

# 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 Adrian Drew

**Application Reference:**  
16/13275/OUT

14 Thornhill Close  
Brynmawr  
Blaenau Gwent  
UK  
NP23 4SA

**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:

**“Outline application: To provide new 2 storey residential cottage on the original site of No3 Long Row, Clydach” (Outline Application) at Hillside Cottage, Lower Station Road, Clydach, Monmouthshire NP7 0LP**

for the following reason(s):

- 1 The proposed development fails to meet the requirements for the reinstatement of an abandoned dwelling as it appears to have long been abandoned as a separate dwelling due to there being little physical remains. As such the proposal is contrary to policy LGS LP2 (2) of the Brecon Beacons National Park Local Development Plan.
- 2 The proposed development represents a new open market dwelling within a Level 4 limited growth settlement which is contrary to policy LGS LP2(1) of the Brecon Beacons National Park Local Development Plan.
- 3 Insufficient evidence has been provided to ensure that the development will not have an unacceptable impact on, nor detract from, or prevent the enjoyment of ecology and biodiversity assets within the National Park. The development is therefore contrary to Policy SP3 of the Brecon Beacons National Park Local Development Plan.

#### **Policies considered relevant to this decision:**

- Planning Policy Wales (PPW 2016)
- Environment Act 1995
- Natural Environment & Rural Communities Act 2006
- Conservation of Habitats & Species Regulations 2010
- Technical Advice Note 12 , Design (2014)
- Technical Advice Note 5, Nature Conservation (2014)
- Technical Advice Note 2, Planning and Affordable Housing (2006)
- Brecon Beacons National Park Authority Local Development Plan-
- Policy LGS LP2
- Policy I
- Policy SP3

Signed: *P. Wetten*

Date: *29<sup>th</sup> April 2016*

**National Park Authorised Officer**

**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).

