



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 12/07654/FUL **Case Officer:** Ms Helen Lillow
Site Notice Posted: 22nd Feb 2012 **Consultation Date:** 13th Feb 2012
Date Valid: 8th Feb 2012 **8 Week Target:** 4th Apr 2012
Decision Type: Delegated Decision
Proposal: Extension to rear, alteration of roof to a more traditional pitch and use of increased roof space as living accommodation.
Address: Ty Bryn, Waenllapria, Llanelly Hill

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council	14th Mar 2012	Raise no objections.
Monmouthshire County Council Highways		No response received.
NP Ecologist	12th Mar 2012	I accept the statement in Section 6.1 of the survey report that the proposed development should "not result in any adverse impact on the local bat population or on individual bats." Advisory notes provided.
Dwr Cymru Welsh Water - Developer Services	17th Feb 2012	The proposed development site is ^{C/S} crossed by a public sewer and water main. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line.

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

The application has been advertised by direct neighbour notification and the erection of a site notice. No objections or representations have been received.

RELEVANT POLICIES

- G3:** "Development in the National Park" (Unitary Development Plan 2007)
- G6:** "Design" (Unitary Development Plan 2007)
- Q4:** "Protected and Important Wild Species" (Unitary Development Plan 2007)
- Q5:** "Biodiversity and Development" (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)

LPCL6: "Wildlife and landforms." (Local Plan 1999)

LPCL7: "Wildlife and landforms." (Local Plan 1999)

LPH14: "House extensions and ancillary buildings" (Local Plan 1999)

OFFICER'S REPORT

INTRODUCTION

The application seeks full planning permission for alteration and extension of a detached single storey dwelling known as Ty Bryn, Llanelly Hill. The Proposals Maps of the Brecon Beacons National Park Unitary Development Plan (2007 (the 'UDP') and the Brecon Beacons National Park Local Plan 1999 (the 'local plan') identify the site as being within the settlement development limits and community of Llanelly.

SITE DESCRIPTION

The application site comprises a detached, single storey, hip roof bungalow which has benefitted from a number of extensions and alterations, namely a cross gable extension that adjoins the right hand side of the northern (front) elevation, a cross gable extension that adjoins the right hand side of the southern (rear) elevation, a flat roof extension that adjoins the southern rear elevation of the main dwelling and the western (side) elevation of the cross gable rear extension and a lean to porch extension that adjoins the southern elevation of the rear cross gable extension. At its greatest the dwelling measures 9.2m wide, 13.2m deep with a maximum height of 5.1m falling to 2.5m at eaves level and accommodates a living room dining room, kitchen, two bedrooms, bathroom and a toilet. Externally the dwelling is finished with a combination of spa and painted render, concrete tiled roof and timber and upvc framed windows and door

The property is positioned within the northern end of rectangular shaped plot that has a road frontage of 14.5m and a depth of 82m. The western and northern boundaries of the plot are defined by mature deciduous hedge, the eastern boundary by a conifer hedged and the southern boundary by 1.5m high ship lap boarded fence panels. The property therefore benefits from enclosed front and rear gardens. The primary access to the site is via a pedestrian gate within the northern boundary. The aerial photographs of the site indicate a garage within the southern most part of the plot with access gained over the adjacent common land.

There properties closest to the site vary in relation to their size, scale design and external materials. The four detached dwellings within Glyndwr close to the west are substantial dwellings of two and a half storey design finished externally with smooth painted render and slate tiled roofs. 3 Twynbarllwyn Cottages to the south has a more traditional hillside cottage appearance with smaller proportions, double fronted, rendered elevations with a slate tiled roof where as Cymro to the west is a very modest semi detached, double fronted single storey bungalow finished with spa dash rendered elevations and a slate tiled roof.

The application site and surrounding area have been developed on a slope falling from south to north and very gently from east to west. As a result the dwelling is below Twynbarllwyn Cottages to the south (rear) and 4 Glyn Dwr Close to the east, is slightly raised in relation to Cymro to the west and is raised in relation to the pavement, highway and pasture fields to the north.

APPLICATION DETAILS

The application seeks consent to alter and extend the existing bungalow.

The proposed works involves the demolition of the existing flat roof rear extension and erection of a replacement extension measuring 9.2m wide, 5.4m deep extension, provision of a new roof across above the main element of the dwelling with a ridge height of 6.2m falling to 2.5m at eaves level and alterations to the roof of the existing cross gable extension that adjoins the northern (front) elevation that would increase the ridge height from 4.1m to a ridge of 4.6m high.

The alterations would create a multi level dwelling with which would comprise three bedrooms, two en-suites and a bathroom at ground floor level leading up to a mid level kitchen-diner in the new extension which in turn would lead up to a living room within the new roof space. A timber deck measuring approximately 11.55m wide, 4m deep would be provided off the southern elevation of the proposed extension. Access to the deck would be via a set of outward opening doors set within a glazing feature within the southern gable elevation of the extension or via two sets of external steps provided either side of the dwelling.

The plans also indicate alterations to the existing fenestration in the western and eastern elevations of the property.

PLANNING CONSIDERATIONS

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, Q4, Q5, and ES27 of the UDP and policies G3, G7, CL6, CL7, and H14 of the Local Plan. Local Plan policies will only be considered where they differ significantly from their UDP counterparts. Local Plan policies will only be considered where they differ significantly from their UDP counterparts. 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 the emerging LDP is now material, little weight can be given to it in planning decision making at this stage.

As identified above the application site lies within the settlement development limits of Llanelly. As such the principle of extending and altering the residential property is considered acceptable subject to a number of other material considerations being satisfied. The key considerations with regards to the application have been determined as the impact of the proposal upon the character and appearance of the host property, the residential amenity of those living closest to the site, highway safety and ecological implications.

Host dwelling and surrounding area

As identified above the application site comprises a detached, single storey hipped roof bungalow set with a larger than average plot. The extensions and alterations proposed would significantly alter the existing character and appearance of the dwelling. However in this instance, being mindful of the variety of architectural styles and designs which form the context of the site in association to the topography of the area, it is considered that alterations to the external appearance of the dwelling and the raised ridge line, would provide an acceptable transition and progression from the modest single storey dwellings to the west to the much larger detached properties to the east.

During the processing of the application it was requested that a centrally positioned front door be provided within the northern, gable, elevation. It was felt that such an alteration would help create a double fronted design that would address the public highway, to the benefit of the character and appearance of the area.

Being mindful of the size of the plot associated with the dwelling, it is considered that sufficient private amenity space would be retained to offset the resulting dwelling without creating the appearance of an overly restricted, cramped property or overdevelopment of the plot as a whole.

Although the development proposed would significantly alter the character and appearance of the dwelling, it is considered that the development proposed would not be significantly detrimental to the overall character and appearance of the area. The application is therefore considered that the works proposed are compliant with criteria iii of policy G3 and criteria i) and iii) of policy ES27 of the UDP.

Neighbouring amenity

As identified above the application site is surrounded on three sides by residential properties. Being mindful that the proposal would increase the height of the ridge and change the orientation of the roof, in association with the orientation of the plot and distanced maintained, it has been determined that the development proposed would generate increased overshadowing and loss of light to the eastern elevation of Cymro during the morning. At the time of inspection it was noted the Cymro has one window in the eastern elevation overlooking the application site and one larger window within the southern (rear) elevation of a lean-to rear extension. Although the proposal would increase the overall mass and scale of the dwelling and would introduce an extension that would project 4.5m beyond the rear elevation of the adjacent property, it is considered that the topography of the area in general, design of the extension, which would appear set into the hillside side as it climbed away from the dwelling, in association with the maintenance of at least 6.5m between the elevations of the application site and adjacent dwelling would help prevent the proposal from generating such an increased level of overshadowing or loss of light so significantly detrimental to the residential amenity of Cymro to warrant refusal of the application on such grounds.

Whilst a number of small windows would be inserted in the western and eastern elevation of the dwelling and the plans indicate the provision of a deck adjacent to the southern rear elevation of the proposed extension, it is considered, in comparison to the existing fenestration arrangement and garden level, that the proposal would not generate any increased overlooking or infringement of privacy.

Following direct neighbour notification and the erection of a site notice, no objections or representations have been received. The application is therefore considered compliant with criteria v) of policy G3 and criteria iv) of policy ES27.

Highway safety

As identified the principle access to the site is via a pedestrian gateway in the northern boundary of the plot, which is raised in relation to the adjacent public pavement and county highway. The aerial photographs from 2000-2009 indicate a garage within the southernmost part of the plot with vehicular access gained over the adjacent common land. Being mindful that the proposal would increase the level of accommodation at the site, it is considered likely that there would be a proportionate increase in vehicular traffic. However, given size of the plot it is considered that sufficient off street parking could be provided within the southern part of the site to cater for any increase in demand and would therefore prevent the proposal from being significantly detrimental to the highway safety and free flow of traffic in the area. Following consultation Monmouthshire County Council Highways department have not provided a response to the application.

On the basis of the above the application is considered compliant with criteria vii) of policy G3 and criteria ii) of policy ES27 of the Unitary Development Plan.

Ecological implications

Policy G3 (i) highlights that development should not have an unacceptably impact on, nor detract from or prevent the enjoyment of the special qualities, natural beauty, wildlife and cultural heritage of the National Park. Policies Q4 and Q5 refer to protected and importance wild species and states that proposal on land or buildings that support protected or important species will only be permitted where; i) the need for the development outweighs the nature importance of the site, and in the case of European Protected Species, the criteria for derogation under the Habitats Regulations are met; ii) positive measures are provided to contribute to species and habitat conservation targets; and iii) the developer proved to the satisfaction of the NPA that a) the disturbance of the species and habitat function is kept to a minimum or b) alternative areas are provided to sustain at least the current level of populations or size of habitat effected by the proposal.

In addition, Planning Policy (Wales) (Feb 2011) [section 5.5.11] states "the presence of a species protected under European or UK legislation is a material consideration when a local planning

The Habitat Directive sets out the three tests that must be satisfied before a licence can be granted to disturb the habitat of a European Protected Species namely:

- i) There is no satisfactory alternative to the derogation;
- ii) The derogation is not detrimental to the maintenance of the population of the species;
- iii) The derogation is in the interests of the public health and public safety, or for other reasons of public interest.

The renovation and extension of a dwelling would not automatically trigger the need for a biodiversity survey. However in this instance being mindful that the proposal would involve the removal and replacement of the entire roof, an internal inspection of the dwelling was carried out by an appropriately qualified surveyor and a summary report provided.

In terms of test (i) it is considered that the renovation and extension of the dwelling represents the most appropriate and sympathetic method of providing additional and enhanced residential accommodation of the site.

Whilst it could be argued that the renovation of the dwelling is in the public interest as it would enhance a building within the National Park, it is considered that the test (ii) is of primary importance in that the scheme must ensure that mitigation measures can be implemented that would encourage the maintenance of a protected species in this location.

The internal inspection of the existing dwelling determined that the roof void was generally very clean with no signs of any ingress by birds, bats or other animals. There was no gap identified above the central ridge beam (ie under the ridge tiles) in which bats could seek secluded shelter and no evidence of any forming of roosting within gaps and crevices around the roof or on the surface of the chimney breast. The reporter identifies that when switching off their torch there was no light coming into the roof space from anywhere at the eaves. As such it was concluded that the interior of the roof space is not accessible by bats and there is no bar interest in relation to the building.

Following consultation the Authority's Ecologist has advised that he is satisfied with the findings and conclusions presented within the report and as in his opinion based on the location, nature and scale of the proposed development it would not be reasonable or appropriate to see a biodiversity gain from this particular application. Being mindful of the above, the application is considered acceptable in terms of policies Q4 and Q5 with sufficient regard having been given to Section 40 of the NERC Act (2006).

Other considerations

During the consultation process comments have been received from Dwr Cymru Welsh Water in relation to the position of apparatus running through the development site. As a result an advisory note recommending the developer contact the statutory undertaker could be added to any grant of consent.

CONCLUSION

Having regard to the above it is considered that although the developments proposed would significantly alter the character and appearance of the host dwelling, the alterations and extensions proposed would not have a detrimental effect on the character and appearance of the wider area, the residential amenity of those living closest to the site, the highway safety and free flow of traffic in the area or the ecological value of the area. As a result the application has been determined as compliant with the relevant criteria of policies G3, G6, Q4, Q5 and ES27 of the Brecon Beacons National Park Unitary Development Plan and policies G3, G7, CL6, CL7 and H14 of the Brecon Beacons National Park Local Plan and is recommended for approval subject to conditions.

RECOMMENDATION: Permit

Conditions and/or Reasons:

- 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. NP1v2) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 No development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4 Notwithstanding the details of the approved plans, the dwelling shall be fitted with recycled uPVC windows and doors. No development shall take place until a sample and full manufacturer details specifying the recycled content of the uPVC windows and doors has been submitted to and approved in writing with the Local Planning Authority. Once implemented in accordance with the approved details, any future replacements shall be of a similar recycled material, unless otherwise agreed in writing with 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 To ensure that the materials harmonise with the surroundings.
- 4 To ensure a sustainable development

Informative Notes:

- 1 The development site is crossed by a public sewer and water main. The developer must contact Dwr Cymru Welsh Water for further guidance and advice in relation to development within the safety zone of such apparatus.
- 2 Work should halt immediately and the Countryside Council for Wales (CCW) contact for advice in the unexpected event that bats are discovered during the course of the development. To proceed without seeking the advice of CCW may result in an offence being committed. CCW, Cantref Court, Brecon Road, Abergavenny, NP7 7AX. Tel 01873 737000.

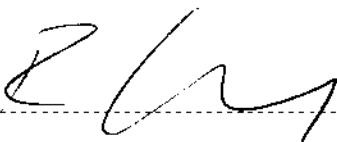
The timing of development works should be such as to avoid conflict with the bird nesting season.

Signed (Case Officer):

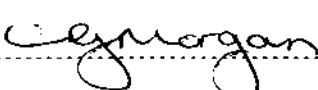
Ms Helen Lillow
Planning Officer (DC)

 Date: 4.4.12

Checked (Principal Planner):

 Date: 4.4.12

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

 Date: 4th April '12