

DELEGATED REPORT

Application No: P/24/0281

Site Address: 7 Council Street
Penydarren
Merthyr Tydfil
CF47 9DJ

Development: Demolition of rear garden wall

Case Officer: Rebecca Owens

Site Visit: 13th January 2025

Application Expiry Date: 13th February 2025

Consultation reply date expired: 3rd February 2025

APPLICATION SITE

The application relates to a mid-terraced dwelling located within the settlement boundary which also falls within the Council and Urban Street Conservation Area. The site is bound by a highway to the front, lane to the rear and other dwellings on either side.

PROPOSED DEVELOPMENT

Conservation area consent is sought for the demolition of a stone wall to the rear of the property which is adjacent a lane. This wall is between 1.3m and 1.44m in height and would be demolished along the entire rear boundary line with the exception of two pillars which would be retained. The rear boundary would be left open to create access to a proposed parking area.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application. However, it is noted that a planning application has also be submitted with this application seeking consent for the creation of a parking area which necessitates the demolition of this wall (planning reference P/24/0282).

CONSULTATION

No consultation exercise was considered necessary in this instance.

PUBLICITY

In accordance with the Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012, letters were sent to neighbouring properties, a site notice was displayed within the vicinity of the site and a notice was placed within the local newspaper.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

The following paragraphs of Planning Policy Wales (Edition 12, February 2024) are particularly relevant to the determination of this application:

Paragraphs 6.1.14 to 6.1.17 relate specifically to conservation areas with paragraph 6.1.14 noting that *“There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised”*.

Paragraph 6.1.15 advises that *“There is a strong presumption against the granting of planning permission for developments, ...which damage the character or appearance of a conservation area or its setting to an unacceptable level”*. In addition, paragraph 6.1.17 refers to conservation area consent highlighting that *“When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building’s surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole”*.

Technical Advice Note 24 The Historic Environment has also been considered. Chapter 6 of the TAN refers to conservation area with Paragraph 6.2 noting that *“Conservation area designation provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area’s special interest: this might include the pattern of settlement and the organisation of space and routes as well as the style and type of building, and the use of materials and detail”*.

In addition consideration should be given to:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Welsh Office Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- CW1 Historic Environment

The application will also be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.

In addition, the following documents have been considered:

- Council Street and Urban Street Conservation Area Character Appraisal and Management Plan (December 2014)

PLANNING CONSIDERATIONS

Council Street and Urban Street, completed in 1903, represent the earliest examples of Council housing in Merthyr Tydfil. They signify a stage in the planned expansion of the Penydarren estate using a formal street grid set at right angles to the earlier ribbon development to the south east. The form of these streets has remained largely unchanged since they were originally built and the wider area still retains a succession of parallel streets containing early twentieth century development of workers' housing. These have survived following post war 'slum clearance' and road widening exercises in Penydarren, which were responsible for a loss of a number of distinctive buildings and original layouts.

The Conservation Area appraisal notes that the dwellings within this designation have *"retained a high degree of uniformity, including the use of a very limited pallet of colours for painting of the brick jambs of doors and windows. Satellite dishes are almost entirely absent from the main frontages, whilst the views down the alleys to the rear of the rows confirm that very few buildings have been extended to the rear creating a strong rhythm of form and an excellent retention of the original shape and appearance of the structures"*. Relevant to the consideration of this application is also the inclusion of *"small rear gardens accessed by rear lanes, no front gardens, on street parking"* as part of the key characteristics of the conservation area".

The proposal is for the demolition of an original stone boundary wall to the rear of the application site. The rear street scene appears to be largely unaltered from its original form and as the Conservation Area Appraisal notes *"very few buildings have been extended to the rear creating a strong rhythm of form and an excellent retention of the original shape and appearance of the structures"*. This also applies to the rear boundary line, which comprises almost entirely of the original stone boundary walling and with no large openings or off-street parking. It is therefore considered that the boundary wall to the rear of the application site forms an important historical feature of the conservation area and aids in the retention of its original form. The removal of a large section of this to create an off-street parking area would disrupt the continuity of the rear boundary line, result in a disintegration of the layout and form of the conservation area and create an incongruous feature which would harm its overall character. It is recognised that the rear boundary line opposite, which serves the dwellings of Brynhyfryd Street has far more variation in boundary treatments which are predominantly blockwork, and also features garages and hardstanding. However, this does not form part of the conservation area and although part of the rear street scene do not negate the importance of the boundary line of Council Street. Indeed it serves to demonstrate the importance of preserving the original boundary of Council Street and preventing a similar erosion of its character. Accordingly, the proposal would neither preserve nor enhance the conservation area and is found to contravene Policy CW1 of the LDP.

It is also noted that the application has not been accompanied by a Heritage Impact Assessment (HIA) which is required to accompany applications for conservation area consent. Without a HIA the applicant has failed to demonstrate an understanding of the historic significance of the wall in question, a consideration of how the proposal would impact upon this or an explanation as to why this change is deemed to be acceptable or the best solution. Notwithstanding this it is not considered that the HIA would have

sufficiently justified the development to a degree that would overcome the concerns outlined above. Accordingly, it is not considered that the omission of the HIA has impacted upon the final decision recommended below.

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). However, given that this is an application for conservation area consent rather than a planning application a GIS is not required.

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following REASONS:

1. The boundary walls to the rear of Council Street form an important feature of the Council and Urban Street Conservation Area and positively contributes to its character and original form. The removal of a section of this wall at the application site to create a parking area would therefore harm the character and original layout of the conservation area contrary to Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031
2. The applicant has failed to provide a Heritage Impact Assessment, which should consider the historic importance of the wall and the potential impact of the development on the historic environment. Therefore, insufficient information has been provided to fully assess and justify the proposed development.

RECOMMENDATION ENDORSED




Director of Neighbourhood Services

DATE: 07.02.2025