

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 J Aylet

17 Orchard Close
Gilwern
Monmouthshire
NP7 0EN

Application Reference:

16/13162/FUL

This permission does NOT
include approval under
Building Regulations

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:

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

subject to the following condition(s):

- 1 The development hereby permitted for the extensions 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, NP4v1 and NP5v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 The biodiversity enhancement scheme shall include two features for bat roosting and shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details in Section 10 of the ecological report dated January 2016 unless otherwise agreed in writing by the Local Planning Authority. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.
- 4 Within three months of the date of this permission for the development hereby permitted a screen fence, boundary hedge or tree planting not less than 1.8 metres high shall be constructed and permanently retained along the boundaries of the site marked in red on the approved plan NP2v1 and details of the fence, hedge or planting shall be submitted to and approved in writing by the Local Planning Authority before its construction.
- 5 Within one month of the date of this permission hereby permitted, the timber climbing frame should be moved to its approved location as shown on plan reference NP2v1, lowered in height so that the platforms are reduced by at least 1m in height above existing ground level and the overall height of the climbing frame shall not exceed 2.2m above the existing ground level.
- 6 Within one month of the date of this permission hereby permitted, details of a colour in which the timber climbing frame is to be stained shall be submitted to an approved in writing by the Local Planning Authority. The staining shall be carried out in accordance with the approved details within one month of the climbing frame being moved to its approved position.

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 In the interests of residential and visual amenity.
- 5 In the interests of residential and visual amenity.
6. In the interests of residential and visual amenity.

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
- 2 It has been identified by Dwr Cymru Welsh Water, that the proposed development site is crossed by a public sewer. It is advised that the applicant contact Dwr Cymru Welsh Water, Developer Services on 0800 917 2652 to obtain details of the safety zone.

Policies considered relevant to this decision:

Brecon Beacons National Park Local Development Plan 2013

Policy 1	Appropriate Development in the National Park
SP11	Sustainable Design
Policy 6	Biodiversity and Development
Policy 7	Protected and Important Wild Species
Policy 27	House Extensions and Ancillary Buildings
SP3	Environmental Protection – Strategic Policy
SP11	Sustainable Design

Planning Policy Wales 8th Edition (Jan 2016)

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

Technical Advice Note 12 : Design (2016)

Signed: 

National Park Authorised Officer

Date: 23rd 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 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).

