

Brecon Beacons National Park Authority

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

NOTICE OF DECISION

NATIONAL PARK

This permission does NOT
include approval under
Building Regulations

Application Reference:
15/12561/CON

Applicant/Agent:

Mrs Ceri Porter
Prospero Planning Limited
The Gate
Keppoch Street
Cardiff
CF24 3JW

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:

"Removal of Condition 4 on Planning Permission M19424 to allow year round use of holiday units." (Variation/Renewal of Conditions) at Dyffryn Clydach Farm, Gilwern, Abergavenny Monmouthshire NP7 0EG

subject to the following condition(s):

- 1 The building(s) which is the subject of this application shall be used for 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.
- 2 The building(s) 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 the 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.

Reasons:

- 1 The National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.
- 2 To ensure the approved holiday accommodation is not used for permanent residential accommodation as the National Park Authority is not prepared to allow the introduction of an unrestricted unit of residential accommodation in this rural location.

Informative Notes:

1. This decision only refers to the removal of Condition 4 of Planning Permission M19424, and as such all other conditions contained on planning permission M19424 remain extant.
2. Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via the Monmouthshire County Council Highways.

Policies considered relevant to this decision:

SPI-National Park Policy

Policy I- Appropriate Development in the National Park

CYD LPI – Enabling appropriate development in the Countryside.

Signed:  **National Park Authorised Officer**

Date: 26 September 2015 **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).

