



## BRECAN BEACONS NATIONAL PARK AUTHORITY

### DELEGATED DECISION REPORT

**Application No:** 14/10798/FUL      **Case Officer:** Miss Kate Davies  
**Site Notice Posted:** 30th May 2014      **Consultation Date:** 30th May 2014  
**Date Valid:** 13th May 2014      **8 Week Target:** 8th Jul 2014  
**Decision Type:** Delegated Decision  
**Proposal:** Single storey extension to side of bungalow  
**Address:** Meadowcroft, Hiley Avenue, Gilwern

### CONSULTATIONS/COMMENTS

Consultee	Received	Comments
NP Planning Ecologist	20th Jun 2014	<p>A. Planning Policy &amp; Guidance</p> <ul style="list-style-type: none"><li>o To comply with Planning Policy Wales (2014), section 5.5 and also Technical Advice Note (TAN) 5, biodiversity considerations must be taken into account in determining planning applications. Planning permission should be refused if the proposals will result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures.</li><li>o The adopted Local Development Plan for the Brecon Beacons National Park includes the following policies regarding ecological issues and safeguarding biodiversity:<ul style="list-style-type: none"><li>o SP3 Environmental Protection - Strategic Policy</li><li>o Policy 3 Sites of European Importance</li><li>o Policy 4 Sites of National Importance</li><li>o Policy 5 Sites of Importance for Nature Conservation</li><li>o Policy 6 Biodiversity and Development</li><li>o Policy 7 Protected and Important Wild Species</li><li>o Policy 8 Trees and Development</li><li>o Policy 9 Ancient Woodland and Veteran Trees</li></ul></li></ul> <p>B. Legislation</p> <ul style="list-style-type: none"><li>o Environment Act 1995 - the first Statutory Purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park</li><li>o Natural Environment &amp; Rural Communities Act 2006 - Section 40 requires local authorities to have due regard to conserving biodiversity. This includes reference to the list of priority species and habitats produced under</li></ul>

## Section 42 of the Act.

o Conservation of Habitats & Species Regulations 2010 (as amended) - Regulation 9 requires local authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application.

The three tests that must be satisfied are:

- i. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- ii. That there is "no satisfactory alternative"
- iii. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

## C. Comments

1. Thank you for consulting me on the above application. The development proposals are for a single-storey extension to the north elevation of the bungalow.

2. I visited the site and have reviewed the documents and drawings submitted with the application. The soffits of the bungalow are completely sealed; the roof tiles are also tightly fitted with no signs of any gaps. I was also able to inspect the internal roof void of the bungalow where was no evidence of bat droppings. I therefore conclude that bats are unlikely to be affected by these development proposals and a bat survey is not required.

3. There will be opportunities to accommodate biodiversity enhancement measures such as a bat brick or gaps for bat roosting behind weatherboarding; further guidance on this is provided by the Bat Conservation Trust at:

[http://www.bats.org.uk/pages/accommodating\\_bats\\_in\\_buildings.html](http://www.bats.org.uk/pages/accommodating_bats_in_buildings.html)

I recommend that at least two features for bats are specified (type and location) by the applicants.

## D. Recommendations

If this application is to be approved, I recommend the inclusion of planning conditions and informative notes to cover the following issues:

1. No external lighting shall be installed until an external lighting plan is submitted to and approved in writing with the Local Planning Authority. The scheme shall avoid conflict with bat enhancement features and shall be implemented as approved.

2. Prior to commencement of the development, a habitat enhancement scheme that shall include provision of at least two bat roosting features, shall be submitted

to the Local Planning Authority. The scheme shall be implemented prior to first use of the development and the applicants shall notify the NPA within two months of the implementation.

**Informative note:**

1. 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 2010 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: 01873 737000

**Reasons:**

To comply with Section 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 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 2010 (as amended) and the Natural Environment and Rural Communities Act 2006

Western Power Distribution South Powys	15th May 2014	Commenting
Llanelly Community Council	11th Jun 2014	No Objections as long has the Application conforms to the NPA policies.
Monmouthshire County Council Highways		No comments received
Health And Safety Executive	15th May 2014	Advise, on safety grounds, against the granting of planning permission in this case.
Linesearch	15th May 2014	Commenting
Monmouthshire County Council Environmental Health		No comments received.

## **CONTRIBUTORS**

## **NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY**

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

## RELEVANT POLICIES

**Policy 1:** “Appropriate Development in the National Park” (Local Development Plan 2013)

**Policy 27:** “House Extensions and Ancillary Buildings” (Local Development Plan 2013)

**SPI 1:** “Sustainable Design” (Local Development Plan 2013)

**Policy 6:** “Biodiversity and Development” (Local Development Plan 2013)

**Policy 7:** “Protected and Important Wild Species” (Local Development Plan 2013)

**Planning Policy Wales 6<sup>th</sup> Edition** (February 2014)

**Technical Advice Note 12: Design** (2009)

## PLANNING HISTORY

App Ref	Description	Decision	Date
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## OFFICER'S REPORT

This application was considered against the adopted policies of the Brecon Beacons National Park Authority Local Development Plan (2013). In making a recommendation on this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the following national guidance:

- Planning Policy Wales (PPW, 2014)
- Technical Advice Note 12 Design (2009)

### LOCAL CONTEXT:

The application is for the construction of a single-storey extension to the side of Meadowcroft, Hiley Avenue, Gilwern. The property is situated within the level 3 settlement of Gilwern as defined by Brecon Beacons National Park Authority's Local Development Plan (2013), and within the community of Llanelly.

### DESIGN CONSIDERATIONS:

The proposed extension would be to the side of the dwelling, extending along the North-East elevation of the property. The proposal would be in keeping with the character of the host dwelling in terms of design and finishes using painted roughcast render to match existing, with the roof finished in brown tiles to match the existing roof. The windows and doors will be finished in white upvc matching the existing windows and doors in the property.

At 4.2 metres in width, 9 metres in depth, with a maximum height of 5 metres falling to 2.5 metres at the eaves, the extension would also be appropriate in terms of scale of the existing dwelling.

### NEIGHBOUR AMENITY:

There are no concerns in terms of neighbour amenity.

### HIGHWAY SAFETY:

There are no concerns in terms of highway safety.

### PROTECTED SPECIES:

A site inspection was undertaken by the National Park Ecologist, and no evidence of bats was found at that time. Conditions have been added in relation to lighting and biodiversity enhancement measures in regards to protected species.

### CONCLUSION:

It is recommended that this application be approved subject to the following 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 and NP3v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 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 bat enhancement features and shall be implemented as approved.
- 4 Prior to commencement of the development, a habitat enhancement scheme that shall include provision of at least two bat roosting features, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first use of the development and the applicants shall notify the Local Planning Authority within two months of the implementation.

**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 5 of Planning Policy Wales (2014), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP
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**Informative Notes:**

- 1 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 2010 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: 01873 737000
- 2 The developer's attention is drawn to the attached information provided by Western Power Distribution in relation to the electricity lines. The developer is advised to contact the organisation prior to the commencement of works.

**Signed (Case Officer):**

Miss Kate Davies  
Development Control Planning  
Technician

  
Date: 26.06.14

**Checked (Principal Planner):**

  
Date: 27.6.14

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

  
Date: 27/6/14

