



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 15/12341/FUL **Case Officer:** Miss Kate Davies
Site Notice Posted: 6th Jul 2015 **Consultation Date:** 27th Jul 2015
Date Valid: 22nd Jun 2015 **8 Week Target:** 17th Aug 2015
Decision Type: Delegated Decision
Proposal: Two storey side extension
Address: I Cae Robin , Station Road, Clydach

CONSULTATIONS/COMMENTS

| Consultee | Received | Comments |
|----------------------------|---------------|---|
| NP Planning Ecologist | 31st Jul 2015 | <p>Thank you for consulting me on the additional information that has been submitted for the above application.</p> <p>In my previous Memorandum I requested a biodiversity enhancement scheme and I welcome the proposed enhancement measures for bats. A condition should be imposed to ensure that the measures are installed as proposed.</p> <p>Recommended condition: Two bat roosting features shall be installed as shown on drawing NP4v2 prior to first beneficial use of the development and maintained thereafter</p> <p>I hope this is of help - please let me know if you require anything further.</p> |
| Llanelly Community Council | 20th Jul 2015 | <p>Thank you for consulting Llanelly Community Council regarding the above proposal. Llanelly Community Council wish to make No Objections as long as the application conforms to the NPA policies.</p> |

Monmouthshire County Council Highways 31st Jul 2015

PROPOSALS AND COMMENTS

The application states that there is no alteration to the access and parking provision at the site.

The site provides for the parking of 4 vehicles which is over and above the requirements.

The extension will have no adverse effect on this provision.

RECOMMENDATION

There are no adverse comments I would wish to make on this application.

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.

NP Planning Ecologist 15th Jul 2015

A. Planning Policy & Guidance

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.

The adopted Local Development Plan for the Brecon Beacons National Park includes the following policies regarding ecological issues and safeguarding biodiversity:

- o SP3 Environmental Protection - Strategic Policy
- o Policy 3 Sites of European Importance
- o Policy 4 Sites of National Importance
- o 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

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

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. 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 construction of a two storey extension to the side (south-west) elevation of the existing terraced house.

2. I visited the site yesterday and have reviewed the documents and drawings submitted with the application. The barge boards along the gable end are tightly sealed to the gable end wall and there do not appear to be any gaps beneath the slates above. The Biodiversity Information Service for Powys and the Brecon Beacons does not hold any records for bats at the site and I am therefore of the opinion that bats are unlikely to be affected by these development proposals. In the unlikely event that a bat is discovered during the course of the development, work must cease and advice sought from Natural Resources Wales (contact details below).

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

I recommend that at least two features for bats or

nesting birds 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:

I. Prior to the commencement of development works, a biodiversity enhancement scheme, to include provision of at least two features for bat roosting, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement scheme shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.

Informative notes:

I. 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: 0300 065 3000

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

Natural Resources
Wales/Cyfoeth Naturiol
Cymru

24th Jun 2015

Thank you for consulting Natural Resources Wales (NRW) regarding the above proposal.

We advise you consult your authority's ecologist with regard to deciding whether bat presence/ likely absence within the building affected

should be established through surveys prior to determination of the planning application.
If surveys are carried out and evidence of bats is found then please re-consult us with a copy of the survey report. Otherwise we have no comments on the proposal

Health And Safety
Executive

CONTRIBUTORS

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

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

RELEVANT POLICIES

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

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

Policy 7: *“Protected and Important Wild Species”* (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 (2014)

PLANNING HISTORY

| App Ref | Description | Decision | Date |
|---------|-------------|----------|------|
|---------|-------------|----------|------|

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 (2014)

Local Context

The application is for a two storey side extension and the alteration of an existing dormer window at I Cae Robin, Clydach. The property is situated within the Level 4 settlement of Clydach and within the community of Llanelly as defined by the Brecon Beacons National Park Authority's Local Development Plan (2013).

Design Considerations

The proposed two storey extension would be to the side elevation of the property, set back from the front elevation by 1.3 metres to allow for the retention of an existing single storey lean to extension on the side of the property. The proposed extension would not be set down from the ridge of the existing dwelling as in this instance, due to the topography of the land and that the host dwelling is an end of row property set at the top of a steep lane, a set down would look unbalanced within the row.

The proposal would be in keeping with the character of the host dwelling in terms of design and finishes with the use of painted render, slate and white upvc windows, all to match the existing dwelling. The proposed alterations to the existing dormer to match the proposed would also be deemed appropriate with the use of white upvc.

At 3 metres in width, 5.6 metres in depth, with a maximum height of 6.6 falling to 4.1 metres at the eaves the extension is also considered to be appropriate in terms of size and scale of the existing dwelling. The increase in width of 0.4 metres and the increase in height of 0.2 metres of the existing dormer to match the proposed is also considered acceptable in terms of size and scale.

Neighbour Amenity

Due to the relationship with the neighbouring properties and the proposed development raises no concerns in terms of neighbour amenity.

Highway Safety

Monmouthshire County Council Highways Department were consulted on the application. No comments or objections were raised. It is therefore considered that the proposal is considered acceptable on highways grounds.

Protected Species

A site inspection was undertaken by the National Park Ecologist, and no evidence of bats was found at that time. Two bat enhancement features have been included on to plan NP4v2, including a bat box of the gable of the proposed extension and a ridge tile access point for bats. A condition would be added to the permission to ensure these details are implemented.

Conclusion

It is recommended that this application be approved subject to the following conditions:

RECOMMENDATION: Permit

Conditions and/or Reasons:

- I 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 and NP4v2), unless otherwise agreed in writing by the Local Planning Authority.
- 3 Two bat roosting features shall be installed as shown on drawing NP4v2 prior to first beneficial use of the development and maintained thereafter.

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

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: 0300 065 3000

Signed (Case Officer):

Miss Kate Davies
Planning Officer (DC)


_____ Date: 12/08/15

Checked (Principal Planner):


_____ Date: 13/08/15

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


_____ Date: 14/8/15
