

DELEGATED REPORT

Application No: P/21/0350

Site Address: 12 Nightingale Street
Abercanaid
Merthyr Tydfil
CF48 1DX

Development: Replace front windows and door

Case Officer: Caroline Pulley

Site Visit: 21st October 2021

Application Expiry Date: 29th November 2021

Consultation reply date expired: 11th November 2021

APPLICATION SITE

The application site relates to an end of terrace dwelling, which is a two-storey Grade II Listed Building, located within the residential area of Abercanaid. The property is laid out so that the front elevation faces onto the main garden area, and the rear elevation fronts directly onto the highway of Nightingale Street. It is finished in Pennant Sandstone and has white painted timber sash windows frames and a solid timber door to its front elevation. The surrounding area to the east, west, south and north is residential in nature with buildings predominately of traditional character.

PROPOSED DEVELOPMENT

This application seeks listed building consent to replace four existing 12 pane sash timber windows on the front elevation with white painted double glazed timber sash windows to match. The application also seeks to replace the existing front timber door with a solid timber door of a different design, also to be painted white. The agent has confirmed in writing that the timber windows and door would be fitted with timber beading and the seals will match the colour of the window and door frames.

The application is accompanied by a Heritage Impact Assessment (HIA).

PLANNING HISTORY

The recent history relating to the property is as follows:

P/21/0267	Replacement windows and door to front elevation Listed Building Consent Refused – 07.09.2021
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CONSULTATION

The Glamorgan Gwent Archaeological Trust:	No response.
Civic Trust for Wales:	No response.
The Victorian Society:	No response.
Ancients Monuments Society:	No objection.

PUBLICITY

In accordance with statutory publicity requirements, a press notice was published within the local paper on the 28.10.2021 and a site notice was displayed within the vicinity of the site on the 21.10.2021. A letter was also sent to the adjoining residential property, 11 Nightingale Street.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning (Listed Buildings and Conservation Areas) Act 1990:

Section 16. – (1) Subject to the previous provision of this Part, the local planning authority or, as the case may be, the Secretary of State may grant or refuse an application for listed building consent and, they grant consent, may grant it subject to conditions.

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

(3) Any listed building consent shall (except in so far as it otherwise provides) ensure for the benefit of the building and of all persons for the time being interested in it.

Section 66. - (1) In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

(2) Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provisions of sections 232, 233 and 235(1) of the principal Act, a local authority shall have regard to the desirability of

preserving features of special architectural or historic interest, and in particular, listed buildings.

Welsh Office Circular 61/96: Planning the Historic Environment: Listed Buildings and Conservation Areas

Part 1 Paragraph 11 requires local planning authorities considering applications for works which affect listed buildings to have special regard to its character and setting.

National Planning Policy - Planning Policy Wales (Edition 11, February 2021)

Section 6.1 recognises the importance of protecting the historic environment and paragraph 6.1.10 states that '*For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.*'

Technical Advice Note 24: The Historic Environment (May 2017)

Paragraph 1.25 states '*The setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape.*' Paragraph 1.28 explains that there will be cases where a proposal will enhance the setting of a historic asset and this will be treated as a benefit resulting from the development'.

Local Policy - Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW11 – Sustainable design and Placemaking
Policy CW1 - Historic Environment

PLANNING CONSIDERATIONS

This application relates to a Grade II listed building located within Nightingale Street, Abercanaid. The main issue to consider under this application relates to the effect of the replacement windows and door on the listed building and any features of special architectural or historic interest that it may possess.

The property is situated within a terrace of six houses, all of which are listed. The listing description highlights that the property is included as an example of one of the best surviving groups of early industrial workers' housing in the region. The application building comprises two storeys with two windows at both ground and first floor levels on the front elevation with a central doorway. The materials used for the windows and door are an integral component in defining its character and it is noted that listed building consent was recently refused under application P/21/0267 for replacement front uPVC windows and a door at the property. This proposal seeks to replace the front windows with timber windows, which would be 12 pane box sash. The replacement entrance door would also have a solid timber construction with a small glazed window with a fan light above. Such works are considered to preserve the special interest and architectural merit of the building.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following CONDITIONS

CONDITIONS:

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason - To comply with Section 18 of the Planning (Listed Building and Conservation Area) Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Proposed Elevation, 1:5 door Section, Window Section and Window Plan received on 05.11.2021

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. The timber windows and front door hereby permitted shall be fitted with timber beading and the window and door seals shall match the colour of the window and door frames.

Reason - To protect the fabric of the listed building in accordance with Policies CW1 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

RECOMMENDATION ENDORSED

A handwritten signature in black ink, appearing to be 'J. M. M.', written over a horizontal line.

Head of Town Planning

DATE:

18/11/21

