

DELEGATED REPORT

Application No:	P/24/0192
Site Address:	Llwyn-Yr-Eos House Llwyn-yr-Eos Abercanaid Merthyr Tydfil CF48 1YR
Development:	Replace existing side extension roof with a flat roof and glass roof panels, replace extension side windows and door, new window to front of study and replacement of side window of study and renew rendering
Case Officer:	Rebecca Owens
Site Visit:	21st August 2024
Application Expiry Date:	7th March 2025
Consultation reply date expired:	12th September 2024

SITE NOTES:

APPLICATION SITE

The application relates to a Grade II listed detached dwelling, located in a predominantly residential area within the settlement boundary. At present, the dwelling is three storeys in height with a modest two storey rear annexe, centrally sited off its rear elevation. There is also a single storey side annexe and a single storey rear sunroom extension, which is adjacent to the southern side elevation of the two storey rear annexe.

PROPOSED DEVELOPMENT

Listed building consent is sought for the following works:

- Removal of the mono-pitched roof of an existing extension (which is mainly glass with a tiled section) and its replacement with a flat EPDM rubber roof which would be 2.85m in height. The roof would contain three glass lanterns which would be 1.25m by 1.25m and would project above the roof by 0.16m
- Removal of the existing timber windows and French doors in the south eastern facing side elevation of this extension and the insertion of new hardwood windows and hardwood French doors.
- The existing window in the front elevation of the side annexe would be removed and the opening blocked up with a new larger window opening created more

centrally within the elevation and an additional window inserted into the southern elevation. These would be hardwood timber windows of a design to match the windows in the front elevation.

- Renewal of the rendering

PLANNING HISTORY

The relevant planning history is summarised below:

P/23/0128 Replace existing side extension roof with a flat roof and glass lantern, new bifold doors, new window to front of study and replacement windows to front elevation first and second floors and renew rendering
Refused listed building consent for the following reason:

“The alterations to the sunroom roof and fenestration, by virtue of their modern appearance and inappropriate materials, would appear incongruous and unsympathetic, which neither preserves nor enhances the character of the listed building. The proposal is therefore considered to be contrary to Planning Policy Wales (Edition 11) and Policies SW11 and CW1 of the Merthyr Tydfil Borough Council Replacement Local Development Plan”.

CONSULTATION

The following bodies were consulted and their responses are presented below:

CADW	No response
Glamorgan Gwent Archaeological Trust	No objection
Civic Trust for Wales	No response
Royal Commission of the Ancient and Historical Monuments of Wales	No response
Society for the Protection of Ancient Buildings	No response
The Victorian Society	No response
Merthyr Tydfil Heritage Trust	No response

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties, a site notice was displayed within the vicinity of the site and a notice was published in 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

Planning (Listed Buildings and Conservation Areas) Act 1990:

Paragraph 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, if 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.

Planning Policy Wales (Edition 12, February 2024)

Section 6.1 recognises the importance of protecting the historic environment and paragraph 6.1.10 states that *‘There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. 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 (2017) is also of relevance.

- Chapter 5 paragraphs 5.9-5.17 provide detailed guidance on listed building consent.
- Paragraph 6.3 states that local planning authorities must give special attention to the desirability of preserving or enhancing conservation areas when taking planning decisions. Whilst in relation to town centres paragraph 6.6 places an emphasis on controlled and positive management of change that encourages economic vibrancy and social and cultural vitality, and accords with the area's special architectural and historic qualities.

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:

- SW11 Sustainable Design and Placemaking
- CW1 Historic Environment

PLANNING CONSIDERATIONS

The main issue to consider under this application relates to the effect of the works on the character and appearance of the listed building. Llwyn-Yr-Eos House is listed as an industrialists villa of the earlier to mid 19th Century which is closely associated with workers' housing nearby. The listing describes the exterior as follows:

“Villa, painted stucco with hipped roof and roughcast tall end stacks. Concrete tiles replace slates since 1975. Deep eaves with paired brackets. Three-storey, 3-window range with quoins, hornless 16-pane sash windows with painted stone sills, and ground floor late C19 canted bay windows flanking door. The bay windows with 2-4-2-pane sashes and modillion cornices, half-glazed door with overlight in rusticated stucco surround with 3 big voussoirs. Windowless side walls, lean-to on S end, and 2-storey centre rear projection with hipped roof, roughcast tall end stack and first floor window each side. Door to ground floor N”.

The proposed works involve the removal of the existing mono-pitched roof over the sunroom and its replacement with a flat roof that feature three roof lights. The Heritage Impact Assessment submitted with this application indicates that this is required due to the poor condition of the existing roof, which leaks and emits heat. It also notes that the introduction of a slate roof was explored but the minimum pitch required for this would impact on the first floor window and thus a flat roof was proposed. Whilst a roof of a more traditional design and finish would be preferred it is recognised that this would have a greater impact on the original part of the building (namely a first floor window). In addition, whilst the roof lights would represent a modern feature, they are of a relatively low profile projecting just above the top of the roof. Having regard to this and noting that this is an extension and not the original part of building, it is considered that the development would have a negligible impact on the character of this listed property and would not be harmful to it overall historic value. Similarly, the replacement of the existing French doors and timber windows with traditional style hardwood counterparts is also considered to be an acceptable alteration.

It is also proposed to replace the front window within the side annexe with a larger window, which is more centrally positioned. It is recognised that the existing window does not reflect the design, alignment or proportions of the tradition windows in the main front elevation and as such does appear somewhat incongruous. However, its modest size reduces its overall visual impact. Notwithstanding this, it is considered that the replacement window design and position is more sympathetic to the existing windows and thus would be an acceptable alteration which would not harm the character of the listed building. Similarly, the creation of the new side elevation window is also deemed to be in keeping with the overall character of the property and would not appear incongruous.

In terms of the other works proposed, namely the renewal of the rendering, no objection to is raised in principle subject to more detailed information to ensure that the finer details are appropriate. However, this could be conditioned.

Having regard to the above it is not considered that the proposal would harm the character and appearance of the Grade II Listed Building and would not adversely impact on its architectural quality, character or historic importance. The development is therefore deemed to be acceptable in term of Policies SW11 and CW1 of the LDP

It is recognised that the works involve the replacement of a roof but given that this is largely glass it is not considered likely that it would be used by bats and as such it is considered excessive in this instance to request any survey work. However, an informative can be added to any permission issued which highlights the protected status of bats and nesting birds. Similarly, as this is not an application for planning permission no green infrastructure statement or biodiversity enhancement has been sought.

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 WCFG 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 WCFG 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 WCFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **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:

Drawing Title: Proposed Plans, Drawing Number: LR-03 Rev. A, Received 10 January 2025

Drawing Title: Proposed Elevations, Drawing Number: LR-04 Rev. C, Received 10 January 2025

Drawing Title: Street Scene and Door Section, Drawing Number: LR-05 Rev. A, Received 10 January 2025

Drawing Title: Site Plans, Drawing Number: LR-06 Rev. A, Received 10 January 2025

Drawing Title: Proposed Front Window, Drawing Number: LR-07 Rev. B, 10 January 2025

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

3. **Before work commences** the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) detailed elevations and both vertical and horizontal sections (scale 1:1, 1:5 or 1:10) of all existing windows and doors to be replaced and of the new/replacement windows and doors

(b) Method statement for the removal of the existing external render on the property

(c) details/samples of the replacement render including its colour.

All works shall be completed in accordance with the approved details.

Reason - To ensure that the appearance of new windows and doors are acceptable and to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies SW11 and CW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. The timber windows and doors hereby permitted shall be fitted with timber beading and the window seals shall match the colour of the window frames.

Reason - To protect the fabric of the listed building in accordance with Policies SW11 and CW1 of the Merthyr Tydfil 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.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 14.01.2025