

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

Number: 3

Application Number: C18/0312/25/LL

Date Registered: 18/04/2018

Application Type: Full - Planning

Community: Pentir

Ward: Pentir

Proposal: Erection of single-storey one bedroom annexe

Location: 2, Maes Mawr, Penrhosgarnedd, Bangor LL57 2LR

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

1. Description:

- 1.1 This is a full application to erect a one bedroom single-storey annexe in the rear garden of the property known as 2 Maes Mawr, Penrhosgarnedd. Internally, the annexe will provide a kitchen/living room and dining room within the same space (21m²), a bathroom (3.42m²) and a bedroom (8.7m²) with a total new floor area of 33.12m². Externally, the building will have a partial slate and flat roof, pebble-dash rendered walls to match the main house and white UPV-c openings also to match the main house. The height of the building will vary from 2.5m (flat roof) to 3.9m (slate roof). The annexe is intended for use by the applicant's family members and friends for holiday purposes.
- 1.2 It is proposed to use the existing parking space for the annexe as there are already two parking spaces to the front of the main house, and make joint use of the recycling space to the rear of the existing garage. The rear garden is screened by thick *cloddiau*/privet and has a well-established tree near the existing opening and a timber fence that separates the site from property no.1 Maes Mawr. The rear entrance is located off a *cul-de-sac* which is also used for parking purposes by local residents and visitors. The site is located within the development boundary of Bangor as contained in the Gwynedd and Anglesey Joint Local Development Plan, 2017 (LDP). The rear gardens of the Ffordd Gwyndy estate dwellings lie to the north of the site; to the east is the *cul-de-sac* with other dwellings beyond it; the residential dwellings of the Maes Mawr estate are located to the south and to the west are the rear gardens of the residential dwellings of the Maes Mawr estate.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Gwynedd and Anglesey Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:-**

Policy TRA2 – parking standards.

Policy TRA4 – managing transport impacts.

Policy PCYFF1 – development boundaries.

Policy PCYFF2 – development criteria.

Policy PCYFF3 – design and place shaping.

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

2.4 National Policies:

Technical Advice Note 12 Design (2016).

3. Relevant Planning History:

- 3.1 Application number C17/0694/25/LL - Construct a one-storey house with parking to the front of no. 2 Maes Mawr, refused in September 2017 on the grounds of undermining the residential amenities of nearby residents by creating an oppressive structure and undermining the visual amenities of the streetscape and development form and the atmosphere of this part of the settlement area.
- 3.2 Application number C17/1248/25/LL - Construct a one-storey house with separate access and parking, refused in February 2018 on the grounds of undermining the residential amenities of nearby residents and undermining the visual amenities of the streetscape and development form and atmosphere of this part of the settlement area.
- 3.3 An enquiry was submitted under reference C16/1134/25/YM for the erection of an annexe on the site of this current application. It was confirmed in a response that such a structure in terms of its size (which had a larger external area than this latest proposal), use, density and location near the house was acceptable and should an application be submitted for an annexe there would be a need to include a condition to ensure that the annexe itself would remain subsidiary to the use of the applicant's property and would not be used as a separate annexe.

4. Consultations:

Community/Town Council:	Recommend refusing on grounds of the density of buildings in a housing estate with the development of dwellings in gardens.
Transportation Unit:	No objection to the proposal.
Natural Resources Wales:	From the information received, NRW is of the opinion that the proposed development does not affect the matters listed on the Natural Resources Wales Check-list and Planning Consultations (2015).
Welsh Water:	The applicant is required to contact Welsh Water with regards to the status of the public sewer.
Public Protection Unit	No response.
Public Consultation:	A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received objecting on the following grounds:

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

- The proposal would worsen the major parking problems that exist in the application site area and would have an adverse impact on the ability to manoeuvre vehicles within the *cul-de-sac* itself.
- The proposal does not respect the character and does not safeguard the features of the local built area, and erecting a house at the rear of the property would undermine the local area's development pattern.
- Constructing such a building would have a detrimental impact on visual amenities on grounds of the enjoyment of private amenity gardens.
- Constructing such a building would create an oppressive structure and would have an adverse impact on the rear gardens of nearby dwellings, contrary to the requirements of Policy PCYFF3 of the LDP.
- Loss of amenity space to the detriment of the requirements of Policy PCYFF2 of the LDP.
- Creating an annexe would be tantamount to overdeveloping the rear garden of No. 2 Maes Mawr.
- Creating an annexe would correspond to the erection of a new house on the grounds of its impact on residential amenities and road safety.
- The design and scale of the annexe do not reflect the scale and design of surrounding houses.
- Approving this application could set a dangerous precedent for similar applications in the future to the detriment of the area's character.
- The existing application should be refused in accordance with the reasons the previous application was refused, as it is, in reality, the same type of development (a new detached house).

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of locating new developments are entrenched in Policy PCYFF1 of the LDP which states that proposals located within development boundaries in accordance with other policies and proposals within the LDP, national planning policies and other planning considerations will be approved. Therefore, to this end, it is believed that this latest application to create an annexe that is fairly small in size and scale within the residential curtilage of 2 Maes Mawr is acceptable in principle, given the assessment below.

Visual amenities

- 5.2 Policy PCYFF3 states that proposals will be refused if they are not acceptable on grounds of setting, appearance, scale, height, mass, respecting the context of the site and the treatment of elevations. The explanation for this specific policy states that the setting and design of new developments must be based on a thorough understanding

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

of the site itself and its broader background. The application site is located to the rear of the applicant's property on a section of relatively secluded lawn with the exception of the view through the existing entrance from the east. Given that the size and scale of the proposed annexe is smaller than the previous applications that were refused and the scheme submitted as part of the pre-submission enquiry (number C16/1134/25/LL - see above) it is believed that it would not create an incompatible structure in the streetscape, given its design and height and the fact that a variety of single-storey and two-storey houses already exist in the vicinity of the application site.

- 5.3 Although the previous applications were refused on the grounds that the application site was not suitable for erecting an additional dwelling, it is considered that this latest application for use solely as an annexe, and is of a smaller size and scale than the previous proposals is now acceptable in relation to its impact on the local townscape. It must also be considered that under permitted development rights a considerably larger caravan/chalet (up to 136m²) than the size of the annexe that is the subject of this application could be installed, and that such a structure in the applicant's rear garden would be likely to have considerably more impact on the townscape's visual amenities. From this perspective, it is believed that the current proposal is acceptable and that it complies with the requirements of Policy PCYFF3 of the LDP in relation to location, design, scale, density and setting.

General and residential amenities

- 5.4 Policy PCYFF2 states that proposals should be refused if they have a significant detrimental impact on health, safety or amenities of the occupants of local property, land uses or other property or the features of the local area due to an increase in activities, disturbance, noise etc. As already referred to above, objections have been received from nearby residents who object to the latest application for an annexe on the grounds that approving it would still have a detrimental impact on the residential and general amenities of nearby residents in relation to noise and disturbance. However, it is believed, given the design, the vegetation that surrounds the boundaries and the size/scale of the proposed annexe along with its setting in the rear of the garden, that it would not have a significant detrimental impact on the amenities of the local residents. The objections to the previous applications were on the grounds that erecting a new residential unit that was separate to the existing house would densify the residential use on the site. However, this current application provides an annexe which correlates to extending the existing property's facilities rather than creating an additional residential unit. It is also not believed that the proposal will result in overlooking and loss of privacy for nearby residences (including 1 Maes Mawr) when considering the setting and design of the openings on the external elevations of the building, and the fact that the application site's boundaries with the neighbouring properties' gardens are screened by fences and thick *cloddiau*/privet.
- 5.5 It is not considered that there would be any substantial difference in impact, if any, on the amenities of neighbouring residents between the scale and nature of the annexe, and if the proposal created an annexe in the form of an extension linked to the applicant's house. The proposal will not include a separate curtilage/amenity space or a separate recycling space, and it is intended that these facilities are shared with the applicant, as is confirmed in this latest application. To this end, therefore, it is believed that this latest proposal does comply with the requirements of Policy PCYFF2 of the LDP on grounds of its impact on the residential and general amenities of nearby residents.

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

Transport and access matters

- 5.6 The proposal involves using the existing access to the rear of the property to serve the new annexe and retaining two parking spaces at the front of the site for the use of the residents of 2 Maes Mawr. The rear section of the property is used as a parking space by the applicant and the access to it is located at the end of a *cul-de-sac* that connects to an unclassified county road known as Rhos Uchaf. As mentioned above, a number of objectors are concerned that approving this application would significantly add to the parking/transportation problems that already exist in the area, especially during working hours. However, it must be considered that this problem occurs occasionally and it is not unique to any particular estate, rather, it is a broader and common problem throughout the vicinity of the application site. In response to the statutory consultation, the Transportation Unit has stated that it does not have any objection to the proposal on grounds of road safety subject to the applicant receiving a retrospective licence for creating the entrance to the rear of the property. Despite objectors' concerns regarding parking/transportation problems it is believed that the proposal is acceptable in terms of road safety and parking provision, and that it therefore complies with the requirements of Policies TRA2 and TRA4 of the LDP.

Response to the public consultation

- 5.7 Following a period of public consultation, correspondence was received objecting to the application and the main matters raised by the objectors included:
- Noise disturbance due to the movement of vehicles and people - while acknowledging that some increase in noise disturbance will be inevitable should this application be approved, it is not believed that the increase would be substantially more, if at all, if the proposal was to create an annexe by extending the existing house or if family and friends stayed in the applicant's house itself. It must also be considered that the site is located within an established residential area where there is already an element of noise deriving from daily residential activities in the vicinity of the site.
 - Over-development - objections have been received regarding the fact that the proposal would decrease the amenity space available to the residents of 2 Maes Mawr, affecting the developed form of this part of the city. The latest plans have been amended so that the curtilage/rear garden will not be split into two separate amenity areas, meaning that the green space between the existing house and annexe will be shared. When considering the area of the site as a whole it is believed that it will not be unlike a number of the gardens of nearby houses that contain a variety of subsidiary structures, and the scale and size of the annexe can be compared to a typical double garage structure.
 - Visual amenities - it is said that the proposal continues to be a backland development and impacts on the local area's visual amenities and character. This latest scheme has a decreased floor area and based on its height, the fact that it has a flat roof element as part of the design, its fairly secluded location and its design, materials, setting and scale it is considered that this will not create a structure that has an oppressive or intrusive impact on visual amenities. As mentioned above, permitted development rights allow a person to install a fairly large chalet or caravan within a house's curtilage/garden, and such a structure within the context of this particular site could create a structure that would be far more harmful to the visual amenities than a

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	PWLLHELI

permanent annexe building that is in keeping with the main house in relation to its appearance.

- Road Safety and parking requirements - while acknowledging the parking/transportation problems in the vicinity of the application site, when considering the scale and nature of the proposal it is not considered that the creation of an annexe of the intended size and scale, with subsidiary use to the main house, will considerably exacerbate the situation, if at all, in relation to an increase in traffic and parking difficulties. The applicant already has a parking space within the rear garden and two parking spaces at the front of the house, and the Transportation Unit has no objection to this provision or to the impact of the proposal on the local traffic flow.

6. Conclusions:

- 6.1 Having considered the above assessment and all material matters, as well as all objections and observations received on the application, it is considered that this latest proposal is acceptable and that it satisfies the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve – conditions:-

1. Five years.
2. In accordance with the plans.
3. Natural slate.
4. Restricting the use of the annexe to be supplementary to the residential use of the main house
5. Removal of permitted development rights with regard to the windows and new extensions.
6. Withdrawal of permitted development rights with regard to the erection of fences/walls.