

**AWDURDOD PARC CENEDLAETHOL BANNAU BRYCHEINIOG
BRECON BEACONS NATIONAL PARK AUTHORITY**

**Town and Country Planning Act 1990
Town and Country Planning (Development Management
Procedure) (Wales) Order 2012**

NOTICE OF DECISION

Applicant/Agent:

Mr Lewis Price
McCartneys LLP
40 High Street
Brecon
LD3 7AP
United Kingdom

Application Reference:

23/21735/FUL

In pursuance of its powers under the above mentioned Act, Planning Permission is hereby **GRANTED** for the following development by the Brecon Beacons National Park Authority (hereinafter called 'the Local Planning Authority'):

“Covered Yard - Building to provide cover over an existing concrete yard, Covered Muck Store - Building to provide cover over an existing muck store” (Full Application) at Garn Galed , Llanspyddid, Brecon, LD3 8PE

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 following approved plans:
 - LOCATION PLAN received 24th January 2023
 - COVERED YARD received 24th January 2023
 - COVERED MUCK STORE received 24th January 2023

and the schedule of materials indicated thereon except where otherwise stipulated by conditions attached to this permission.

3. The biodiversity enhancement scheme as shown on COVERED MUCK STORE received 24th January 2023 shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details and maintained thereafter. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.
4. No external lighting shall be installed until an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall avoid conflict with wildlife corridors and biodiversity enhancement measures and shall be implemented as approved.

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 6 of Planning Policy Wales (2021), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7 and 12 of the adopted Local Development Plan for the BBNP. To comply with the Wildlife &

Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016.

4. To comply with Section 6 of Planning Policy Wales (2021), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7 and 12 of the adopted Local Development Plan for the BBNP. To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016.

Informative Notes:

1. All nesting birds, their nests, eggs and young are protected by law and it is an offence to:
 - intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
 - intentionally take or destroy the egg of any wild bird
 - intentionally (or recklessly) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales.

2. From 7 January 2019, all new developments of more than one dwelling house or where the construction area is 100 square metres or more, will require Sustainable Drainage Systems (SuDS) for surface water. From this date onwards, SuDS on new developments must be designed and built in accordance with the Statutory SuDS Standards published by the Welsh Ministers and SuDS Schemes must be approved by the local authority acting in its SuDS Approval Body (SAB) role, before construction work begins. SuDS Statutory Guidance is available from the Welsh Government at:
<https://gov.wales/topics/environmentcountryside/epq/flooding/drainage/?lang=en>
3. 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 2017 (as amended) 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
4. NRW should be informed of any substantial changes at least 14 days before construction begins. Further information on what is required is available on NRW's website at:
<https://naturalresources.wales/guidance-and-advice/business-sectors/farming/silage-and-slurry-storage/?lang=en>
5. The storage of slurry and silage and the spreading of manures must be in accordance with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. The associated Guidance for Farmers and Land Managers is found at:

<https://gov.wales/sites/default/files/publications/2021-03/water-resources-control-of-agricultural-pollution-wales-regulations-2021-guidance-for-farmers-and-landmanagers.pdf>

Policies considered relevant to this decision:

Development Plan

Future Wales The National Plan 2040 (2021)	
Brecon Beacons Local Development Plan (2013)	
SP1	National Park Policy
Policy 1	Appropriate Development in the National Park
SP3	Environmental Protection – Strategic Policy
Policy 3	Sites of European Importance
Policy 4	Sites of National Importance
Policy 6	Biodiversity and Development
Policy 7	Protected and Important Wild Species
Policy 10	Water Quality
Policy 12	Light Pollution
CYD LP1	Enabling Appropriate Development in the Countryside
Policy 41	New Farm and Forestry Buildings

Legislation and Guidance

Planning Policy Wales: 11th Edition (2021)
The Environment Act 1995
The Environment (Wales) Act (2016)
Conservation of Habitat and Species Regulations 2017 (as amended)
Well-being of Future Generations (Wales) Act 2015
Technical Advice Note 12: Design (2016)
Technical Advice Note 5: Nature Conservation and Planning (2009)



Signed:

National Park Authorised Officer

Date: 12.06.2023

Brecon Beacons National Park Authority

NOTES TO APPLICANT

Appeals to Welsh Government

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 Welsh Government 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 for all forms of development, other than Householder Development and minor commercial development, which is within twelve weeks of the date of this notice. You can do so using a form which you can get from Planning and Environment Decisions Wales at Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can request further information via email at PEDW.Casework@gov.wales

The Welsh Government can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Welsh Government need not consider an appeal if it seems to them 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 Welsh Government does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by them.

Purchase Notices

If either the local planning authority or the Welsh Government 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 Welsh Government 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).

Yr ydym yn croesawu gohebiaeth yn y Gymraeg. Bydd unrhyw ohebiaeth yn y Gymraeg yn cael ei ateb yn y Gymraeg a ni fydd unrhyw gyswllt trwy gyfrwng y Gymraeg yn arwain at oedi yn y mater sy'n cael ei drin.

We welcome correspondence in Welsh. Any correspondence in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in the matter being dealt with.