

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: P/2017/1215

Grid Ref: 309545.09
297741.08

Community Council: Tregynon

Valid Date: 19/10/2017
Officer: Luke Jones

Applicant: Mr & Mrs T Jones, 2 Tynybryn Cottages, Tregynon, Newtown, Powys, SY16 3PJ

Location: 2 Tynybryn Cottages, Tregynon, Newtown, Powys, SY16 3PJ

Proposal: Householder: Erection of a two storey extension and all associated works

Application Type: Householder Application

The reason for Committee determination

The applicant is a close relative to an County Councillor and therefore in accordance with the protocol is required to be determined before Members of the Planning committee.

Site Location and Description

The application site lies within the community council area of Tregynon. The site is located adjacent to the county highway C2010 leading from Tregynon towards Newtown. The property is a semi-detached dwelling surrounded by agricultural land and to the east of the dwelling is Tynybryn Farm.

The proposal includes the erection of a two storey side extension to the existing dwelling and all associated works. The proposed extension will measure approximately 8.7 metres in length and 5 metres in width. The proposed side extension will reach a height of approximately 4.5 metres to eaves and 9 metres to ridge.

The proposed side extension will be finished with brickwork for the walls and slate tiles for the roof. The proposed windows will be finished with white upvc.

Consultee Response

Tregynon Community Council

The Tregynon councillors have discussed application ref P/2017/1215 and send the following comment:

The extension should be in keeping with the existing building.

PCC Highways

Does not wish to comment on the application

PCC Building Control

No comments received at the time of writing this report

Wales & West Utilities

Wales & West Utilities acknowledge receipt of your notice received on 25.10.2017, advising us of the proposals for:

2, Tynybryn Cottages, Tregynon, Newtown, Powys, SY16 3PJ

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

Severn Trent

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows:

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

To help us provide an efficient response please could you send all responses to welshplanning@severntrent.co.uk rather than to named individuals, including the STW ref within the email/subject.

Welsh Historic Park Gardens

Does not wish to comment

Cadw

No comments received at the time of writing this report.

Public Response

Following the display of a site notice on 09/11/2017, there have been no public representations received

Planning History

P/2011/1347 - Formation of a new vehicular access (retrospective), Conditional Consent

Principal Planning Constraints

Welsh Historic Park Gardens

Principal Planning Policies

National Policies

Planning Policy Wales (Edition 9th, November 2016)

Technical Advice Note 12 – Design (2016)

Technical Advice Note 5 – Nature Conservation and Planning (2009)

Technical Advice Note 24 – The Historic Environment (2017)

Local Policies

GP1 – Development Control

GP3 – Design and Energy Conservation

GP4 – Highway and Parking Requirements

ENV2 – Safeguarding the Landscape

ENV4 – Safeguarding Biodiversity and Natural Habitat

ENV7 – Protected Species

ENV16 – Landscape, Parks and Gardens of Special Historic Interest

HP4 – Settlement Development Boundaries and Capacities

HP16 – House Extensions

DC1 – Access by Disabled Persons

DC10 – Mains Sewage Treatment

Residential Design Guide (October 2004)

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

Officer Appraisal

Principle of Development

UDP policy HP16 sets out the general requirements applied to all household extensions such as this proposal. The main planning considerations relating to this type of proposal are design, proportion, scale, materials and fenestration whilst avoiding any unacceptable loss of parking or adverse impacts upon neighbouring properties.

It is therefore considered that the principle of development fundamentally complies with policy HP16 of the Powys Unitary Development Plan (2010) subject to the following:

Design

With respect to design specific reference is made to UDP policies GP1 and HP16. The respective policies indicate that development proposals will only be permitted where the design, proportion, scale, materials and fenestration complements or enhances the character of the existing building.

Consent is sought for the erection of a two storey side extension to the existing dwelling and all associated works.

The design of the proposed side extension is considered to be in-keeping with the surrounding area; it is also considered to be of an appropriate scale and proportion relative to the host dwelling. The side extension has been sympathetically designed and is subservient to the main dwelling. As such it is therefore considered to be of an acceptable design in this setting.

The proposal includes the erection of a two storey side extension to the existing dwelling and all associated works. The proposed extension will measure approximately 8.7 metres in length and 5 metres in width. The proposed side extension will reach a height of approximately 4.5 metres to eaves and 9 metres to ridge.

The proposed side extension will be finished with brickwork for the walls and slate tiles for the roof to match the existing dwelling. The proposed windows and doors will be finished with white upvc. It is therefore considered that the selected materials are acceptable in their use at this location.

In light of the above it is therefore considered that the proposed development fundamentally complies with relevant planning policy

Highways

A safe access, parking and visibility splays are a fundamental requirement of any development.

The application does not seek alterations to the existing means of access to the property and the proposal would not affect the existing parking area. The Local Highway Authority has been consulted on the development although they did not wish to comment on the application.

In light of the above, it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Amenities enjoyed by occupiers of neighbouring properties

In considering the amenities enjoyed by the occupiers of neighbouring properties consideration has been given to the Powys Residential Design Guide (October 2004).

It is considered that the proposed extension to the side elevation will not create any negative impacts upon the neighbouring dwellings in terms of any loss of daylight created by the

erection of the proposed extension or loss of privacy. It is considered that the proposed side extension will not afford the host dwelling any additional views to the attached neighbouring dwelling and there are no further properties within close enough proximity to be disadvantaged by the proposed extension.

It is therefore considered that the proposed development would not be seen as having a detrimental impact to the amenities enjoyed by neighbouring residential properties and therefore fundamentally complies with relevant planning policy.

Historic Park and Gardens

The proposed development is located in close proximity to Gregynog Registered Historic Park and Garden and therefore CADW and Welsh Historic Gardens have been consulted on the application.

In relation to considering applications which may affect the setting of Historic Parks and Gardens, Planning Policy Wales states that 'Local planning authorities should protect and conserve parks and gardens and their settings included in the register of historic parks and gardens in Wales'. TAN 24 and UDP Policy ENV16 reflects this requirement and UDP ENV16 states that development unacceptably adversely affecting the character or appearance of historic parks and gardens and their setting will be opposed.

The Welsh Historic Parks and Garden were consulted regarding the application but did not wish to comment on the proposed development. At present no comments have been received from CADW, however Members will be updated regarding any comments received from CADW prior to the meeting.

Other Legislative Considerations

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and

- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that there would be no unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material unacceptable effect upon the use of the Welsh language in Powys as a result of the proposed decision.

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

RECOMMENDATION – Conditional Consent

It is considered that the development fundamentally complies with relevant planning policy and the recommendation is one of conditional consent.

Conditions

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XXXXXXXX (drawing no's:RPP08.1.3.02, RPP08.1.3.03, RPP08.1.3.04, RPP08.1.3.05, RPP08.1.3.06, RPP08.1.3.07, RPP08.1.3.08).

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.

