



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 14/11520/FUL **Case Officer:** Miss Kate Davies
Site Notice Posted: 14th Nov 2014 **Consultation Date:** 12th Nov 2014
Date Valid: 12th Nov 2014 **8 Week Target:** 7th Jan 2015
Decision Type: Delegated Decision
Proposal: Erection of a two storey side extension with separate sheds
Address: Holly Cottage , Maes Y Gwartha, Gilwern

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council		No comments received
Monmouthshire County Council Highways	25th Nov 2014	PROPOSALS AND COMMENTS The application does not involve increasing the number of bedrooms or altering the parking provision. Parking at this location is at a premium and over the period of construction, the management of the site for construction traffic and deliveries will need to be very carefully managed. The site does not at present offer adequate parking however the location limits the available space to better the facilities.

RECOMMENDATION

Subject to no increase in numbers of bedrooms and an adequate construction management plan being produced, I would support the proposal.

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant

to Section 184 of the Highways Act 1980 prior to commencement of access works via the MCC Highways.

Health And Safety Executive	12th Nov 2014	HSE does not advise against the granting of planning permission in this case.
Monmouthshire County Council Environmental Health		No comments received
Natural Resources Wales/Cyfoeth Naturiol Cymru	27th Nov 2014	<p>Natural Resources Wales do not object to the proposal. However, we wish to make the following comments.</p> <p>Bats</p> <p>We note the submission of the bat survey report by Ava Ecology, dated 26 September 2014. No bats were seen emerging from the property during the activity surveys. Five very old pipistrelle-type droppings were found in the roof space, which had since been subject to some modifications.</p> <p>In this instance, we do not believe the proposal will result in detriment to the Favourable Conservation Status of bat species at this location. We recommend that the works be undertaken as outlined in section 6 (Recommendations and Mitigation Measures) of the survey report.</p>
NP Planning Ecologist	4th Dec 2014	<p>A. Planning Policy & Guidance</p> <ul style="list-style-type: none">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.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">o SP3 Environmental Protection - Strategic Policyo Policy 3 Sites of European Importanceo Policy 4 Sites of National Importanceo Policy 5 Sites of Importance for Nature Conservation

- o Policy 6 Biodiversity and Development
- o Policy 7 Protected and Important Wild Species
- o Policy 8 Trees and Development
- o Policy 9 Ancient Woodland and Veteran Trees

B. Legislation

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

o Natural Environment & 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 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 the erection of a two-storey extension to the side (east) elevation of the existing end-of-terrace house. The proposals also include the erection of an outbuilding at the front of the property.

2. I visited the site last month and have reviewed the documents and drawings submitted with the application, which includes the following ecological information:

- o Bat Surveys at Holly Cottage, Clydach, Monmouthshire by Ava Ecology Ltd dated 26th September 2014

3. I welcome the submission of the ecological report with the application and I note that the initial

visual inspection of the building found the presence of a few old bat droppings in the existing roof void; however, no evidence of bat emergence was found during the bat activity surveys. The mitigation recommendations in Section 6 of the ecological report are appropriate and should be followed.

4. There will be opportunities to accommodate biodiversity enhancement measures such as a bat brick or gaps for bat roosting behind weatherboarding. I welcome the proposed installation of an integrated bat box at the apex of the new extension; however, the Kent bat box is not an integral one and should be amended. Further guidance of bat tubes or integral bat boxes is available on the Bat Conservation Trust's website. Some examples are shown below:

It is also possible to include provision for bats within the walls as shown in the attached drawing.

D. Recommendations

If the type of integrated bat box can be amended and this application is to be approved, I recommend the inclusion of planning conditions and informative notes to cover the following issues:

1. Construction measures shall follow the recommendations in Section xxx of the ecological report. An ecological clerk of works shall be appointed to supervise the ecologically sensitive aspects of the work.

2. The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first use of the development. Following the installation of the mitigation, a report confirming their adequate installation shall be submitted to the Local Planning Authority.

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

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)

Planning Policy Wales 7th Edition (July 2014)

Technical Advice Note 12: Design (2012)

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:

- o Planning Policy Wales (PPW, 2014)
- o Technical Advice Note 12 Design (2012)

Local Context:

The application is for the construction of a two storey side extension, along with the construction of a garden shed and associated works at Holly Cottage, Park Place, Maes Y Gwartha. The property is situated within the Level 4 settlement of Maes Y Gwartha as defined by Brecon Beacons National Park Authority's Local Development Plan (2013).

Design Considerations:

The proposed two storey extension would add to the front elevation of the property, extending from the side elevation of the dwelling. The proposed extension would be in keeping with the character of the host dwelling and uses timber cladding for the external walls, concrete tiles to match the existing roof and wooden double glazed windows and doors.

The extension is considered subservient to the main property by being set down from the original ridge height, and also set back from the principle elevation. At 4.1 metres in width, 7.65 metres in depth, with a maximum height of 6.3 metres falling to 4.1 metres at the eaves the extension would also be appropriate in terms of scale of the existing dwelling.

The timber shed is proposed in the lower terrace of the front garden of the property, and would have a sloped green roof to follow the slope of the amenity area. At 4.8 metres in width, 2.9 metres in depth, with a maximum height of 2.8 metres, falling to 2.36 metres at the eaves, the shed would be appropriate in terms of size and scale of the existing site.

Neighbour Amenity:

There are no concerns in terms of neighbour amenity.

Highway Safety:

As the proposals do not involve ^{an} ~~the~~ increase in the number of bedrooms or the altering of the parking provision there are no concerns relating to highway safety.

Protected Species:

A bat survey by Ava Ecology, dated 26 September 2014, was submitted as part of the planning application. No bats were seen emerging from the property during the activity surveys; However old pipistrelle-type droppings were found in the roof space. It is ~~not~~ considered that the proposal would result in ^{any} ~~detrimen~~t to protected species at the location. Conditions have been added to the decision in relation to construction and mitigation methods. ^{not}

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, NP2v2, NP3v1 (excluding the roof plan) and NP4v1), unless otherwise agreed in writing by the Local Planning Authority.
- 3 The development hereby approved shall be carried out strictly in accordance with the recommendations in section 6 of the Bat Survey by Ava Ecology dated 26 September 2014,

unless otherwise agreed in writing by the Local Planning Authority. An ecological clerk of works shall be appointed to supervise the ecologically sensitive aspects of the work.

- 4 The biodiversity mitigation and enhancement measures shall be undertaken and/or installed prior to first beneficial use of the development hereby approved. Following the installation of the mitigation, a report confirming their adequate installation shall be submitted to 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 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

Signed (Case Officer):
Miss Kate Davies
Planning Officer (DC)



Date: 05/01/2015

Checked (Principal Planner):



Date: 5/1/15

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



Date: 7/1/15.

