

Dirprwyedig / Delegated

Rhif y Cais / Application Reference	A200396
Derbyniwyd / Received	14-05-2020
Y Bwriad / Proposal	Erection of an extension.
Lleoliad Safle / Site Location	Pengeulan, Cwm Rheidol, Aberystwyth, SY23 3NA
Math o Gais / Application Type	Certificate of Lawful Development Existing/Proposed
Ymgeisydd / Applicant	Mr Egan, Pengeulan Cwm Rheidol, Capel Bangor, Aberystwyth, SY23 3NA
Asiant / Agent	Ms Zeta Shekhawat/ Catalina Architecture & Design, The Cambria Marine Terrace, Aberystwyth, Ceredigion, SY23 2AZ

Y SAFLE A HANES PERTHNASOL / THE SITE AND RELEVANT PLANNING HISTORY

The application site is situated in Cwm Rheidol approximately 1 mile distant from the trunk Road at Capel Bangor. Planning permission was granted in June 2012 for the redevelopment of a former dwelling and associated livestock buildings at the site into 2 new residential units but with one of the units (building 2) being utilised as a holiday let. That permission was also the subject of a S106 agreement which tied the development together and also confirmed that building 2 could only be used as a holiday let.

Permissions have been granted in 2020 for the swapping of the designation of the buildings so that building 1 becomes the holiday let and building 2 becomes the residential unit. In addition an application was approved to extend the curtilage at Pengeulan.

MANYLION Y DATBLYGIAD / DETAILS OF DEVELOPMENT

The application seeks a lawful development certificate for a proposed development which includes the erection of a two storey side extension to the now approved residential unit.

CASGLIAD / CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise".

In dealing with an application for a certificate of lawful development, the LPA can only take into account factual evidence and the interpretation of any relevant planning law or judicial authority.

The main consideration with this proposal is to establish whether the proposed extension benefits from permitted development rights, set out within Part 1, Class A of The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 which allows for the enlargement, improvement or other alteration of a dwellinghouse without the need for planning permission, subject to limitations and conditions.

The application states that the proposed extension will be to the side of the existing dwellinghouse.

To be considered as permitted development, the extension must comply with the following requirements:

- Not to exceed 50% of the total area of the curtilage
- Not to exceed the height of the roof of the existing dwelling
- Not to exceed height of the eaves of the existing dwellinghouse
- Not to be within 2 metres of a boundary of the dwellinghouse where height of the eaves of the enlarged part exceeds 3 metres
- Not to exceed a height of 4 metres within 2 metres of the boundary
- Not to extend beyond a wall comprised in the principal elevation
- Not to be nearer a highway than any wall in the side elevation of the existing dwellinghouse or at least 5 metres from the highway, whichever is nearest to the highway
- Extension not to be within 10.5m of the side boundary, opposite the side elevation of the dwellinghouse
- Development to be set back from principal elevation of the dwellinghouse by at least 1m

- The width of the widest part of the resulting dwellinghouse not to exceed the width of the widest part of the original dwellinghouse by more than 50%
- No verandas, raised platforms, roof terraces or balconies, other than a balcony
- Appearance of materials in wall & roof to match existing
- Upper floor window in side elevation is further than 10.5m from boundary
- Roof pitch to match existing

The proposed extension satisfies the above criteria.

ARGYMHELLIAD / RECOMMENDATION:

Certificate Granted.