

Brecon Beacons National Park Authority



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

REFUSAL OF PERMISSION FOR DEVELOPMENT

Applicant/Agent:

Mr J Aylett

Application Reference:

15/12919/FUL

17 Orchard Close
Gilwern
Monmouthshire
NP7 0EN

REFUSE

In pursuance of its powers under the above mentioned Act, the Brecon Beacons National Park Authority (hereinafter called 'the Local Planning Authority') hereby **REFUSES** to grant consent for the following development:

"Proposed rear garden room and side utility room extensions and rear garden timber climbing frame." (Full Application) at 17 Orchard Close, Gilwern, Monmouthshire, NP7 0EN

for the following reason(s):

- Insufficient information has been submitted to prove that the proposal would not have a detrimental impact on European Protected Species and their habitats. As such the proposal is contrary to policies SP3, 6 and 7 of the Brecon Beacons National Park Local Development Plan (2013) and Section 5.5 of Planning Policy Wales (2014).

Policies considered relevant to this decision:

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 27: "House Extensions and Ancillary Buildings" (Local Development Plan 2013)

SP 3: "Environmental Protection" (Local Development Plan 2013)

SPI 1: "Sustainable Design" (Local Development Plan 2013)

Planning Policy Wales 7th Edition (July 2014)

Technical Advice Note 5: *Nature Conservation and Planning (2009)?*

Technical Advice Note 12: *Design (2014)*

Signed:

National Park Authorised Officer

Date:

18 December 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 wish to appeal, then you must do so within six months of the date of this notice, using a form which you can obtain from the Planning Inspectorate at Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can submit your appeal online via their website at www.planningportal.gov.uk/planning/appeals/appeals

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).