

**Application Ref: NP/19/0263/FUL**

**Case Officer** Sally Tyler  
**Applicant** Mrs L Middleton  
**Agent** Mr K Morgan  
**Proposal** Demolish existing lean to study and external w.c.  
construct single storey flat roofed rear extension with  
balcony over  
**Site Location** Walmer House, Deer Park, Tenby, Pembrokeshire,  
SA70 7LE  
**Grid Ref** SN13160059  
**Date Valid** 15-May-2019      **Target Date** 07-Aug-2019

This application has been referred to Planning Committee for decision as support for the scheme has been offered by Tenby Town Council, which is contrary to the Planning Officer's recommendation for refusal.

**Consultee Response**

**Tenby Town Council:** Approve

**PCNPA Tree and Landscape Officer:** Conditional Consent

**Tenby Civic Society Chairman:** Concern

**CADW - Protection & Policy:** No objection

**PCNPA Planning Ecologist:** Conditional Consent

**PCC - Drainage Engineers:** No adverse comments - SAB approval not required

**Public Response**

A site notice and neighbour notification letters were posted in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

16 objections have been received in relation to the scheme, and further concern raised by a civic amenity body. Objections relate to the detrimental impact which the scheme would have on the amenity and privacy of the neighboring Deer Park Baptist Church (including safeguarding issues within a community venue), encroachment and loss of light, adverse noise and disturbance caused by users of the structure and inappropriateness of the design and materials within the setting of a listed building.

**Policies considered**

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

Pembrokeshire Coast National Park Authority

Development Management Committee – 31<sup>st</sup> July 2019

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LDP Policy 08 - Special Qualities  
LDP Policy 09 - Light Pollution  
LDP Policy 11 - Protection of Biodiversity  
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park  
LDP Policy 29 - Sustainable Design  
LDP Policy 30 - Amenity  
LDP Policy 53 - Impacts on traffic  
PPW10  
SPG02 - Low Impact Development making a positive contribution  
SPG05 - Sustainable Design  
SPG06 - Landscape  
SPG17 - Conservation Area Proposals  
TAN 05 - Nature Conservation and Planning  
TAN 11 - Noise  
TAN 12 - Design  
TAN 24 - The Historic Environment

### **Constraints**

LDP Designation  
Biodiversity Issue  
LDP Centre:60pc aff housing;30 units/ha  
Recreation Character Areas  
Affordable Housing Submarkets  
Seascape Character Areas

### **Officer's Appraisal**

#### **Site and Context**

Walmer House is a three storey gabled property, which is adjoined (via flying freehold) to the neighbouring Deer Park Baptist Church. The dwellinghouse was constructed in 1885 as caretaker's accommodation for the church (although was never occupied in conjunction with the church, as intended). The property is grade II listed, of group value with the church (which is also grade II listed) and is finished in imposing rock faced grey limestone with bath stone dressings and detailing, with painted timber sash windows and doors throughout. The property forms an important feature within the streetscene of Deer Park, which is part of the newly extended Tenby Conservation Area, and is located within the core of the Tenby settlement boundary, as defined by the Local Development Plan 2010.

The house is set on a long, narrow plot, which extends some 50m behind the property to the rear, and gives access to a substantial garden and private off-road parking area. The dwellinghouse is bounded to the south by the modern post office

buildings, and shares an open boundary with the church to the north. A domestic garden wall with trellising above separates the western part of the rear garden from the church car park. The rear garden is raised some 1.4m above the external floor level of the church, with a 1.6m / 1m wide footwell separating the church footings/buttresses from the retaining garden wall. The boundary between the two properties is open in this section.

The rear of the property features a number of aggregate structures which have been added over time, including an outhouse, a lean-to extension and a second storey 'flying toilet' which has since been underbuilt. The rear elevation is attractively clad in hanging blue/black natural slates, with wooden sashes throughout.

### **Description of Proposal**

The proposal is for removal of the additional aggregate structures to the rear of the property and construction of a large single storey flat roofed rear extension. The extension will use the entirety of the flat roof area as an external terrace over, with glazed balustrade on 2 no. sides. The structure will be built within the rear amenity space of the dwellinghouse and provide additional living, shower room and utility room accommodation.

The proposed extension will be of contemporary form, style and finishes, incorporating traditional slate-cladding, which takes reference from the character of the historic host property.

### **Relevant Planning History**

PA/19/0009 Demolition of Rear Ground Floor Study & WC & Erection of Single Storey Extension to Rear with Flat Roof Balcony. Pre-app. Further information required (05-Mar-2019)

NP/19/0264/LBA Demolish existing lean to study and external w.c construct single storey extension and balcony. Ongoing

### **Key Issues**

The application raises the following planning matters:

- Policy and Principle of Development
- Siting, Design and Impact upon the Special Qualities of the National Park
- Amenity and Privacy
- Access and Parking
- Landscaping and Biodiversity
- Impact on the Historic Environment

*Policy and Principle of Development:*

Policy 1 of the Pembrokeshire Coast National Park Local Development Plan (LDP) sets out the National Park's purposes and duty, in order to ensure that development within the Park is compatible with these.

Policy 2 of the LDP permits development within the Tenby settlement boundary which 'contributes to the protection and enhancement of the town's special qualities'.

The application site is located within the Tenby Conservation Area. The boundary of the Conservation Area was revised in June 2019, to include Deer Park (amongst a variety of other areas too). Under the Planning, Listed Building & Conservation Areas Act 1990 local planning authorities are required to designate Conservation Areas, (Section 69.2) which are "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance", (Section 69.1). Upon designation of such area, it is the responsibility of the Authority to consider the effect of development proposals on the character and appearance of the Conservation Area.

The Tenby Conservation Area Supplementary Planning Guidance (adopted 2011) seeks to 'preserve and enhance appropriately and where possible, sustainably, the special architectural, archaeological and historic qualities which contribute to the character of the Tenby Conservation Area'.

Section 66 of the Planning (listed buildings and conservation areas) Act 1990 and the provisions of TAN 24 (The Historic Environment) requires that special regard be paid to the desirability of preserving any listed building, the desirability of preserving the setting of any listed building, and the desirability of preserving any features of special architectural or historic interest which any listed building possesses.

This is a householder application for the erection of a substantial flat-roofed rear extension, with external terrace over, to be sited within the rear amenity space of the existing listed dwellinghouse. In terms of good design principles, extensions are permissible where considered to accord well with the design, form and character of the host dwelling, and remain subservient in scale and form to the existing property. Extensions are acceptable where sufficient amenity space will still exist within the curtilage of the property.

The scale, form and design of the proposed extension is considered to be acceptable, as a suitable contemporary addition in the context of the site, in the context of the listed host property, and within the context of the setting of the adjoining listed church.

In terms of the design of the proposed extension officers consider that the development creates a successful juxtaposition of contemporary style and form against the historic fabric, and forms a clearly legible evolution of the development of the listed building through time. In certain situations, contemporary additions to historic buildings are a welcomed method for allowing such buildings to evolve for modern purposes. Whilst flat-roofed development is not ordinarily encouraged within the National Park, in this context, the development constitutes a legible evolution of

the development of the building, a flat-roofed design is considered suitable for the context of the site.

However, 16 objections have been received to the scheme, citing design, amongst other issues, as a reason for objection. Objectors consider that the specified contemporary materials and appearance of the extension are not appropriate within the setting of the adjoining grade II listed church, and detract from the appearance of the historic building.

Officers consider that the proposed extension is of an appropriate design and scale, which is a suitable contemporary addition to both the host property, and is a suitable, and clearly legible addition within the setting of the adjoining listed church. As the extension provides a legible evolution of the development of the historic building over time, Officers consider that the structure will not cause detrimental impact to the character of the surrounding streetscape or to the character of the conservation area. As such, the development complies with policies 1 and 2 of the adopted Local Development Plan, statutory requirements and the Tenby Conservation Area Supplementary Planning Guidance and can be supported.

*Siting, Design and Impact upon the Special Qualities of the National Park:*

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategy policy which refers to the special qualities of the National Park and lists priorities to ensure that these qualities will be protected and enhanced.

Policy 15 of the LDP seeks the conservation of the National Park with criteria (a), (b) and (d) resisting development that would cause significant visual intrusion, be insensitively and unsympathetically sited within the landscape, and/or fail to harmonise with, or enhance the landform and landscape character of the National Park.

Policy 29 of the LDP requires all development proposals to be well designed in terms of place and local distinctiveness (criterion (a)).

The proposed extension is considered to be of a suitable design, scale and siting which would be suitably juxtaposed to the historic character of the host property and would not cause an adverse impact on the wider landscape. The structure would be suitably sited within the rear garden of the dwellinghouse and provide ample amenity space still remaining within the plot. Proposed materials and finishes would be contemporary in design, taking reference from the historic materials and finishes found existing on the host property. Therefore, the proposal is not considered to detract from the surrounding landscape nor the conservation area, the setting of 2 no. listed assets, nor the special qualities of the National Park, and as such, the development complies with policies 8, 15 and 29 of the LDP.

*Amenity and Privacy:*

Policy 30 of the LDP states that development will not be permitted where it has an unacceptable impact on amenity.

Amenity, privacy and encroachment have formed a large part of the consideration of this application, in terms of the interrelationship between the proposed extension and the 3 no. (eastern-most) south-east facing windows of the ground floor of Deer Park Baptist Church. 16 objections have been raised to the proposal, citing adverse amenity, privacy and encroachment impacts as reasons for objection.

Officers consider that the extension would impose a dominant and overbearing outlook on the windows in question. The ground floor space of the Church is used as a community room, which plays host to a regular schedule of community activities, such as Sunday worship, children's playgroup, church meetings and a variety of community events.

The rear garden of Walmer House, upon which the extension is proposed to be sited, is raised some 1.4m above the external floor level of the church. A 1.6m / 1m wide footwell lies between the garden retaining wall of Walmer House and the footings/buttresses of the church. The extension would then be located some 0.6m to the south-east of the retaining wall. The resulting clearance between the proposed blank north-western elevation of the extension and the south-eastern elevation of the church would be 2.2m / 1.6m.

The proposed built element of the extension would rise by 2.1m, above the already raised garden level, and be topped by a 0.9m high glazed balustrade above. An average person in standing position rises to 1.75m. This would create a total encroachment height (at eye-level of a standing user on the external terrace) of 5.25m above the external floor level of the church.

The 3 no. church windows which will be impacted upon by the development are placed some 1.7m above external floor level and rise by some 1.5m (reaching 3.2m at the head). The height of the structure (without balustrade) will rise to 3.5m, with a separation distance of 2.2m in between. Therefore, the perspective from these windows will be entirely obscured, creating an oppressive and overbearing outlook. Users of the terrace above would be afforded a direct line of sight down through the community room windows.

Good design principles in relation to encroachment and overshadowing state that development should not be supported where it falls within a 45 degree splay of the centre point of an opening (in plan), or within a 25 degree splay of the centre point of an opening (in elevation) (when structures are directly facing one another). The proposed development encroaches in plan on 3 no. windows of the church (*a 4<sup>th</sup> within the church's south-western elevation is already encroached upon by Walmer House's existing lean-to extension, from which the new extension is proposed to project further*). The glazed balustrade element of the development (with a further person's standing height 0.75m in addition to this also) encroaches in elevation on these 3 no. windows.

Right to Light: 16 objections have been raised to the proposal, citing loss of light within the community room as a reason for objection. The extension is orientated to the south-eastern side of the church, which will impede natural light entering the

encroached windows. Whilst right to light is a civil issue and does not constitute a material planning consideration, orientation and positioning of structures in relation to one another, and preventing overbearing and overshadowing development, can be considered in the process of encouraging good design. Officers consider that the overbearing nature of the development is exacerbated by the siting of the structure to the south-east of the church, impeding the path of sunlight entering the affected windows.

**Safeguarding:** 16 objections have been raised in regards to safeguarding of children using the community room. The impact of the direct line of sight created for users of the proposed external terrace into the community room below, is a privacy consideration.

**Noise and disturbance:** 16 objections have been raised to the proposal in regards to adverse disturbance and noise caused by users of the proposed external terrace. Officers do not consider that the proposed external terrace area is likely to cause any further adverse noise impact or disturbance to the quiet enjoyment of neighbouring properties than the existing garden on which the extension is proposed to be sited.

**Post Office:** Walmer House's boundary with post office to the south is demarked by a high brick wall, which will rise some 2.1m above the floor level of the external terrace. The amenity and privacy of the post office grounds to the south are not considered to be adversely affected by the proposal.

**Other neighbouring properties:** Due to the separation of some 30m between the south-western elevation of the proposed extension and the north-eastern elevations of neighbouring properties to the west of Harding Street, this separation distance is considered sufficient to negate any adverse privacy or amenity impacts which the development may have on these properties. Other than the church, the privacy and amenity of any other neighbouring properties is not considered to be adversely affected by the scheme.

Officers consider that the proposed development will cause an unacceptable level of adverse impact upon the privacy and amenity of the adjoining church. The development is considered to cause an unacceptable level of encroachment on 3 no. windows within the south-eastern elevation serving the community room, and will create an overbearing and oppressive outlook from these windows. A direct line of sight will be created into the community room below from users of the proposed external terrace above, causing an unacceptable level of adverse impact on privacy and amenity for the church. As such, the development is contrary to Policy 30 of the LDP and cannot be supported.

#### ***Access and Parking:***

Private off-road access and parking provision is located to the rear of the property. The existing access and parking arrangements are considered to be sufficient to provide adequate facilities for the storage of materials and the manouvering of vehicles associated with the construction phase of the development. The existing

provision on the site will adequately serve the additional accommodation created by the scheme.

As such, the proposed development complies with Policy 53 of the LDP.

*Landscaping and Biodiversity:*

No clearance of landscaping or vegetation features are proposed as part of this scheme.

PPW, TAN5 and LDP policy 11 requires biodiversity and landscape considerations to be taken into account in determining individual applications. The presence of a species protected under UK or European legislation is a material consideration when dealing with applications that are likely to result in disturbance or harm to the species or its habitat.

As the proposal includes demolition of existing structures to the rear of the dwellinghouse, the Authority's ecologist has been consulted on the scheme. Priority species have been identified as present on the site, and as such a walk-over survey conducted by Kite Ecology (letter received 16.05.19) has been submitted as part of this application. The structures to be demolished have been identified of low bat roost potential. However, bats have been recorded as foraging within vegetation on the site.

The Authority's Ecologist advises that suitably worded conditions should be added to any permission issued requiring the details of any external lighting to be installed as part of the scheme to be expressly agreed in writing with the Authority prior to installation, and for suitable bat mitigation measures to be installed at the property, to be expressly agreed in writing with the Authority prior to occupation of the building. A suitably worded advisory note should also be added to any permission issued to inform the applicant that if any protected species be discovered at the site during the course of the works, that all works on site should cease and the local planning authority and/or NRW be informed of the discovery. Works on site should not recommence until written confirmation/license from the Authority/NRW has been received.

As such, the development is considered to accord with policy 11 of the LDP.

*Impact on the Historic Environment:*

As the site lies with 60m of a scheduled monument, both CADW and Dyfed Archaeological Trust have been consulted on the scheme. No adverse comments have been received.

As Walmer House lies within the Tenby Conservation Area, is a listed building, and lies with the setting of another listed building, the Authority's Conservation Officer has been consulted on the scheme. As previously discussed, the proposal is considered a suitable contemporary addition to an historic structure, which does not cause an adverse impact to either the conservation area, the listed host property, or



the setting of the adjoining listed building. A Listed Building Consent application is also running alongside this application for planning consent.

As such, the development complies with all relevant statutory and policy guidance in relation to management of the historic environment.

### **Conclusion**

The proposed scheme is considered to cause an unacceptable level of adverse impact on the privacy and amenity of the adjoining Deer Park Baptist Church. Furthermore, the structure will encroach upon 3 no. windows on the ground floor level of the church, from which an overbearing and oppressive outlook will be created. Users of the proposed external terrace area above the extension will be afforded a direct line of sight down into the Church's community room below. It is clear that the windows affected by the development serve a valuable community space, which is in frequent use as a community asset.

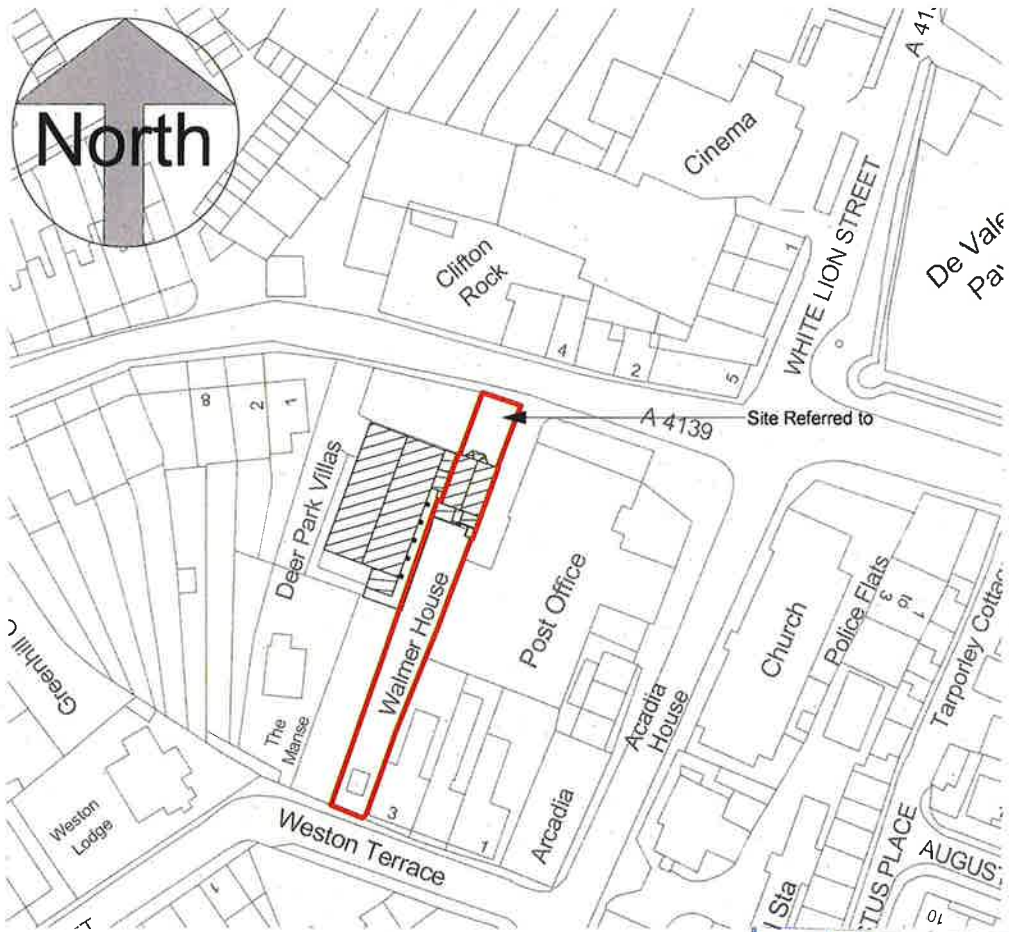
However, in terms of the construction itself, the proposed form, design and materials of the extension are considered to be a suitable contemporary addition to the historic host property, is not considered to cause an adverse impact on the wider landscape, to the streetscene, to the character of the conservation area or to the setting of the adjoining or host listed buildings. As such, whilst the application complies with the aims and requirements of Policies 1, 2, 8, 9, 11, 13, 15, 29 and 53 of the adopted Local Development Plan 2010, the development is contrary to policy 30 of the LDP and cannot be supported.

### **Recommendation**

#### **REFUSE, for the following reason(s):**

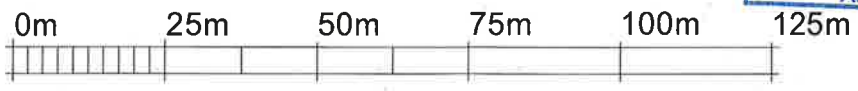
1. Policy 30 of the Pembrokeshire Coast National Park Local Development Plan states that development will not be permitted where it has an unacceptable impact on amenity. The development is considered to cause an overbearing and oppressive outlook for 3 no. ground floor windows of the adjoining church and will create an unacceptable level of overlooking into the windows of the community room below from users of the proposed external terrace above. The development is therefore considered contrary to adopted policy.

NF 19 2 6 3



1 Site Location Plan  
1 : 1250

16 MAY 2019  
Awdurdod Parc Cymdeithiol  
Arfordir Penfro



VISUAL SCALE 1:1250

  
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PROJECT  
 Walmer House, Deer Park, Tenby, SA70 7LE

SHEET  
 Site Location Plan

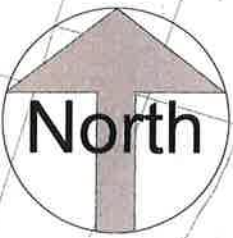
  
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CLIENT  
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Date 10/10/18	Project Number 18044H	Scale (@ A4) 1:1250	REV D
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Drawn by LL.B	DRAWING NUMBER 100
Checked by K.R.M.	



Clifton  
Rock

Deer Park Villas

Front  
Courtyard

The  
Manse

Apple  
Tree

Lawn

Apple  
Tree

Dwelling  
referred to

Apple  
Tree

Garden  
Room

Garden  
Shed

Apple  
Tree

Weston Ter

Post Office

Area for storing building  
materials and mixing  
concrete.

Pear  
Tree

Apple  
Tree

# Proposed Block Plan

1

1 : 500

Pembrokeshire Coast  
National Park Authority

18 JUN 2019

Awdurdod Parc Cenedlaethol  
Arfordir Penfro



VISUAL SCALE 1:500

19 2 6 3



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PROJECT  
Walmer House, Deer Park, Tenby, SA70 7LE

CLIENT  
Mrs Lou Middleton

SHEET  
Proposed Block Plan

Date Jun '19	Project Number 18044H	Scale (@ A4) 1 : 500 <sup>1</sup>	REV F
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Drawn by  
S.L.

DRAWING NUMBER  
102

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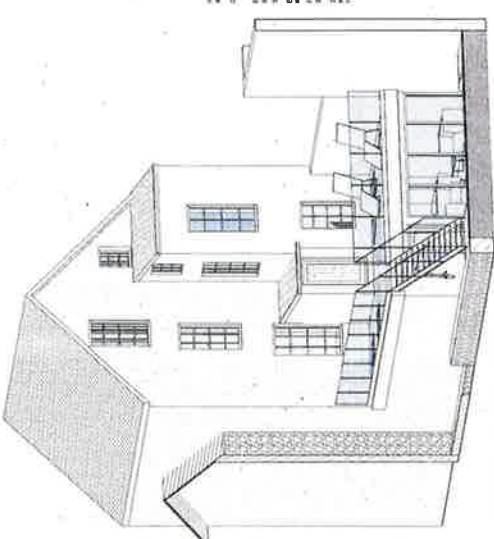


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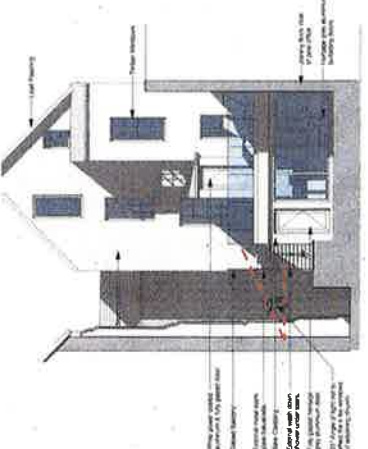
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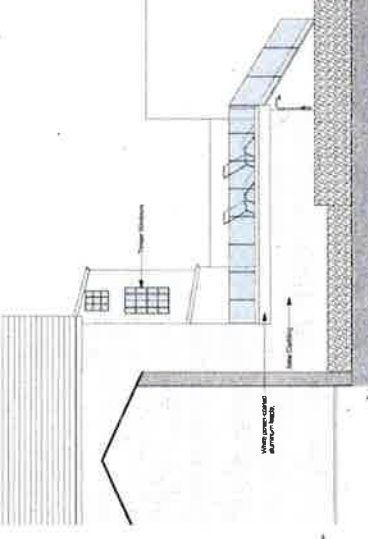


3 3D South West View



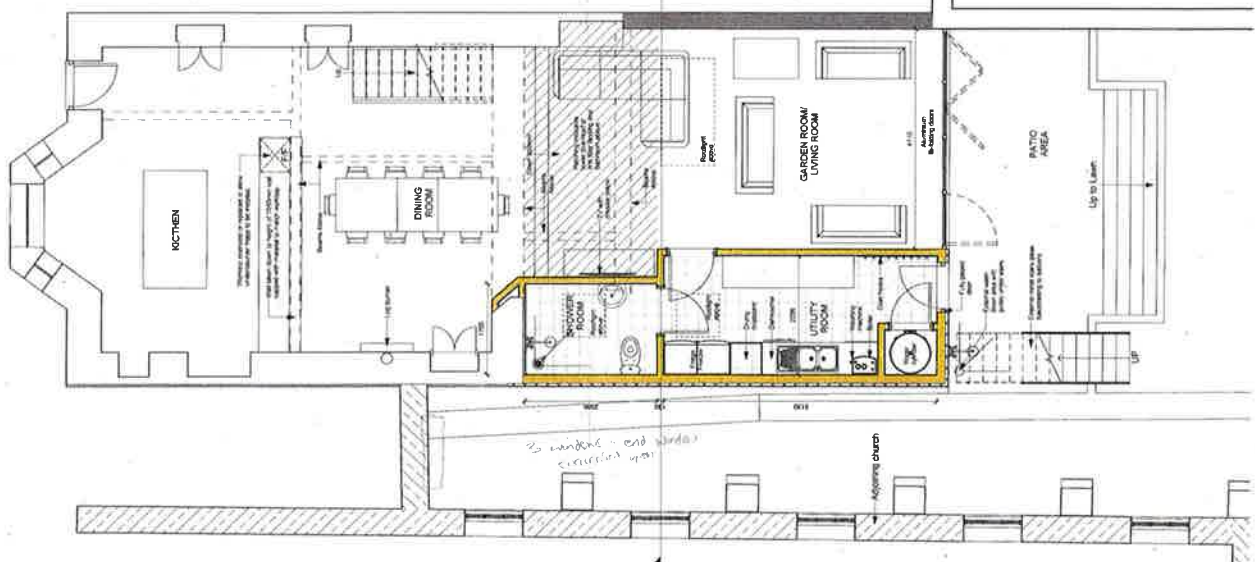
5 South Elevation

1 : 100  
0m 2m 4m 6m 8m 10m  
VISUAL SCALE 1:100



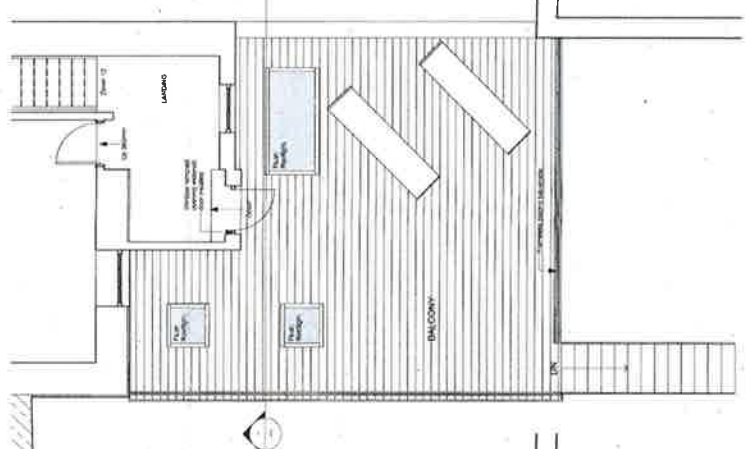
6 West Elevation

1 : 100



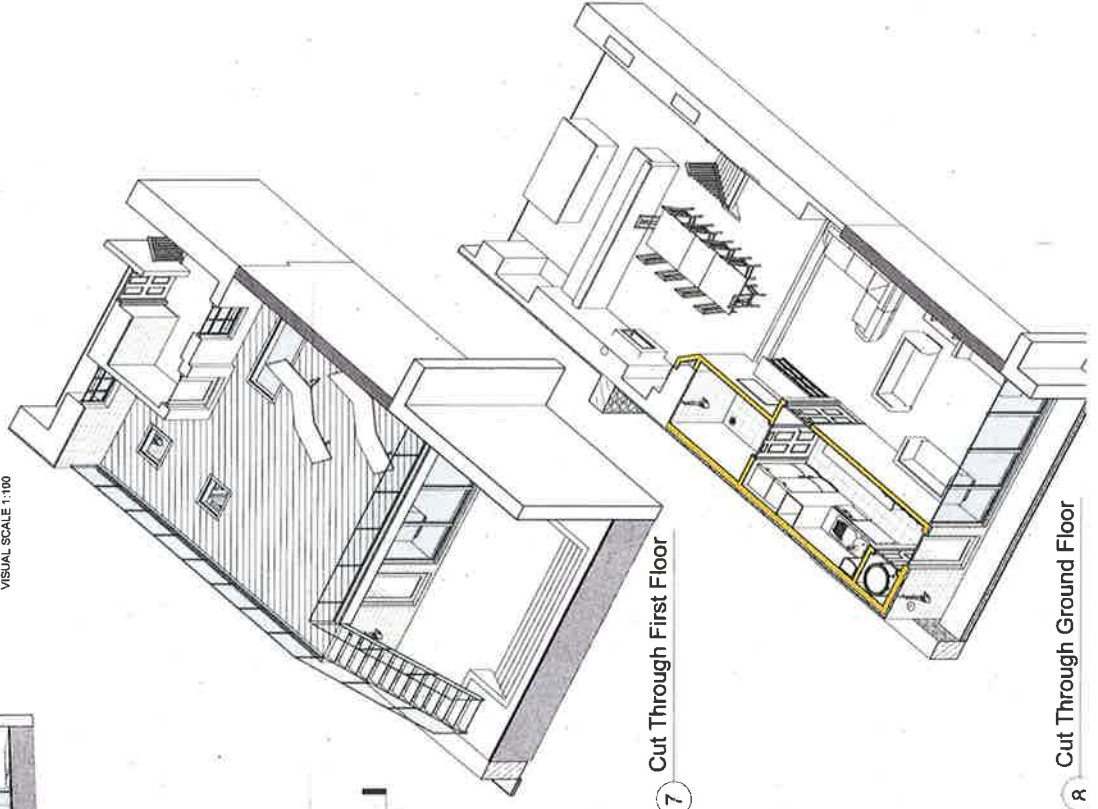
1 Ground Floor

1 : 50  
0m 1m 2m 3m 4m 5m



2 Part First Floor

1 : 50



7 Cut Through First Floor

1 : 50

8 Cut Through Ground Floor

Rev	Description	Date
A	Client amendments	Nov '18
B	External stairs added utility adjusted	Dec '18
C	Pre-Application	Jan '19
D	Amendments after pre-app	Apr '19
E	Planning Drawings	May '19

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Proposed Layout

16 MAY 2019

CLIENT

Mrs Lou Middleton

DRAWN BY	DATE
L.L.B.	A.D.
Scale (B1:1)	17/10/18
As indicated	18044H
DRAWING NUMBER	REV
02	E

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