

# 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 M McLoughlin  
8 Ty Brith Gardens  
Usk  
Monmouthshire  
NP15 1BY  
United Kingdom

**Application Reference:**

15/13060/FUL

**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:

**“Reinstatement of Former Dwelling.” (Full Application) at Grouse Cottage , Cymro Road, Llanelly, Monmouthshire NP7 0HH**

for the following reason(s):

- 1 The proposed development would represent an unjustified encroachment into the countryside to the detriment of its current open natural and undisturbed character that would in turn harm the natural beauty of this part of the National Park contrary to Policy 1 and CYD LPI of the Brecon Beacons National Park Authority Local Development Plan 2007-2022.
- 2 The application fails to justify the use of the property as an unrestricted open market dwelling contrary to Policy CYD LPI of the Brecon Beacons National Park Authority Local Development Plan (December 2013 -2022) and the advice contained within Planning Policy Wales (Edition 8: January 2016) and Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).
- 3 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 Planning Policy Wales (Edition 8: January 2016).

**Policies considered relevant to this decision:**

Planning Policy Wales (Edition 8: January 2016)

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

Local Development Plan (December 2013 - 2022)

Policy 1 Appropriate Development in the National Park

CYD LPI Enabling Appropriate Development in the Countryside

SP3 Environmental Protection – Strategic Policy

Policy 6 Biodiversity and Development

Policy 7 Protected and Important Wild Species

Policy 25 Renovation of Former Dwellings in the Countryside

Policy 59 Impacts of Traffic

Signed: 

**National Park Authorised Officer**

Date: 3<sup>rd</sup> March 2016.

**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](http://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).