



## BRECON BEACONS NATIONAL PARK AUTHORITY

### DELEGATED DECISION REPORT

**Application No:** 12/08098/FUL      **Case Officer:** Ms Helen Lillow  
**Site Notice Posted:** 7th Jun 2012      **Consultation Date:** 7th Jun 2012  
**Date Valid:** 17th May 2012      **8 Week Target:** 12th Jul 2012  
**Decision Type:** Delegated Decision  
**Proposal:** Construction of a conservatory to existing dwelling  
**Address:** 3 New School Road, Gilwern, Monmouthshire

### CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanely Community Council		No response received.

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

### PLANNING HISTORY

App Ref	Description	Decision	Date
N2973	Approval of details for two bungalows and vehicular access	Application Permitted	4th Aug 1978
12/07849/CPL	Conservatory	Planning Permission Required	9th May 2012

### OFFICER'S REPORT

#### INTRODUCTION

The application seeks full planning permission for a conservatory at 3 New School Road, Gilwern. The property is located within the community and settlement development limits of Gilwern as defined by the Brecon Beacons National Park Unitary Development Plan 2007 ('the UDP') and the Brecon Beacons National Park Local Plan 1999 ('the Local Plan').

## SITE APPRAISAL

The application site is a single storey, L shaped, detached, dwelling located on the western side of New School Road. The property is finished externally with a combination of painted render and stone cladding, white upvc framed windows and doors and a concrete tiled roof.

The property is positioned centrally within a rectangular shaped plot that has a road frontage of 14.7m and a depth of 48.5m. It therefore benefits from enclosed front and rear gardens with parking provided on a driveway to the east (front) of the property and within an integral garage. The boundaries of the plot are defined by a combination of stone and brick walls, wire and vertical timber board fencing.

Although the wider settlement of Gilwern has been developed on a slope falling from south to north the application site is located on a plateau area of land and as such is level with the bungalow to the south (side) the detached two storey dwelling to the north (side) and the detached two storey dwellings to the west (rear).

## APPLICATION DETAILS

The proposed conservatory would be developed on the site of an existing patio that adjoins part of the western elevation and the southern elevation of a cross gable 'extension' that forms part of the original dwelling. The proposal would measure 4.8m wide, 4m deep with a maximum, height of 3.3m falling to 2.26m at eaves level. Externally the development would be finished with a 0.9m high brick faced dwarf wall with a white upvc framed windows and a hipped roof.

The proposed extension would have a total volume of 50.73cu.m.

## PLANNING CONSIDERATIONS

The application seeks full planning permission for a single storey, hipped roof conservatory at 3 New School Road Gilwern. Although the size scale and position of the proposal is compliant with all of the relevant criteria of Schedule 2, Part I, Class A of the Town and Country Planning (General Permitted Development) Order 1995 and as such would be considered permitted development, condition 2 of the original planning permission (application N2973 refers) for the property specifies N2973 for the consent specifies:

“Notwithstanding the provisions of Schedule I, Classes I and II of the Town and County Planning General Development Order 1977, no development referred to in such a class shall take place without the permission of the Brecon Beacons National Park Committee. “

Although the 1977 Order has been amended and updated by the Town and Country Planning (General Permitted Development) Order 1995, this is considered successor legislation to that referred to in the original condition and as such the principle and limitations relating to development remain valid and full planning permission for the development is therefore required.

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 G3, G7 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.

Given the position of the dwelling within the settlement development limits the principle of development is considered acceptable. The key considerations with regards to the application have

therefore been determined as the impact of the proposal on the residential amenity of those living closest to the site and the character and appearance of the host dwelling and wider area.

### Neighbouring amenity

As identified above the application site is surrounded on three sides by residential properties. Being mindful of the position, size and scale of the proposal it is considered that the development proposed would not generate any increased level or overshadowing.

Being mindful that the western and southern elevations would be predominantly glazed, there is the potential for the development to allow for an intensified level of overlooking and loss of privacy particularly to the northern (side) elevation of number 2 New School Road to the south. At the time of inspection it was noted that the three windows in the northern elevation of the neighbouring property were all glazed with obscure glass. A new 1.8 – 2m high fence was also being erected along part of the southern boundary of the application site between the dwellings. Being mindful of these arrangements it is considered that any intensified level of overlooking or loss of privacy would not be so detrimental to the residential amenity of the adjacent property to warrant refusal of the application on such grounds.

Based on the ordnance survey plans of the area, it has been determined that a minimum distance of 25m would be maintained between the development and the western and southern elevations of the properties within Cae Meldon to the west and north-west of the site. Being mindful that the development would be no closer to the party boundary than the original dwelling, and the single storey height of the proposal, it is considered that the development would not allow for an intensified level of overlooking or loss of privacy of the detrimental to the residential amenity of these properties.

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 the relevant criteria of policy G3 and ES27 of the UDP.

### Character and appearance

The host building is an L shaped single storey dwelling. It is proposed to develop the conservatory on an existing patio area adjoining the northern and western elevations of the dwelling. Although hipped roof extension of this design can often appear cumbersome, in this instance it is considered that the size, scale, materials and position of the proposal, in a corner adjoining two elevations of the dwelling, would help the development 'knit' with the dwelling and would prevent it from being significantly detrimental to the overall character and appearance of the host property.

Being mindful that the development would be largely screened from the public highway by the host dwelling and neighbouring properties to the north, west and east it is considered that the development would not be detrimental to the overall character and appearance of the area.

On the basis of the above the application is considered compliant with the relevant criteria of policies G3 and ES27.

### CONCLUSION

Although predominantly glazed, it is considered that the development proposed would not generate an intensified level of overlooking or loss of privacy detrimental to the residential amenity of those living closest to the site and would not be detrimental to the character and appearance of the host property or the visual amenity of the wider area. The application is therefore considered compliant with policy G3, G6 and ES27 of the UDP and policies G3, G7 and H14 of the 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. NP1v1, NP2v1, NP4v1, NP5v1) except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the details of the approved plans, the conservatory approved 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 In the interests of sustainability.

**Signed (Case Officer):**

Ms Helen Lillow  
Planning Officer (DC)

 Date: 29.06.12

**Checked (Principal Planner):**

 Date: 2.7.12

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

 Date: 2/7/2012