



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 13/09043/FUL **Case Officer:** Mrs Kate Edwards
Site Notice Posted: 2nd May 2013 **Consultation Date:** 17th Apr 2013
Date Valid: 9th Apr 2013 **8 Week Target:** 4th Jun 2013
Decision Type: Delegated Decision
Proposal: Proposed alteration of approved dwelling to include rear conservatory extension
Address: Plot 30, Ty Mawr Lane, Gilwern

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Natalie Ward	23rd Apr 2013	<p>Planning Policy Wales (Edition 5: 2012): Paragraph 6.5.1.</p> <p>'The desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application, whether that monument is scheduled or unscheduled. Where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. In cases involving lesser archaeological remains, local planning authorities will need to weigh the relative importance of archaeology against other factors, including the need for the proposed development.'</p> <p>This means that Local Planning Authorities in Wales have to take into account archaeological considerations and deal with them from the beginning of the development control process (WO Circular 60/96 Para. 10), and need to be fully informed about the nature and importance of archaeological remains, and their setting, and the likely impact of any proposed development upon them (WO Circular 60/96, Para. 15).</p> <p>Development Plan Framework The Brecon Beacons National Park Unitary Development Plan (March 2007): Furthermore, the Brecon Beacons National Park's Unitary Development Plan sets out the Brecon Beacons National Park's policies and proposals to guide development in the National Park. It states that...</p>

'Development will only be permitted where there is no unacceptable impact on the Park's cultural heritage. Wherever appropriate, development proposals will be required to demonstrate that provision has been made for the protection, enhancement and positive management of cultural heritage' (BBNPA, UDP, Part 1 Policy 3.)

Archaeological sensitivity and significance of the site
Consultation of the records held by the Brecon Beacons National Park Authority and the records of the National Monument Record (NMR) held and maintained by the Royal Commission of Ancient and Historical Monument of Wales (RCAHMW) indicate that Plot 30, Ty Mawr Lane, Gilwern is in close proximity to the former site of Ty Mawr Manor (NPRN 16347), and is therefore a site of historical and archaeological interest. The NMR states that 'Ty Mawr was a substantial 2-storeys and attic house with elevations having half-timbering and a gothic style entrance porch.' The house was burned in a major fire in 1906 (NMR, NPRN 16347). Photos within the RCAHMW collection that are publically available through the NMR website Coflein, indicate the size and grand scale of Ty Mawr Manor and its associated gardens. In addition the First Edition OS Map 1886 show the extent of the house and gardens in at this time, illustrating the proximity of Plot 30, Ty Mawr Lane, to any remains relating to the manor house or garden that may survive. The likely extent of survival of below ground archaeological remains relating to Ty Mawr Manor and gardens is not currently known, and therefore, Plot 30, Ty Mawr Lane, and the wider housing development site a whole has the potential to yield important archaeological remains relating to the Manor House, its gardens and any associated structures.

Archaeological Impact of the development

All ground works associated with the development at this site have the potential to damage or destroy any below ground archaeological remains. However, the addition of a conservatory to a single dwelling within the larger development that already has planning permission, and for which work has already begun, is unlikely to have a significant impact on any below ground archaeological remains, when compared to the larger and more significant impact of the development as a whole.

Mitigations Required

It must be noted that despite the site being potentially of archaeological importance and significance, no archaeological mitigation was attached to the larger scheme as part of planning permission, and as work has already begun no mitigations can be put in place at this stage in order to reduce the impact of the scheme as a whole. Therefore, no archaeological mitigation required for the addition of the conservatory to the approved dwelling.

CONTRIBUTORS

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

No comments received.

RELEVANT POLICIES

G3: "Development in the National Park" (Unitary Development Plan 2007)

G6: "Design" (Unitary Development Plan 2007)

ES27: "House Extensions and Ancillary Buildings" (Unitary Development Plan 2007)

Q12: "Archaeological Evaluation" (Unitary Development Plan 2007)

LPG3: "Development in the National Park." (Local Plan 1999)

LPG7: "Design and energy conservation." (Local Plan 1999)

LPH14: "House extensions and ancillary buildings" (Local Plan 1999)

LPCL10: "Archaeology and cultural features." (Local Plan 1999)

PLANNING HISTORY

App Ref	Description	Decision	Date
10/04542/FUL	Residential development comprising: the erection of dwellings and garages; the installation of roads, footways and drainage; landscaping; biodiversity enhancement (including the construction of a bat house); highway improvements; and all associated building and engineering operations.	Application Permitted (S106 Agreement)	11th Jan 2013

OFFICER'S REPORT

Site Description

The application site is a two storey detached dwelling which is part of a larger residential development. The application site is located within the settlement boundary of Giihwern as allocated in the Brecon Beacons National Park Unitary Development Plan (April 2007).

The dwelling is located at the entrance of the housing development. The elevations of the dwelling are clad in natural stone, the window frames and doors are white painted timber and the roof is slate.

Proposal Description & Appraisal

The application seeks full planning permission to construct a single storey conservatory against the rear elevation of the property. The proposed conservatory extension will measure 4.0 m deep, 6.9 m wide, 2.3 m to eaves level and 3.0 m to ridge height. The frame of the conservatory will be painted timber. The frame will be supported by a 0.6 m high wall.

Officers appraisal

Following statutory adoption of the Brecon Beacons National Park Local Plan 1999 (hereinafter called 'the Local Plan'), work on the Brecon Beacons National Park Unitary Development Plan (hereinafter called 'the UDP') commenced in 2000. The UDP was subject to all the statutory consultations and procedures associated with the preparation of development plans, including a local inquiry and an Inspector's report.

The Brecon Beacons National Park as Local Planning Authority (hereinafter called 'the Authority') received a direction from the Welsh Government (hereinafter called 'WG') under Section 17(1) of the Town and Country Planning Act 1990 (as amended) in relation to the safeguarding of sand and gravel in the National Park. The Authority resolved not to comply with the WG direction to modify the UDP as it was not considered that the quality of the resource had been adequately established or that the environmental constraints relating to the sites had been sufficiently considered.

The UDP was subsequently approved by the Authority for development control purposes in March 2007 and sets out the policies and proposals to guide development in this area from 2001 to 2016 and beyond. As a point of clarification, the direction from the WG relates solely to sand and gravel issues and does not relate to any matters raised in this application.

Whilst the adopted Local Plan and its associated Structure Plans remain the formal statutory policy framework for the area, the UDP provides a more up-to-date and relevant planning framework in line with current National Planning Policy. Planning Policy Wales (hereinafter called 'PPW') advises that the weight to be attached to emerging plans will increase as successive stages are reached.

The Brecon Beacons National Park Authority Local Development Plan (LDP) has been published in draft and progressed to public deposit state and is in the process of being examined. Legal Advice is that whilst the emerging LDP is now material, little weight can be given to it in planning decision making at this stage.

In respect of the comments of the Archaeologist, constraints have not raised the need to consider archaeological sites with respect to this planning application.

This application is, therefore, considered against policies G3, G6, ES27 and Q12 of the UDP and policies G3, G7, H14 and CL10 of the Local Plan.

As there will be no material increase in traffic using the access to the adopted highway this proposal does not fall within the parameters of Schedule 4 of the Town and Country Planning (General Development Management) (Wales) Order 2012. Powys County Council Highway Department, as the Local Highway Authority has not, therefore, been consulted on the proposed development.

However this report will include reference to the relevant concrete policy.

Neighbour Amenity

Policies G3 (v) and ES27 (iv) of the UDP aim to ensure that any proposed development does not have an unacceptable impact on the amenity of the area, adjacent properties or the general public.

Plot 29 is the dwelling adjacent to the planning application site and is the only property that might be affected by the proposed development. Plans show that a 1.8 m fence will be constructed along the shared boundary. It is considered that the fence will prevent overlooking from Plot 30 into the private garden of Plot 29.

It is considered that the requirements of the above policies are met.

Visual Amenity

Policies G3 (iii) aim to ensure that the scale, form, design, layout, density, intensity of use and use of materials will be appropriate to the surrounding and will maintain or enhance the quality and character of the Park's landscape and built environment. Policy G6 refers to design and states that development will be expected to meet the WAGs key design objectives and respond to the local

context. ES27 refers to extensions to dwellings and aims to ensure that (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 made for the extended dwelling, and (iii) sufficient curtilage is retained to provide an area of private open space compatible with the proposed size of the dwelling.

It is noted that the proposed conservatory is asymmetrical. However given the location of the proposed development it is considered that the lack of symmetry would not warrant a recommendation of refusal in this instance.

It is considered that the materials, scale and design of the proposal are appropriate to the existing dwelling and the surrounding area.

It is considered that the proposal meet with the requirements of the above Policies.

Archaeology

Policy Q12 requires that where important archaeological remains are known to exist or may exist within an area for archaeological evaluation, the NPA will require the archaeological implications of development proposals to be evaluated before planning applications are determined. Planning permission will not be granted where the NPA deems such evaluation to be inadequate.

The comments of the National Park Archaeologist are provided above. Given the comments it is considered that this proposal does not represent detrimental impact on archaeology.

It is considered that the proposal meet with the requirements of the above Policy.

Conclusion

Recommendation is one of consent.

RECOMMENDATION: Permit

Conditions and/or Reasons:

- 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 (drawing nos. NP1v1 received 23/03/2013, NP4v1 received 10/04/13 and schedule of materials listed in Section 10 of the planning application form), unless otherwise agreed in writing by 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.

Informative Notes:

- 1 The developer shall note if there are changes to the plans hereby approved due to building regulation requirements or any third party requirements, details should also be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work.

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


----- **Date:** 23.05.13

Checked (Principal Planner):

RANDOM

Date:

24/5/13

Signed (National Park
Authorised Officer):

Ceynogen

Date:

29th May '13