



BRECON BEACONS NATIONAL PARK AUTHORITY

DELEGATED DECISION REPORT

Application No: 13/09960/FUL **Case Officer:** Ms Tamsin Law
Site Notice Posted: 4th Oct 2013 **Consultation Date:** 2nd Oct 2013
Date Valid: 16th Sep 2013 **8 Week Target:** 11th Nov 2013
Decision Type: Delegated Decision
Proposal: Proposed Alteration Of Approved Dwelling To Include Rear Conservatory Extension
Address: Plot 9 , Ty Mawr Lane, Gilwern

CONSULTATIONS/COMMENTS

Consultee	Received	Comments
Llanelly Community Council		No comments received
Powys County Council Highways		Consultation sent to incorrect Highways Authority
Heritage Officer (Archaeology)	14th Oct 2013	<p>National Policy Framework Welsh planning legislation and policy guidance outlines that the desirability of preserving archaeological remains and their setting is a material consideration in the determination of a planning application (Planning Policy Wales, Chapter 6, Para. 6.5.1). 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</p>

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).

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...

'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 I 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 9, 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 9, 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 9, Ty Mawr Lane, and the wider housing development site a whole has the potential to yield 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.

Monmouthshire County Council Highways 5th Nov 2013

There are no adverse comments I would wish to make.

It should be brought to the attention of the applicant that in the event of a new or altered vehicular access being formed, the requirements of Section 184 of the Highways Act 1980 must be acknowledged and satisfied. In this respect the applicant shall apply for permission pursuant to Section 184 of the Highways Act 1980 prior to commencement of access works via the MCC Highways.

CONTRIBUTORS

NEIGHBOUR/THIRD PARTY RESPONSE SUMMARY

The application has been advertised through the erection of a site notice and through direct neighbour notification. No representations or objections have been 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)

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)

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
13/09043/FUL	Proposed alteration of approved dwelling to include rear conservatory extension	Application Permitted	29th May 2013

OFFICER'S REPORT

Whilst the development plan for the area includes the adopted Brecon Beacons National Park Local Plan (1999), it has been largely superseded by the more up to date Brecon Beacons National Park Unitary Development Plan (2007) (UDP) which stopped short of formal adoption but was approved for development control purposes. The UDP therefore provides a more up to date and relevant planning framework. Whilst the development proposal will be considered against both the Approved UDP and Adopted Local Plan policies, greater weight shall be given to the more up to date UDP policies unless the Local Plan policies materially differ to warrant a departure from the UDP.

Applications determined by the National Park Authority from the 5th November 2013, using the policies of the Local Plan as the adopted plan (1999) and Unitary Development Plan as the approved plan (2007), must also give due regard to the policies of the Local Development Plan as a significant material consideration.

Local Context:

The area is characterised by an estate of new build dwellings. The majority of properties are finished with rendered walls, timber windows and doors and slate roofs.

Design Considerations:

The proposed extension would be in keeping with the character of the host dwelling in terms of design and finishes and at 3.6 metres in width, 3.4 metres in depth with a maximum height of 3.3 metres, falling to 2.4 metres at the eaves, would be appropriate in terms of its relative scale.

Neighbour Amenity:

There are no neighbour amenity concerns due to the orientation and siting of the development.

Highway Safety:

Sufficient parking exists within the site to accommodate the proposed development.

Protected Species:

There are no concerns in terms of the impact of the proposed development upon protected species.

Conclusion

It is recommended that this application be approved subject to the following conditions:

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, NP2v1 and NP5v1) except where otherwise stipulated by conditions attached to this permission and 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:

Signed (Case Officer):
Ms Tamsin Law
Planning Officer (DC)

TALS. **Date:** 6.11.13

Checked (Principal Planner):

ALC **Date:** 6.11.13

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

Cymorgan **Date:** 6th November '13

