

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:

Mrs Lisa Hannam
9 Hooper Close
Gilwern
Abergavenny
NP7 0EZ
Monmouthshire

Application Reference:

17/14510/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:

“Material change of use of land to extend curtilage to dwelling including repositioning of boundary fence and creation of additional parking spaces.” (Full Application) at 9 Hooper Close, Gilwern, NP7 0BL,

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. CV5-A [NP1v1] and L-02 [NP3v1] received 14 February 2017, unless otherwise agreed through application to the Local Planning Authority.
- 3 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 1 Classes A, B, C, D, E, F, G, H; Part 2 Classes A, B of Schedule 2, other than that hereby permitted shall be carried out without the written permission of the Local Planning Authority.
- 4 No development shall be commenced on the site or machinery or materials brought onto the site for the purpose of development until an arboricultural method statement has been submitted and approved by the Authority. The arboricultural method statement shall include details and a plan of the type of 'no dig' surfacing to be used for the area south of the relocated fence and for the car parking area how this will be constructed without damaging any tree roots in that area. Development shall be carried out in accordance with the approved arboricultural method statement and plan.
- 5 The holes for the fence posts are to be hand dug within 3 metres either side of the tree trunk. If roots greater than 50mm in diameter are encountered, the fence post should be moved to a new position, and no roots shall be cut through.
- 6 No alterations in ground level are to occur beneath the canopy spread of the tree without first obtaining written permission from 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 In order to safeguard the character and visual amenities of the locality.

- 4 To protect the rooting environment and the existing roots of the established Oak tree on the western boundary of the site.
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Policies considered relevant to this decision:

Brecon Beacons National Park Authority Local Development Plan (2007-2022)

Policy 1 - Appropriate Development in the National Park

Policy 8 - Trees and Development

Policy 59 - Impacts of Traffic

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note (TAN) 12 - Design

Signed:

C. Morgan

National Park Authorised Officer

Date:

19th April '17

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).

