



## BRECON BEACONS NATIONAL PARK AUTHORITY

### DELEGATED DECISION REPORT

**Application No:** 11/07468/FUL      **Case Officer:** Mr Lloyd Jones  
**Site Notice Posted:** 26th Jan 2012      **Consultation Date:** 13th Jan 2012  
**Date Valid:** 6th Jan 2012      **8 Week Target:** 2nd Mar 2012  
**Decision Type:** Delegated Decision  
**Proposal:** Retention of pergola, porch and 1st floor balcony.  
**Address:** Little Orchard, Llanelly Church Road, Llanelly

### CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council		No response
Monmouthshire County Council Highways		No response

### CONTRIBUTORS

Mr and Mrs Frazer, Brondeg, Church Road, Llanelly

### NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

A letter of objection has been received from the owner of the adjacent property that can be summarised as:

1. The pergola and porch are of no interest.
2. First floor balcony directly overlooks rear patio and rear garden area, although view of garden is obscured by a plywood screen that looks temporary in nature.

### RELEVANT POLICIES

**G3:** "Development in the National Park" (Unitary Development Plan 2007)

**G6:** "Design" (Unitary Development Plan 2007)

**ES27:** "House Extensions and Ancillary Buildings" (Unitary Development Plan 2007)

**LPG3:** "Development in the National Park." (Local Plan 1999)

**LPG7:** "Design and energy conservation." (Local Plan 1999)

**LPH15:** "House extensions and ancillary buildings" (Local Plan 1999)

## **PLANNING HISTORY**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
M20505	Proposed extension to dwelling	Application Permitted	24th May 2005

## **OFFICER'S REPORT**

### **Introduction**

Full planning permission is sought for the retention of a pergola, porch and first floor balcony at Little orchard, Llanelly Church Road, Llanelly.

### **Site Description**

Little Orchard is a detached dwelling set back some 4.0m off the classified highway. The dwelling benefits from a two-storey side and rear extension. The dwelling is finished in cream render and a slate roof. A driveway leads to the east of the dwelling. Brondeg a detached property is sited 0.4m off boundary with Little Orchard. Auckland House is sited to the north east..

### **Proposal**

The application details the retention of a pergola, porch and first floor balcony. The porch is set back some 2.5 m off the front elevation of the dwelling and connects to a pergola that wraps around the remaining side and rear elevation of the existing two-storey rear extension. The pergola has a maximum height of 2.9m. A balcony area is provided at first floor level and measures 4.3m by 1.5m. A 1.8 high screen runs along the side elevation of the balcony facing Brondeg. The balcony is supported on timber piers.

### **Planning Policy Context**

Whilst the development plan for the area includes the adopted Local Plan (1999), it has been largely superseded by the more up to date UDP (2007) which stopped short of formal adoption but was adopted for development control purposes. The UDP therefore provides a more up to date and relevant planning framework. This application is considered against policies G3, G6 and ES27 of the UDP and policies LPG2, LPG3, LPG7, LPH14 and LPH15 of the Local Plan. Whilst the development proposal will be considered against both the Approved UDP and Adopted Local Plan policies, greater weight shall be given to the more up to date UDP policies unless the Local Plan policies materially differ to warrant a departure from the UDP.

The Brecon Beacons National Park Authority Local Development Plan (LDP) has been published in draft and progressed to public deposit state. Legal advice is that whilst emerging LDP is now material, little weight can be given to it in planning decision making at this stage.

### **Visual Amenity**

With regards to extensions, Policy ES27 is pertinent and aims to ensure that (i) the proposal is appropriate to the scale and design of the existing dwelling, (ii) no loss of on-site parking space will result, and adequate on-site parking provision can be made for the extended dwelling, (iii) sufficient curtilage is retained to provide an area of private open space compatible with the proposed size of the dwelling; and (iv) there is no significant loss of privacy to the adjoining property.

Further policies within the UDP namely G3 (iii) and G6 relate specifically to the design of proposals and seek to ensure that proposals at the very least maintain the quality and character of the Park's landscape or more importantly result in enhancements. Within the abovementioned criteria in order to maintain or enhance the character of the landscape scale, form, layout, density, intensity of use and use of materials are considered to be important.

The site is located within the 'white areas' as identified by policy G3 (ii) of the Brecon Beacons National Park Unitary Development Plan. As a result the Guidance Note on Policy ES27 is not applicable.

In this case, of particular importance is whether the proposals are appropriate to the design of the dwelling as required by criterion (i) of policy ES27.

The proposed porch and pergola project a modest amount off the side elevation and as it has a maximum height of 2.9m they are not dominant features projecting off the side elevation of this dwelling house. On balance the porch and pergola are considered to be acceptable projecting off the side elevation of this dwelling and will maintain the character of the existing property and the existing street scene.

Turning to the rear balcony, this will not be visible from the street scene or any nearby public vantage points. Officers consider this to be an acceptable element at this rear of this dwelling and one that will again maintain the character and appearance of the dwelling. Overall, the development is therefore considered to comply with policies G3 (i), G3(iii), G6(ii) and ES27 (i) of the Brecon Beacons National Park Unitary Development Plan.

### **Neighbour Amenity**

In terms of the impact on any neighbour amenity policies G3 (v) and ES27 (iv) are relevant.

A balcony is at first floor level, which due to its elevated level and sited some 8.0m off the boundary with Brondeg. An existing 1.8m high screen runs along the side elevation of the boundary with the adjacent property. Officers consider that this helps safeguard the amenity of the adjacent property through any unacceptable loss of privacy. A condition will be added to any planning permission to ensure that the privacy screen is retained as such in perpetuity, which addresses the concerns raised by the neighbouring property. Moreover, the extensive landscaping around the boundary of the rear garden of the property safeguards the amenity of Auckland House to the north east. The development is therefore considered to comply with policies G3 (v) and ES27 (iv) of the UDP.

### **Access and Parking**

Policy G3 (ix) requires development to provide adequate means of access and parking space to cater for the traffic generated by the proposal.

No alterations are proposed to the existing access arrangements. The proposal is therefore considered to be acceptable on highway grounds. The proposal is therefore in accordance with policy G3 (ix) of the UDP.

### **Third Party Representations**

The letter of objection has been comprehensively addressed in the report above.

### **Conclusion**

Overall, it is considered that the pergola, porch and balcony is acceptable and will maintain the character of the dwelling and existing street scene. The provision of a privacy screen safeguards the amenity of the adjacent residential property and there will be no impact on highway safety. The proposal is considered to be in accordance with policies G3, G6 and ES27 of the Unitary Development Plan and policies LPG3, LPG7, and LPH15 of the Local Plan.

**RECOMMENDATION: Permit**

**Conditions and/or Reasons:**

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the 1990 Town & Country Planning Act (as amended) this permission, being a retrospective permission as prescribed by Section 73A of the above Act, shall have been deemed to have been implemented on 16th October 2011.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans (drawing nos. NP1v1 and NP3v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 The 1.8m high privacy screen along the side elevation of the balcony facing Brondeg as illustrated on the approved drawing number NP3v1 shall be retained as such in perpetuity.

**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 safeguard the amenity of the adjacent residential property

**Signed (Case Officer):**  
Mr Lloyd Jones  
Senior Planning Officer (DC)

*LO*  
..... **Date:** *28/2/12*

**Checked (Principal Planner):**

..... **Date:** .....

**Signed (National Park  
Authorised Officer):**

*DH Jones*  
..... **Date:** *28/2/2012*