

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 Jamaal Hafiz
Clarke Telecom Limited
Unit E
Madison Place
Northampton Road
Manchester
Greater Manchester
England
M40 5AG

Application Reference:

15/12630/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:

“Application is for the removal of 2 no. existing antennas, 4 no. existing mast head amplifiers (MHAS) and 1 no. equipment cabinet and the installation of 2 no. replacement antennas, 4 no. replacement MHA's, and 1 no. replacement equipment cabinet. With the addition of 1 no. cabinet and ancillary development thereto.” (Full Application) at Neuadd Farm, Church Road, Gilwern, Monmouthshire NP7 0HF

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, NP2v1 and NP3v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 In the event of any of the equipment hereby permitted becoming redundant it shall be removed within three months of the last use of the equipment.
- 4 All equipment to be replaced as part of this upgrade (2 antennas, 4 mast head amplifiers and 1 2G cabinet) shall be removed from the site within 1 month of the installation of the new apparatus.

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 the interests of the visual amenities of the locality.
- 4 In the interests of the visual amenities of the locality.

Informative Notes:

Policies considered relevant to this decision:

The relevant local plan policies and supplementary planning guidance are highlighted below:

Policy 1: "Appropriate Development in the National Park" (Local Development Plan 2013)

Policy 55: "Telecommunications" (Local Development Plan 2013)

In the determination of planning applications, regard is also given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales 7th Edition (2014)

Technical Advice Note (TAN) 19: Telecommunications (2002)

Signed:

T. Wettlein

National Park Authorised Officer

Date:

27th October 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).

