



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 17/14496/FUL **Case Officer:** Mrs Kate Edwards
Site Notice Posted: 16th Feb 2017 **Consultation Date:** 29th Mar 2017
Date Valid: 13th Feb 2017 **8 Week Target:** 10th Apr 2017
Decision Type: Delegated Decision
Proposal: Two Storey Side Extension
Address: Shepherds View , Mount Pleasant, Llanelly Hill

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
NP Planning Ecologist	6th Apr 2017	<p>Thank you for consulting me on the additional information that has been submitted in support of the above application. The photographs show that the roof slates are tight-fitting and do not appear to offer features suitable for bat roosting. The proposed extension will only affect a small area of the roof and the area of lead flashing will not be affected. I am therefore of the opinion that further bat survey information is not now required. In the unlikely event that a bat is discovered during the course of the development, works must cease and advice sought from Natural Resources Wales; to continue working may constitute an offence under the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended).</p> <p>Section 6 of the Environment (Wales) Act 2016 requires public authorities to seek to maintain and enhance biodiversity. There will be opportunities to accommodate biodiversity enhancement measures and I recommend that at least two features for bats or nesting birds are specified (type and location) by the applicants.</p> <p>If this application is to be approved, I recommend the inclusion of the following planning conditions and</p>

informative notes:

1. Prior to the commencement of development works, a biodiversity enhancement scheme, to include provision of at least two features for bat roosting or bird nesting, 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 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: 0300 065 3000

Reasons:

- o To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNP
- o To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Environment (Wales) Act 2016

NP Planning Ecologist 3rd Mar 2017

Summary

Comments

1. These development proposals are for the construction of a two-storey extension to the side (west) elevation of the existing detached house.
2. The site is in the open countryside although is part of a group of houses. The Cwm Clydach Site of Special Scientific Interest (SSSI) lies immediately to the north of the road and the Cwm Clydach Special Area of Conservation (SAC) is 140 metres to the north of the site. These protected sites are designated for their woodland habitats and populations of lesser horseshoe

bats. The terraced cottage that is the subject of these development proposals does not offer features suitable for lesser horseshoe bats to roost and No Likely Significant Effects on the SAC are anticipated as a result of these development proposals.

3. The Biodiversity Information Service for Powys and the Brecon Beacons National Park holds records for bats nearby, including lesser horseshoe bats. The nearby woodlands offer good foraging habitat for all bat species. The development proposals include works to the roof of the cottage which may offer bat roosting features. It will therefore be necessary to establish whether bats are present or not and the extent to which they may be affected by the proposals. In the first instance, a bat scoping survey can be undertaken; if this identifies the presence of bats or potential for presence, the results of further bat activity surveys at an appropriate time of year will be required to support this application.

4. 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

The applicant will need to commission a preliminary ecological survey to establish whether the proposed development will have impacts on protected species. If no evidence of or potential for presence or impacts is found, a report detailing these findings should be submitted, along with any suitable biodiversity enhancement measures.

If evidence of or potential for protected species is found, further ecological surveys must be undertaken to establish species present, populations and details such as exact roosting sites and flight lines for bats. The methodology of the surveys should follow the latest best practice guidelines for the species concerned. A final report must detail mitigation, compensation and enhancement measures (including landscape design or retention). As protected species are a 'material consideration', Brecon Beacons National Park Authority cannot determine this application until all the necessary survey, mitigation, compensation and enhancement

information are received.

In summary, the applicant will need to submit a report to the BBNPA detailing the following:

- o A full visual assessment of the site for the presence of protected species (bats, nesting birds etc.)
- o If necessary, further surveys to establish species present and population sizes
- o Mitigation and compensation strategies for any species found to be present - these will also need to be shown on architectural drawings
- o Biodiversity enhancement measures that can be incorporated

The biological records provided in the ecological report will be forwarded to the Biodiversity Information Service for Powys and Brecon Beacons. This application cannot be approved in the absence of this information and should either be withdrawn or refused.

Reasons:

- o To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park
- o To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Environment (Wales) Act 2016

Llanelly Community
Council

14th Mar 2017

Comments:

Thank you for consulting Llanelly Community Council regarding the above planning application. The response is based on the latest information available on the date of the response. The comments made are based on the information provided by the Local Planning Authority and published on the LPA website. Therefore Llanelly Community Council has no concern with the proposed planning application submitted. The views and conclusions contained in this response may be subject to review and amendment by Llanelly Community Council if additional or new information is provided by the Applicant or their agent and or the Local Planning Authority for consultation purposes.
Can you please acknowledge receipt of this document

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Reasons:

- o To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the Brecon Beacons National Park
- o To comply with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Environment (Wales) Act 2016

NP Planning Ecologist 4th Apr 2017

Further to my site visit, this is just to confirm that the eaves of the house looked well-sealed and unsuitable for bat access. Unfortunately I couldn't see the roof of the house to see what the condition is like. If the applicants have ladders, they may be able to take some photos of

the roof to demonstrate that there are no suitable features for bats to roost under or gain access to the roof void.

CONTRIBUTORS

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

No comments received.

RELEVANT POLICIES

Planning Policy Wales (Edition 9: 2017)

Technical Advice Note 5: Nature Conservation and Planning

Local Development Plan

CYD LPI Enabling Appropriate Development in the Countryside

Policy 1 Appropriate Development in the National Park

Policy 27 House Extensions and Ancillary Buildings

Policy 6 Biodiversity and Development

PLANNING HISTORY

App Ref	Description	Decision	Date
M16459	Erection of extension to, and resiting of, previously approved dwelling	Application Permitted	25th Jun 1999

OFFICER'S REPORT

Site Description

The development is within the residential curtilage of a detached dwelling, known as Shepherds View. Residential dwellings are located to the east, south and west of Shepherds View.

The external materials of the dwelling are random rubble stone and rough cast rendered elevations, slate roof and the windows frames and doors are wooden.

Proposed development

The proposed two storey extension will be constructed against the western elevation of a previously constructed extension. The proposed extension will measure some 2.3 m deep, 4.7 m wide, 5.3 m to eaves level and 7.0 m to ridge height. The external materials of the extension will be slate roof and stone and rendered elevations. Window frames will be wooden.

The dwelling has been extended in the past the volume of the original dwelling is 354 m³. The volume of the existing extension is 136 m³. The volume of the proposed extension 64 m³. The total volume increase of the existing and proposed extension will result in a 56% increase in volume from the original

dwelling.

Principle of Development

Policy CYD LPI Enabling Appropriate Development in the Countryside requires that extension(s) to dwellings do not, over all, represent a 30% increase in volume from that of the original dwelling,

The volume increase represented by the existing and proposed extensions is greater than the 30% stated in policy CYD LPI Enabling Appropriate Development in the Countryside. Officers consider that by virtue of the scale and subordination of the proposed extension when considering the visual impact on the dwelling a recommendation of refusal based on a combined volume increase of 56% (36% for the existing extension and 18% for the proposed) would not be appropriate in this instance.

Officers consider the development meets with the requirements of the above policy.

Visual impact

Policy I Appropriate Development in the National Park and Policy 27 House Extensions and Ancillary Buildings require the scale, form, design and use of materials are appropriate to the surroundings and that development will maintain or enhance the quality and character of the National Park.

It is considered that the proposed extension is visually and physically subordinate to the existing dwelling.

Officers consider the development meets with the requirements of the above policies.

Neighbour Amenity

Planning Policy Wales (Edition 9: 2017) Technical Advice Note 12: Design March 2016 and Policy 27 House Extensions and Ancillary Buildings require that the impact of development on residential amenities is a material planning consideration.

In respect of overlooking, windows will be inserted into the principle elevation of the proposed extension. No windows are proposed to be inserted into the side of the proposed extension.

In respect of overbearing, it is noted that the two story extension will be constructed some 1.6 m from the boundary shared with 3 Mount Pleasant.

The relationship between the proposed extension and that of the adjacent dwelling, 3 Mount Pleasant has been carefully considered. In terms of overlooking it is considered that the proposed development would not cause any significant loss of privacy due to the oblique angles between the windows in the rear elevation of 3 Mount Pleasant and that of the proposed extension. In terms of over bearing it is considered that, by virtue of the distance between the proposed extension and the boundary, the proposed extension would not represent development that would result in a significant degree of overbearing.

To ensure there is no loss of privacy of the residents of 3 Mount Pleasant, it is considered appropriate to impose a condition restricting any permitted development rights to insert windows into the western elevation of the proposed extension.

Officers consider the development meets with the requirements of the above policies.

Protected Species

Planning Policy Wales (Edition 9: 2017), Technical Advice Note 5: Nature Conservation and Planning (September 2009) and Policy 7 Protected and Important Wild Species require that the disturbance of the species and habitats will be kept to a minimum.

The comments of the National Park Ecologist are provided above. Further information was suggested to assist the National Park Ecologist in assessing the possibility of bats using the roof affected by the proposed extension.

In summary the National Park Ecologist is satisfied that, due to the roof being well sealed it is unlikely to be accessible by bats.

Officers consider the development meets with the requirements of the above policies.

Conclusion

The development, although resulting in an increase in volume that is greater than 30% and therefore contrary to CYD LPI Enabling Appropriate Development in the Countryside, is considered acceptable for the reasons of subordination.

The development would not represent a significant detriment to the occupants of 3 Mount Pleasant in terms of overlooking or overbearing. In order to prevent any unacceptable overlooking into the private amenity space of 3 Mount Pleasant, a condition will be imposed to ensure no windows can be inserted into the western elevation of the proposed extension.

It is considered that there would not be any detriment to a protected species.

Officers consider the development meets with the requirements of the above policies.

RECOMMENDATION:

Conditions condition(s):

- 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 (Site Location plan (NP1v1), Block Plan (NP2v1) and 002 Rev E (NP4v1) received 13/02/17) except where otherwise stipulated by conditions attached to this permission.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no windows shall at any time be placed in the west elevation of the extension hereby permitted.
- 4 Prior to the commencement of development works, a biodiversity enhancement scheme, to include provision of at least two features for bat roosting or bird nesting, 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.

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 ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 4 To comply with Section 5 of Planning Policy Wales (2016), Technical Advice Note 5 and Policies SP3, 6 and 7 of the adopted Local Development Plan for the BBNPA. 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.

Informative Notes:

- 1 The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.
It should also be noted that this site may lie within an area where a current licence exists for underground coal mining.
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and audits) requires the prior written permission of The Coal Authority.
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
- 2 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, NP23 7AX Tel: 0300 065 3000

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



07/04/17

Date: _____

Checked (Principal Planner):

_____ **Date:** _____

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



Date: 07/04/2017