

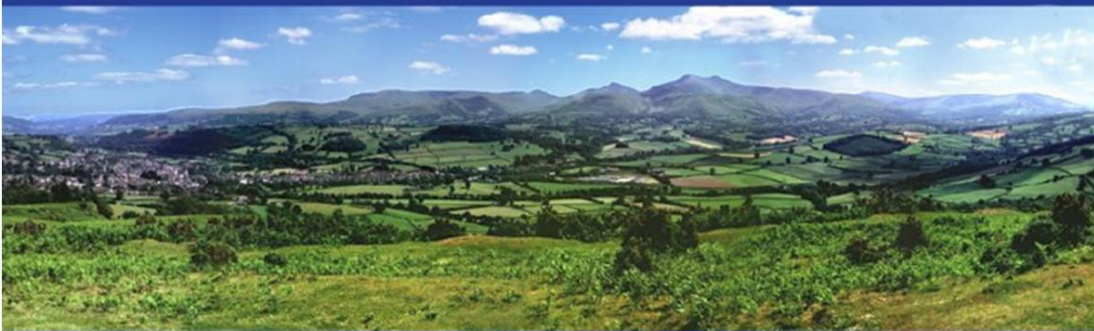
BRECON BEACONS NATIONAL PARK



Brecon Beacons National Park

**Authority Approved UDP
Guidance Note**

September 2008



**Policies ES26 & ES27:
Replacement of Dwellings &
Extensions to Dwellings in the
'Countryside'**



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Brecon Beacons National Park Authority

Authority Approved UDP Guidance Note: Policies ES26 & ES27

Replacement of Dwellings & Extensions to Dwellings in the Countryside

**The Brecon Beacons National Park (BBNP)
Unitary Development Plan (UDP) was approved by the
Authority in March 2007.**

**This Guidance Note provides further detail on the practical
interpretation and implementation of:
Policy ES26: Demolition and Replacement of dwellings; and
Policy ES27: House Extensions and Ancillary Buildings.**

**This Guidance Note will be used in the determination of
planning applications.**

September 2008

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1. Introduction

This Guidance Note is one of a series of Planning Guidance Notes that have been prepared to provide supporting information and advice on the implementation of the NPA's development plan policies. The Notes are intended to offer clear guidance on the main considerations that will be taken into account by the Authority when reaching decisions on planning applications.

2. Purpose of this Planning Guidance Note

This Guidance Note illustrates the Authority's position in relation to replacement dwellings and extensions to dwellings in the 'countryside'. It provides detail on the implementation of Policies ES26 and ES27 of the Brecon Beacons National Park (BBNP), Authority Approved, Unitary Development Plan (UDP), when applied to an application in the countryside. To clarify, Policies ES26 and ES27 are applicable to all areas within, and outside, the settlement boundaries identified in the Authority Approved UDP. However, this guidance note specifically relates to applications for replacement dwellings and extensions on land defined as 'countryside' in the UDP.

Detailed design guidance on new residential development and householder extensions, including replacement dwellings, will be available in separate guidance, 'The Sustainable Design Guide'. Finally, all development proposals covered by this Planning Guidance Note will be assessed against both the General Policies and Design Policies set out in Chapter 2 of the UDP.

3 Planning Policy Context

National Planning Policy

Extensions to rural dwellings and the replacement of existing dwellings in the countryside are categories of development that are not specifically covered in national planning policy.

However, Planning Policy Wales (2002 para 9.3.6) emphasises that new house building and other new developments in the open countryside, away from established settlements, should be strictly controlled. Isolated new houses in the countryside require special justification, as, for example, where they are essential to enable farm or forestry workers to live at or near their places of work. The fact that a new single house on a particular site might be unobtrusive is not by itself a good argument for granting permission. This could be repeated too often, to the overall detriment of the character of the area.

Brecon Beacons National Park, Authority Approved, UDP

Planning Policy ES26 of the BBNP Authority Approved UDP relates specifically to the demolition and replacement of dwellings. This has been prepared within the context of national planning policy guidance that seeks to protect the countryside and reflects local concern regarding the impact of replacement dwellings on the National Park's special character and landscape.

Policy ES26 of the UDP is set out below:

BBNP, Authority Approved, UDP Policy ES26: Demolition and Replacement of Dwellings

Demolition and Replacement of Dwellings

5.100 This policy allows an existing dwelling to be replaced by a new building that is more appropriate in the National Park. The design and curtilage should be at least as sympathetic to the setting as the original dwelling. Planning permission is not required to demolish a building unless:

- a) it is a listed building; or
- b) it is in a conservation area.

5.101 Excluding these two circumstances, in the event of someone wishing to demolish a building used as a dwelling and not replace it, the NPA must be notified at least 28 days in advance. This will allow time for a site visit and any concerns about adjoining or neighbouring properties or schemes of reinstatement to be considered. The NPA may then ask for a planning application to control such schemes.

Policy ES26: Demolition and Replacement of Dwellings

Applications to demolish and replace an existing habitable dwelling will be permitted if the design and curtilage of the proposed replacement is sympathetic to the setting and where:

- i) **the existing dwelling is of no particular architectural, historic or visual merit, for which it should be conserved; and**
- ii) **the proposal, including its access and curtilage, conforms to other policies in this UDP.**

In determining planning applications to demolish a dwelling house without replacement, the NPA will have particular regard to the effect on neighbouring properties and the details of reinstatement of the site.

Meanwhile, Planning Policy ES27 of the BBNP Authority Approved UDP relates specifically to House Extensions and Ancillary Buildings. It seeks to avoid over-extension of existing dwellings and the adverse impact this has on the character and appearance of the landscape and built environment.

Policy ES27 of the UDP is set out below:

BBNP, Authority Approved UDP Policy ES27: House Extensions & Ancillary Buildings

House Extension and Ancillary Buildings

5.102 Whilst not wishing to be unduly restrictive to householders wanting to modify their properties, the NPA is concerned that a balance of dwellings of varying sizes remains in the Park, and that dwellings after extension have adequate parking and amenity areas. Extensions should in the main be the subordinate part of the overall finished structure, and not be dominant or intrusive. A minimum of 60 square metres private open space in the curtilage of an extended dwelling will normally be required. Some buildings in the garden or curtilage of a dwelling, such as small garden sheds, do not require planning permission. Larger structures such as garages and stables do need specific permission. The NPA will apply its general planning and design policies in Chapter 2 to such applications. In the countryside, where an occupant may own or control more than just a garden, the NPA will be concerned to protect the Park's landscape by preventing a spread of buildings away from the main group around the house.

Policy ES27: House Extension and Ancillary Buildings

Extensions to dwellings will be permitted where:

- i) the proposal is appropriate to the scale and design of the existing dwelling;**
- ii) no loss of on-site parking space will result, and adequate on-site parking provision can be provided for the extended dwelling;**
- iii) sufficient curtilage is retained to provide an area of private open space compatible with the proposed size of the dwelling; and**
- iv) there is no significant loss of privacy to an adjoining property.**

In the countryside, new buildings ancillary to domestic use should be grouped with the house.

Policies ES26 and ES27 are applicable to all areas within, and outside, the settlement boundaries identified in the Authority Approved UDP. However, this guidance note specifically relates to applications for development on land that is defined as 'countryside' in the UDP.

4. Extensions to Dwellings in the Countryside

The primary consideration in assessing proposals to extend a traditional dwelling in the 'countryside' is that its inherent character is retained, so that the appearance of the National Park's rural landscape is not harmed by the loss of its vernacular buildings.

To accord with UDP Policy ES27, an extension to a dwelling in the 'countryside' must be the subordinate part of the overall finished structure; be appropriate to the scale and design of the existing dwelling; and not be dominant or intrusive. In addition to this, Policy G3 (criterion iii) of the Authority Approved UDP states that "the scale, form,

design, layout, density, intensity of use and use of materials will be appropriate to the surroundings and will maintain or enhance the quality and character of the Park's landscape and built environment”.

In practice, this means that to conform to the respective planning and design policies in the UDP, all proposals to extend dwellings in the countryside must therefore:

- Be considerably smaller than the existing dwelling;
- Be lower than the existing dwelling in relation to ridge height;
- Be of similar form to the existing dwelling and constructed with material and patterns of openings that match; and
- Be subordinate to the existing dwelling with the original form of the dwelling being clearly recognizable when the new works are completed.

The Size of Extensions in the Countryside

The NPA consider that a 20% increase over the size of the existing dwelling would satisfy the requirement that the extension be subordinate and of appropriate scale. To clarify, this 20% will be an increase in the overall volume of the existing dwelling. A larger volume will not be permitted in the National Park area unless it can be clearly demonstrated that no harm will be caused to the character and appearance of the existing dwelling. Even when this can be demonstrated, the increase in volume should not exceed 30%.

Proposals for an extension to a dwelling in the 'countryside' that would increase the volume of the building by more than 30% will be considered to be contrary to Policy ES27.

An exception to the size limits set out above may be considered appropriate where the existing dwelling is relatively small (ie. Usually less than 250 cubic metres). In such circumstances a larger percentage increase may be negotiated.

Dwellings with Previous Extensions

Dwellings which have already been extended will be considered carefully to ensure that further extensions do not cause loss of character to the original dwellings. In such circumstances, cumulative impact of the extensions will be taken into account by the case officer.

5. Replacement of Dwellings in the Countryside

The replacement of an existing dwelling in the countryside may be considered acceptable in principle under the criteria of Policy ES26 (ie where the existing dwelling is not a traditional dwelling of particular architectural, historic or visual merit and the proposal, including its access and curtilage, conforms to other policies in the BBNP UDP). However, to fully conform to UDP policy, there is also a requirement for the

replacement dwelling to be 'more appropriate in the National Park' than the existing dwelling. In addition to this, the design and curtilage of the proposed replacement dwelling should also be 'at least as sympathetic to the setting as the original dwelling' (UDP: ES26 & Para 5.100).

All proposals for development in the National Park, including replacement dwellings, must comply with the criteria in General Planning Policy G3 of the UDP. In accordance with this, development of a replacement dwelling must be of 'appropriate scale, form, layout... and use of materials...and will maintain or enhance the quality of the Park's landscape and built environment' (in accordance with criterion iii).

Size:

In order to comply with the above, the NPA consider it to be important to stipulate what is considered to be appropriate in terms of size when dealing with an application for a replacement dwelling. For example, the size of a dwelling will greatly impact on the proposal's compliance with the NPA's policy requirements stated above.

BBNPA would expect the replacement dwelling to be of similar size to the existing dwelling in order to be sympathetic to its setting in the National Park. However it may be permissible, under Policy ES27 (stated above), for an extension to increase the cubic content¹ of the existing dwelling. With respect to this, the BBNPA consider the guidelines on the permitted size increases for extensions, set out in Section 4 above, to be equally applicable for replacement dwellings in the countryside. **Hence, any increase in the volume of the existing dwelling will be dealt with as an extension to a dwelling in the 'countryside'**. In respect of this, proposals for a replacement dwelling in excess of 30% of the cubic content of the existing dwelling (over and above that allowed under permitted development rights where relevant²) would be considered contrary to UDP policy. Such applications will be judged on a case by case basis and where necessary Officers may find it necessary to remove permitted development rights.

Siting:

The NPA will expect any replacement dwelling to be located on the site of the existing dwelling. A re-siting would only be considered acceptable by the NPA where there would be resulting environmental or road safety benefits. In such cases the applicant would be required to demonstrate that there would be no increase in overall visual impact of the building in the landscape.

Curtilage:

¹ Refer to Section 10: Summary of Terms (cubic content)

² As set out in Schedule 2 part 1 of the Town and Country Planning (general Permitted Development) Order 1995.

BBNPA expect that the curtilage of a replacement dwelling is no larger than that of the existing dwelling. This is of particular importance when natural landscape features such as native hedges, bushes and trees form the boundary of the property. Scope for limited extensions would be subject to appropriate planting and boundary treatment to limit any visual intrusion. In such cases 'permitted development' rights (ie building works that do not require planning permission) will be removed.

Design:

Proposals for replacement dwellings will be required to be of a high quality of design. Proposals should take account of local and traditional elements of design and materials and, where appropriate, be in keeping with any surrounding buildings of merit.

Lawful use for Residential Purposes:

The NPA must be satisfied that the dwelling to be replaced has a lawful use for residential purposes. Where the building is still occupied or has only recently been vacated this should not be a problem. The situation can be more complicated where the building has been empty for some time; is in an uninhabitable condition; or has been used for some other purpose since it was last used as a dwelling house. In such cases, the residential use may have been 'abandoned'.

An application for Certificate of Existing Lawful Use maybe submitted in order to establish certainty in such instances.

6. Traditional Dwellings

If an application seeks to demolish and replace a building that the Authority considers to be worthy of retention because of its contribution to the visual and intrinsic character of the National Park's rural landscape, then planning permission is unlikely to be granted in accordance with ES26, criterion i. If the owner of such a property wishes to improve or increase the available residential accommodation then the only option will be an extension to the dwelling under ES27 (discussed above).

7. Replacement of Bungalows and Extensions to Bungalows in the Countryside

Bungalows are not traditional dwellings in rural areas and it can therefore be argued that the replacement of a bungalow in the 'countryside' by a two-storey dwelling could result in an enhancement to the character and appearance of the countryside. In such cases an exception may be made to the strict interpretation set out in this Planning Guidance Note. For example, when an application is received by the NPA in relation to the replacement of a bungalow by a two-storey dwelling, it would be expected that there is no increase in the footprint of the original dwelling. It will also be a requirement of the

applicant/ agent to illustrate that there will be no harmful intrusive impact in the landscape through the increased height and mass of the dwelling.

8. Garages and Outbuildings

The NPA acknowledges the requirement for garaging and ancillary buildings. It is therefore considered unreasonable to require that all such provision comes out of any volume 'allowance' that might be available for extending or replacing existing dwellings. Despite this, the NPA will strictly control the size of such outbuildings when they come under planning control.

Single or double detached garages of appropriate dimensions will be considered, providing they are not intrusive on the wider locality, and remain subordinate to, and do not detract from the character and appearance of the main dwelling. They should be sited as unobtrusively as possible, to the side or rear of the dwelling. Other outbuildings will also be given careful consideration.

All applications for replacement dwellings should include details of any proposed garages or outbuildings. This will enable the full scheme to be considered and assessed. The Authority needs to be satisfied at the time of the original application that adequate ancillary garaging and storage space can be achieved for the dwelling in order to avoid pressure for further, possibly harmful, development at a later date.

Finally, if over-large outbuildings are required, the NPA may negotiate a reduction in the size of the replacement dwelling to compensate. This may be necessary in order to limit the overall impact of the development on the National Park's special landscape.

9. BBNPA Requirements

In relation to applications for replacement dwellings and extensions to dwellings in the 'countryside', outline planning applications are not acceptable as they contain insufficient information to enable the Authority to assess the proposal.

Full planning applications should be submitted inclusive of accurate plans, elevations and cross sections of the existing building, as well as the proposed dwelling/ extension. This is to enable comparisons to be made between the proposed and existing development. The application should also include calculations of the external volume³ of the existing and the proposed dwelling/ extension.

Every application for a replacement dwelling or extension to a dwelling in the countryside should be accompanied by a Planning/ Design Statement explaining how the development complies with this Planning Guidance Note; how design concepts have

³ Refer to Section 10: Summary of Terms (Cubic Content)

been employed; and how the development will fit into its surroundings. This maybe integrated with an Access Statement should one be required.⁴

Finally, should the applicant believe that retention of a dwelling is not feasible or economic because of the condition of the building, then the NPA expects this to be fully justified by the provision of a survey report on the building. In marginal cases, the Authority is likely to seek further independent advice in order to verify the details of any submitted structural report.

10. Summary of Terms: BBNPA Interpretation

Countryside: ‘Countryside’ is the term used to describe areas that lie outside the development boundaries, as identified in the BBNP, Authority Approved UDP.

Cubic Content: When assessing the cubic content of a dwelling, all measurements will be external. This will include dormers, bay windows, chimneys that protrude from the outer wall or any areas covered by a permanent roof, such as porches or verandas. Integral or attached garages will also be treated as part of the main dwelling for the purposes of size calculations. Other outbuildings will not be considered as part of the main dwelling. Applicants will be expected to provide calculations of the volumes of the existing dwellings and enlargement proposals as part of the submission.

Outbuildings: Additional volume for extensions or replacement dwellings in exchange for the removal of existing outbuildings will not usually be permitted.

⁴ Refer to BBNPA Access Statement Planning Guidance Note. Available at www.breconbeacons.org or hard copies upon request at the NPA HQ.