

Does not wish to comment on the application

Severn Trent

E mail of 17th October 2017

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.

Wales and West Utilities

E mail of 5th October 2017

Our records show those pipes owned by Wales & West Utilities (WWU) in its role as a Licensed Gas Transporter (GT). Service pipes, valves, syphons, stub connections, etc. may not be shown but their presence should be anticipated. No warranties are therefore given in respect of it. They also provide indications of gas pipes owned by other GTs, or otherwise privately owned, which may be present in this area. This information is not information of WWU and WWU is unable to verify this information or to confirm whether it is accurate or complete.

The plan must be printed in A3 size and will also need to be produced in colour. If this is not possible, we can send you a hard copy if requested.

PCC Ecology

E mail of 22nd November 2017

Thank you for consulting me with regards to planning application P/2017/1129 which concerns the householder application for a proposed first floor extension to existing dwelling along with exterior material changes and replacement windows at Tree Tops, Milford Road, Newtown.

I have reviewed the proposed plans as well as local records of protected and priority species and designated sites within 500m of the proposed development. The data search identified 707 records of protected and priority species within 500m of the proposed development – no records were for the site itself.

There are no statutory or non-statutory designated sites within 500m of the proposed development.

Given the proposed development will impact the existing roof structure consideration has been given to the potential for the property to support roosting bats – bats being a European

protected species. Bat roosts are often associated with roofs, both internally using the loft void and externally, particularly utilising suitable roosting opportunities associated with the ridge and edges of the roofs.

Having reviewed the photographs that were taken during the site visit and photographs submitted by the agent - it is considered that the existing dwelling and roof structure lacks suitable features for roosting bats. The existing roof structure of the dwelling appears to be reasonably well sealed allowing little opportunity for bats to access the structure. Therefore it is considered that the proposed development will not result in the loss of features or habitat suitable for use by roosting bats. In light of this assessment I consider that no further information is considered necessary to determine the potential impact of the proposed development and demolition on bats.

With regards to other protected and priority species identified as present in the local area by the data search it is not considered likely that the proposed development would result in negative impacts to these species and no surveys are considered necessary.

However, should you be minded to approve the application I recommend inclusion of the following informative:

Bats - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended)

It is an offence for any person to:

- Intentionally kill, injure or take any bats.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection. This is taken to mean all bat roosts whether bats are present or not.

Under the Habitats Regulations it is an offence to:

- Damage or destroy a breeding site or resting place of any bat. This is an absolute offence - in other words, intent or recklessness does not have to be proved.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) that works to trees or buildings where that work involves the disturbance of a bat is an offence if a licence has not been obtained from Natural Resources Wales. If a bat is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. You can also call the National Bat helpline on 0345 1300 228 or email enquiries@bats.org.uk

Representations

A site notice was erected on the curtilage fence of Tree Tops, no decision was made for a continuous period of 21 days from the date of the site notice. No third party responses have been received.

Planning History

No relevant planning history

Principal Planning Policies

National Planning Policy

Planning Policy Wales (9th Edition, November 2016)
Technical Advice Note 5-Nature Conservation and Planning (2009)
Technical Advice Note 12-Design (2016)
Technical Advice Note 18- Transport (2007)

Local Planning Policy-Unitary Development Plan for Powys (March 2010)

SP2-Strategic Settlement Hierarchy
SP3-Natural, Historic and Built Environment
GP1-Development Control
GP3-Design and Energy Conservation
GP4-Parking and Access Requirements
GP5-Welsh Language and Culture
ENV2- Safeguarding the Landscape
ENV3- Safeguarding Biodiversity and Natural Habitats
ENV7-Protected Species
HP4-Settlement Development Boundaries and Capacities
HP16-House Extensions
DC10- Mains Sewage Treatment
DC13- Surface Water Drainage

Powys Residential Design Guide (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

Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Principle of Development

UDP policy HP16 seeks to ensure that house extensions will be approved subject to the development being acceptable only where it complements or enhances the character of the existing building in terms of its height, proportion, scale, roof pitches, gable features, materials and fenestration, whilst avoiding any unacceptable loss of parking or adverse impact upon neighbouring properties.

It is therefore believed that the principle of an extension for this dwelling is acceptable within the policy framework of the UDP.

Suitability of design and external appearance

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.

The character of the existing dwelling is a modest one and half storey, 3 bedroom dwelling. The alterations propose to raise the roof height and design to allow more living accommodation on the first floor. The alterations also include design changes to the type and pattern of fenestration and external materials. Apart from the dwellings immediately adjacent to this development site, the surrounding area predominantly accommodates two storey dwellings with single pitch roofs. The criteria set out under policy HP16 is noted and it is considered the proposed changes would enhance the appearance of the dwelling by introducing quality materials and the remodelled dwelling would be in keeping with the wider design precedent of the area. As such while the design changes do not complement the existing dwelling they do enhance its character and as such is considered acceptable in terms of design

Impact on neighbour amenity

Policy HP16 confirms extensions should not result in adverse impact upon neighbouring properties. The key neighbour amenity considerations associated with the proposed scheme are whether or not the increased height of the building would result in it having an overbearing impact on the neighbouring properties or when viewed within the context of the area and whether the dwelling, as altered, would overshadow a habitable room within a neighbouring property. It is also necessary to consider whether the alteration to the pattern and design of fenestration would result in the amenity of the neighbouring properties being reduced through overlooking.

The dwelling is a detached property and sits in a row of detached properties overlooking the roadway to the south and ascending hillside to the north. The separation distance between the neighbours to the east and west is sufficient to accommodate the increased height of the building, without it appearing overbearing or overshadowing windows of habitable rooms. The scheme proposes windows at first floor height on the east side elevation only, the neighbouring dwelling to the east is single storey in height and the only window on the facing side elevation is on the ground floor and appears to serve a utility room, the proposed first floor windows would therefore overlook the roof space of the neighbouring dwelling and as such would not reduce the amenity enjoyed by occupiers of the neighbouring dwelling or this dwelling. The ground floor windows on the side elevations remain unchanged as a result of this proposal and as such raise no amenity concerns above any which may already exist.

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

Suitability of access arrangements

Policy GP4 and HP16 seek to ensure development is served by a suitable means of access and parking arrangements. The proposed scheme would not result in any alterations to the footprint of the dwelling and as such would not alter the existing access and parking arrangements. The dwelling would not result in an increased number of bedrooms and as

such the occupation of the dwelling is unlikely to increase and as such there would be no intensified use of the access or parking arrangements.

The Highway Authority raises no objection to the proposal.

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

Impact on Ecology

The proposed scheme involve works to the roof space of the existing dwelling, bats are known to roost in favourable roof voids and as such, in accordance with TAN5 and policy ENV7 the Local Authority need to be sure development would not have a detrimental impact on the favourable conservation status of any bat population in this area.

The ecologist has carried out an assessment of the roof space and notes in their response the existing roof lacks suitable features for roosting bats and therefore it is considered that the proposed development will not result in the loss of features of a habitat suitable for roosting bats.

Subject to an informative being attached to any grant of consent the Powys Ecologist therefore confirmed that they have no objections to the proposed development and it is therefore considered to fundamentally comply with relevant planning policy.

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

The proposed scheme is in accordance with the relevant national and local planning policies, as listed within this report. The recommendation is one of conditional approval

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 approved plans; references include Location Plan (S077 1.3.01), Existing survey details (S0771.1.03), Proposed floor plans and elevations (S077 1.1.06)

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.

Informative Notes

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