officer

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).