



## BRECON BEACONS NATIONAL PARK AUTHORITY

### DELEGATED DECISION REPORT

**Application No:** 12/08643/FUL      **Case Officer:** Mrs Kate Edwards  
**Site Notice Posted:** 7th Nov 2012      **Consultation Date:** 8th Nov 2012  
**Date Valid:** 29th Oct 2012      **8 Week Target:** 24th Dec 2012  
**Decision Type:** Delegated Decision  
**Proposal:** Relocation of vehicle entrance with new garage and granny annex extension to replace existing garage/car port  
**Address:** White Rose Cottage , The Tilla, Gilwern

### CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Monmouthshire County Council Highways		No comments received.
Llanelly Community Council		No <del>comments</del> received.

*No objections - report updated by hand as response was received by officer after report was written*

### CONTRIBUTORS

### NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

No comments received.

### RELEVANT POLICIES

**G3:** "Development in the National Park" (Unitary Development Plan 2007)  
**G4:** "Development Affecting Trees" (Unitary Development Plan 2007)  
**G6:** "Design" (Unitary Development Plan 2007)  
**ES27:** "House Extensions and Ancillary Buildings" (Unitary Development Plan 2007)  
**Q21:** "Rights of Way and Long Distance Routes" (Unitary Development Plan 2007)  
**Q9:** "Blaenavon Industrial Landscape" (Unitary Development Plan 2007)  
**Q5:** "Biodiversity and Development" (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)  
**LPT14:** "Recreational paths." (Local Plan 1999)  
**LPCL6:** "Wildlife and landforms." (Local Plan 1999)

### PLANNING HISTORY

App Ref	Description	Decision	Date
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BG6918	House	Application Permitted	7th Jan 1985
07/01246/FUL	Proposed single storey double garage.	Application Permitted	11th Oct 2007
10/05343/FUL	Relocation of vehicle entrance with new garage/workshop and granny annex above to replace existing garage and car port	Application Refused	27th Oct 2010
11/06505/FUL	Relocation of vehicular entrance with new garage/workshop and granny annex above to replace existing garage and car port	Application Refused Appeal Dismissed	3rd Jun 2011 28th Mar 2012
M19153	Erection of two storey double garage	Application Permitted	29th Jul 2003

## OFFICER'S REPORT

### Site Description

White Rose Cottage is a two-storey detached dwelling within a countryside location near the village of Gilwern. It is surrounded by open countryside and is accessed via a country lane. There are no other residential properties within the immediate locality and the property has an existing garden area, an orchard and a parking area with an existing garage and carport.

One of the main significant features of this site is the steep gradient of the land, with a significant difference between the level of the property and level of the existing and proposed garage. The existing difference between the ground level of the dwelling and the ground level of the garage is 3.6 metres, with steps from the garage and parking area down to the front elevation of the dwelling. The orchard area is adjacent to the existing hardstanding, garage and car port and the garden area is on a lower ground level, adjacent to the dwelling.

The dwelling is well screened from the access lane by high hedges and there are a number of trees and hedgerows within the application site. There are cross valley views from within the site.

The existing garage and car port on site are flat roofed and constructed of concrete block, sheet metal and timber boarding.

The external materials used on the dwelling are concrete tile roof, uPVC window frames and doors and rendered elevations.

### Relevant Planning History

This application is a re-submission following two previous refusals by the National Park and an appeal to the Planning Inspectorate Wales that was subsequently dismissed.

The previous planning applications had proposed the construction of a separate two storey building which would be used as a garage, store and granny annex. The proposed scale, mass, bulk, size, design and materials of the proposed garage and granny annex would create an incongruous feature that would not be subservient to the host dwelling to the detriment of its character and appearance and the special qualities of this part of the National Park. The proposed building was contrary to policies G3 (iii), G6 (ii) and ES27 of the BBNP UDP and the BBNP Local Plan.

Negotiations have taken place and a significantly improved development is proposed.

## **Current Proposal**

Full planning permission is sought for the re-location of a vehicle entrance, a new garage and a two storey extension. The extension will be used as a granny annex.

The proposed vehicular access will be located adjacent to the eastern boundary of the application site. The existing vehicular access which is adjacent to the western boundary of the site will be closed.

The proposed garage will be located adjacent to the western boundary of the site. The proposed garage will measure 7.0 m wide, 5.9 m long, 2.3 m to eaves level and 4.7 m to ridge height. Proposed external materials are rendered elevations and concrete tile roof.

The two storey gable extension will be constructed against the southern elevation of the dwelling. Pitch roof dormer windows are provided on either side of the roof of the proposed extension. The proposed extension will measure 7.3 m wide, 4.6 m long, 4.6 m to eaves level and 6.7 m to ridge height. The roof line of the proposed extension will be some 0.5 m below the roof line of the existing dwelling. The side elevations of the proposed extension will be set back some 0.3 m from the side elevations of the existing dwelling. Natural stone will be used on the eastern elevation and the other two elevations will be rendered. Concrete tiles will be used on the roof and window frames will be wood.

A landscaping plan has been submitted with the planning application. The landscaping plan is submitted to address the loss of trees as a result of the proposed vehicular access. The affected trees are elderly apple trees and a length of hedgerow which is planted along the road side boundary of the application site.

## **Officer Appraisal**

Following statutory adoption of the Brecon Beacons National Park Local Plan 1999 (hereinafter called 'the Local Plan'), work on the Brecon Beacons National Park Unitary Development Plan (hereinafter called 'the UDP') commenced in 2000. The UDP was subject to all the statutory consultations and procedures associated with the preparation of development plans, including a local inquiry and an Inspector's report.

The Brecon Beacons National Park as Local Planning Authority (hereinafter called 'the Authority') received a direction from the Welsh Government (hereinafter called 'WG') under Section 17(1) of the Town and Country Planning Act 1990 (as amended) in relation to the safeguarding of sand and gravel in the National Park. The Authority resolved not to comply with the WG direction to modify the UDP as it was not considered that the quality of the resource had been adequately established or that the environmental constraints relating to the sites had been sufficiently considered.

The UDP was subsequently approved by the Authority for development control purposes in March 2007 and sets out the policies and proposals to guide development in this area from 2001 to 2016 and beyond. As a point of clarification, the direction from the WG relates solely to sand and gravel issues and does not relate to any matters raised in this application.

Whilst the adopted Local Plan and its associated Structure Plans remain the formal statutory policy framework for the area, the UDP provides a more up-to-date and relevant planning framework in line with current National Planning Policy. Planning Policy Wales (hereinafter called 'PPW') advises that the weight to be attached to emerging plans will increase as successive stages are reached.

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.

This application is, therefore, considered against policies G3, G4, G6, ES27, Q9, Q21 and Q5 of the UDP and policies G3, G7, H14, T14 and CL5 of the Local Plan. The Local Plan does not contain any World Heritage Site policies because the designation was not established when the Local Plan was adopted.

### **Neighbour Amenity**

Policies G3 (v) and ES27 (iv) of the UDP aim to ensure that any proposed development does not have an unacceptable impact on the amenity of the area, adjacent properties or the general public.

There are no dwellings in the vicinity of the application site. It is considered that the proposed developments meet with the requirements of the above policies.

### **Visual Amenity**

Policy G3 (iii) aims to ensure that the scale, form, design, layout, density, intensity of use and use of materials will be appropriate to the surrounding and will maintain or enhance the quality and character of the Park's landscape and built environment. Policy G6 refers to design and states that development will be expected to meet the WAGs key design objectives and respond to the local context. Q9 requires that development which directly or indirectly either alone or in combination affects the Blaenavon Industrial Landscape World Heritage Site will only be permitted if the proposal maintains or enhances the visual, architectural, cultural and historic and natural character of the site and its setting and protects the integrity of the inscription. ES27 refers to extensions to dwellings 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, and (iii) sufficient curtilage is retained to provide an area of private open space compatible with the proposed size of the dwelling.

The principle of the development in terms of increase in volume of a dwelling in the countryside is established in ES26 and ES27 Guidance Note. The Guidance Note states that extensions should not exceed 30% of the buildings current volume. The cumulative impact on the scale and design of previous extensions and those proposed extensions have to be carefully considered.

The volume increase represented by this planning application is 30%. Whilst this percentage increase is on the threshold of acceptable level of volume increase it is considered that the scale of the proposed garage are appropriate to the existing dwelling.

It is considered that the proposed extension by virtue of the materials, scale and design are appropriate to the existing dwelling and its contribution to the wider environment.

It is considered that the proposed garage by virtue of the proposed materials, scale and design are appropriate to the existing dwelling and its contribution to the wider environment.

It is considered that the proposals meet with the requirements of the above Policies.

### **Trees and Hedgerows**

Policy G4 of the BBNP UDP, refers to development affecting trees and indicates that 'where it is agreed that trees are to be removed, replacements will be required where appropriate through a scheme of replacement agreed with the National Park.

A Tree and Hedgerow Survey has been submitted as part of the application, due to the construction of a new access and drive through the existing orchard area to the west of the site and on the same ground level as the existing and proposed garage.

A significant amount of hedge is proposed to be removed to create adequate visibility splays from the new access to the site. A new hedge however is proposed to block up the existing access and it is proposed to transplant the existing young trees on site. There are no trees of significant public

amenity on the site and the hedges are unlikely to have a significant conservation value. Nevertheless, the proposed translocation of the existing young trees and proposed replacement hedge is welcomed.

### **Highway Considerations**

Policy G3 criterion vii) and ix) require that proposed development is compatible with the National Park road hierarchy in that it is within the capacity of existing approach roads, and does not have an unacceptable impact on traffic circulation or highway safety and adequate means of access and parking space can be provided to cater for the traffic generated by the proposal. Policy ES27 ii) requires that sufficient on-site parking will continue to be available.

The proposed new driveway within the existing orchard would be constructed of gravel with a 5.5 metres section of tarmac to the lane. By the removal of hedgerow, there would be a provision of a 35 metres visibility splay each side. This is a significant improvement from the existing situation on site with an existing high hedgerow adjoining the access, blocking any vision of the lane, whilst approaching it.

No objections have been received from Monmouthshire County Council as the Highway Authority, given the current situation and the nature of the country lane a 35 metres vision splay in each direction is considered an improvement in highway safety over the existing situation.

It is considered that the proposed vehicular access meets with the requirements of the above policies.

### **Protected Species**

Policy Q5, Biodiversity and Development requires that development will only be permitted where; i) the developer proves to the satisfaction of the NPA that there is no unacceptable loss or fragmentation of a characteristic habitat or landscape feature and/or increased isolation of important species as defined in the NPA's LBAP; ii) the developer identifies habitats and landscape features of importance for wildlife within the site and provides for the further creation, positive management, restoration, enhancement or compensation for these habitats and features to ensure that the site maintains its nature conservation importance; and iii) full provision is made for the future management of the site's habitats and features of nature conservation value. This will be secured either through planning obligations or the imposition of planning conditions.

The roof of the existing garage, which is to be demolished, recently collapsed and the structure has been roofless since the summer. Given the loss of the roof it is considered unlikely that protected species are occupying the remains of the garage.

In respect of the extension the plans show that the roof line of the proposed extension will be 0.5 m below that of the existing roof line. As the proposed extension does not involve works to the roof of the dwelling there will be no impact on protected species that might be utilising the existing roof. However, it is considered appropriate and sufficient to attach a note to any consent explaining that the Countryside Council for Wales should be contacted if bats are discovered during the demolition and replacement of the extension.

It is considered that the proposed vehicular access meets with the requirements of the above policy.

### **Rights of Way**

Q21 requires development that would prevent or adversely affect the use of a public right of way or route with potential to form a long-distance walking, riding or cycling path will only be permitted where an equivalent alternative route can be provided.

The road which serves the application site is part of the highway network but is also classified as a Right of Way. Although a new access is proposed on to the lane, it is not considered that it would have an adverse impact to warrant a refusal of the application on this ground.

It is considered that the proposed vehicular access meets with the requirements of the above policy.

### **Conclusion**

It is considered that the proposed extension, garage and new vehicular access meet with the requirements of the above policies and are acceptable. The recommendation is one of consent.

### **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, NP3v1), Section 6.0 of the submitted Tree and Hedgerow Survey and schedule of materials contained in section 11 of the application form except where otherwise stipulated by conditions attached to this permission and unless otherwise agreed in writing by the Local Planning Authority.
- 3 All stone walling shall be carried out using either new or second-hand natural local stone; or equivalent material with appropriate colour, texture and weathering characteristics. Details of the source and samples shall be submitted to and approved in writing by the Local Planning Authority before any work commences. The stone shall be laid on its natural bed, with (in the case of second-hand stone) its undressed weathered face exposed on the external face of the wall, and shall be coursed and pointed.  
The developers shall complete only the first three to five square metres of stone walling which shall be subject to inspection by an officer of the Local Planning Authority. Written approval must be obtained before further stone walling is undertaken. All subsequent walling shall closely match the approved sample walling in terms of colour, size and coursing and in colour, thickness and style of pointing. All stone walling shall be completed prior to the beneficial use of the extension hereby approved.
- 4 No development shall take place until a scheme of landscaping, which shall include indications of all proposed planting which shall be clearly described with species, sizes and planting numbers has been submitted to and approved in writing by the Local Planning Authority. The planting associated with the approved scheme of landscaping will take place the planting season after the written approval of the scheme. If within a period of two years from the date of the planting and any tree or shrub planted is removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

#### **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 interest of the character and appearance of the building and surrounding area.
- 4 To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

#### **Informative Notes:**

- 1 The developer shall note if there are changes to the plans hereby approved due to building regulation requirements or any third party requirements, details should also be submitted to

and approved in writing by the Local Planning Authority prior to the commencement of work.

- 2 Without the appropriate licence it is a criminal offence to harm or disturb many protected species of mammal (for example bats), reptile, amphibian, bird, plant and habitat. It is also an offence to disturb the nests or eggs of any wild bird during their breeding season. For further information about protected species visit [www.ccw.gov.uk](http://www.ccw.gov.uk). If, during any works in relation to the development hereby permitted any protected species are discovered or nesting birds disturbed, works must immediately cease and the Countryside Council for Wales be contacted on 0845 1306229.

**Signed (Case Officer):**  
Mrs Kate Edwards  
Senior Planning Officer (DC)

  
Date: 04.12.12.

**Checked (Principal Planner):**

  
Date: 6/12/12

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

  
Date: 7/12/12

