

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 Glyn Smith
Glyn Smith RIBA Architect
Ty Llawen
Pen-yr-Ale Lane
Llangynidr
Powys
NP8 1NE

Application Reference:

16/13183/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:

"Conversion of the existing garage to a residential annexe for the existing dwelling "Autumn View" (Full Application) at Autumn View, Lower Common, Gilwern, Sir Fynwy NP7 0EE

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, NP3v1, NP4v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development and biodiversity enhancement scheme shall be carried out in accordance with the proposals outlined in Section 6 of the ecological report dated 22 January 2016. The existing crevices identified in paragraph 6.1 of the ecological report shall be retained in perpetuity. The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to beneficial use of the development hereby permitted. Following the installation of the mitigation, a report confirming their adequate installation shall be submitted to the Local Planning Authority.
- 4 The tree-house ladder shall be removed prior to the first beneficial use of the development hereby approved.
- 5 The annex hereby permitted shall be occupied as ancillary residential accommodation to the main residence presently known as Autumn View and shall not be occupied as an independent dwelling.
- 6 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(s) I; Class(es) A, B, C, D, E, F, G, and H of Schedule 2, other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.

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 To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP.

- 4 To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP.
- 5 To ensure that the annex is not occupied as a separate residential dwelling and is not sold separately from the main property.
- 6 In order to safeguard the character and visual amenities of the locality.

Informative Notes:

- 1 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

Reason: 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

Policies considered relevant to this decision:

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

Policy CYDLPI: Enabling Appropriate Development in the Countryside (Local Development Plan 2013)

National Policy:

Planning Policy Wales 7th Edition (July 2014)

Technical Advice Note 12: Design (2014)

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

Signed:



National Park Authorised Officer

Date:

12th August 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 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).

