

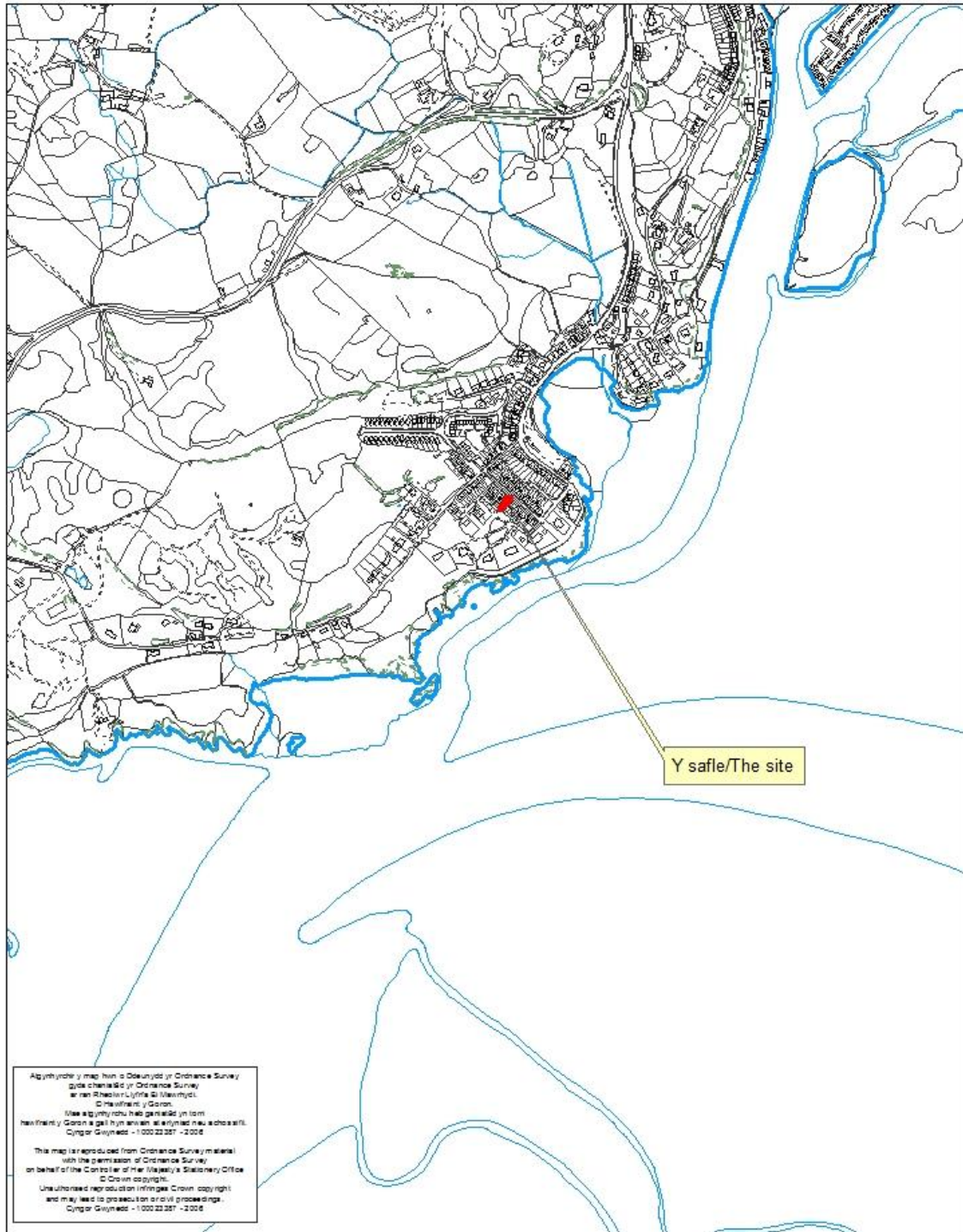
PLANNING COMMITTEE	DATE: 18/05/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Number: 8



**Rhif y Cais / Application Number : C15/0164/44/LL**

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<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

Application Number: C15/0164/44/LL  
Date Registered: 18/03/2015  
Application Type: Full - Planning  
Community: Porthmadog  
Ward: Porthmadog West

Proposal: EXTENSION TO EXISTING OUTBUILDING.  
Location: 23, RALPH STREET, BORTH-Y-GEST, PORTHMADOG, LL499UA

**Summary of the Recommendation:** TO APPROVE WITH CONDITIONS

**1. Description:**

- 1.1 This is an application to extend two existing flat roof garden buildings set in an L shape to create a pitched roof building in the far end of the garden of a terraced house in Ralph Street, Borth-y-Gest. The building would be 3.6m high and would have a pitched slate roof with a chimney on top. The wall facing the road that runs by the rear of the Ralph Street houses would have a painted render finish (similar to the existing) and there would be two roof lights in the roof slope on the rear elevation. The front elevation (which faces the rear of the house) would be mainly constructed of glass. The length and width of the building will be no greater than the two sides of the existing "L" (5.6m x 6.2m) and the roof would be no higher than the roof of next door's garden building (21 Ralph Street). The building would fill the entire width of the property's rear garden.
- 1.2 The land levels along Ralph Street vary and the existing garden buildings at number 23 have been built on a raised part of the garden which can be accessed by steps from the rear of the house. There are garden buildings/garages of varying size (some comparable to the size of this application) along the boundary of every house on the street.
- 1.3 At the moment, the situation means that the gardens of the houses adjacent to the house are also on a slope (as the situation described above for 23 Ralph Street) and there are clear boundaries between the site and the gardens of the adjacent houses. Due to the nature of the area and the land levels it is inevitable that there is some overlooking between the houses and the gardens.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

**2.2 Gwynedd Unitary Development Plan 2009:**

**POLICY B22 – BUILDING DESIGN**

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

**POLICY B23 – AMENITIES**

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

**POLICY B24 – ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE**

Ensure that proposals for alterations or extensions to buildings conform to a series of criteria aimed at protecting the character and amenity value of the local area.

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## POLICY B25 – BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

### 2.3 National Policies:

Planning Policy Wales, Edition 7, July 2014  
TAN12 - Design: June (2009)

### 3. Relevant Planning History: None.

### 4. Consultations:

Community/Town Council: Observations  
No objection in principle, but concerns regarding overlooking into nearby property.

Footpaths Unit: No observations to submit.

Welsh Water: Not received.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and a number of correspondences were received objecting on the following grounds:

- Impact on the privacy of the next door property – the windows would look directly into the rear bedroom windows of Number 25 and there would be direct overlooking into the garden of the next door property.
- Concern regarding overlooking and light pollution from roof lights.
- The building, due to its size would affect neighbours' amenities by reducing light, affecting views by being obtrusive.
- The building would be unsuitable and would not blend in with the surrounding area – the majority of the roofs of the terrace's garden buildings are lower than Number 21 and the proposal should not follow the example of the tallest building which is out of character.
- The chimney does not blend in with the area.

In addition to the above, objections were received which were not valid planning objections which included:

- There would be a need to increase the land levels of the garden in number 23 in order to complete the development (there is no reference to this as part of the application).
- The chimney could cause a nuisance if smoke is not dispersed appropriately.

### 5. Assessment of the material planning considerations:

#### The principle of the development

5.1 Policy B24 of the Gwynedd Unitary Development Plan approves proposals to extend buildings within development boundaries if the proposal meets the two following criteria.

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- 5.2 Criterion 1: That the design and scale are in keeping with the main building and the local area surrounding the development. In terms of this Criterion, the proposed building would be no taller than the building located directly next door to the south (in the garden of Number 21) and it would not extend any further into the garden than this building either. Although it is slightly larger than the garden building to the north (Number 25), it is not considered that the building would be particularly large and it would not be dissimilar in terms of scale to the other buildings that can be seen along the back road. It is considered that the design is in keeping with the area, in fact adding the slate pitch roof would be an improvement in terms of ensuring that the building reflects the vernacular architecture. It is therefore considered that the application meets the requirements of Criteria 1 Policy D24.
- 5.3 Criterion 2: That no extension will lead to an unacceptable reduction in amenity space within the curtilage of the house. The surface area of the proposed building would be no different to many similar buildings on the street. The proportion of the remaining garden would be very similar to what can be seen in other gardens along the street, but it must be borne in mind, due to the sloping nature of the land, that the gardens are generally small.
- 5.4 Given the above, it is considered that the development meets the requirements of Policy B24 and that extending the size of these buildings is acceptable in principle.

#### **Visual amenities**

- 5.5 Policies B22 and B25 of the UDP are considerations for this aspect of the application. The development would involve extending buildings that already exist to create a building that would be of a size and design that resembles other nearby buildings. As explained above, it is considered that its size, materials and design will be in keeping with the neighbourhood and that it would take its place among the other garden buildings of the terrace. It is not considered that it would have a detrimental impact on the visual amenities locally. For these reasons, it is considered that the proposal is acceptable under policies B22 and B25 of the UDP.

#### **General and residential amenities**

- 5.6 Policy B23 of the UDP encourages refusing proposals that will cause significant detrimental harm to amenities. In accepting the concerns of the owner of the house next door to the north (Number 25) there could be overlooking from the window of the garden elevation, this site is already in the garden and it is not considered there would be a significant change given the fact that it is already possible to use this land for sitting and enjoying the garden and that the element of overlooking from one property to another already exists. It is not considered that the proposal would exacerbate the existing situation to an extent that would have a negative impact on the residential amenities/privacy of nearby houses. Similarly, the situation would not be made worse for the users of the next door rear garden in terms of privacy, in fact it could be argued that the use of the garden building in number 23 rather than the garden itself would reduce the impact on the privacy of the users of the next door garden.
- 5.7 As the development runs along the boundary of the garden of number 25 next door, it is accepted that there will be some shadowing on the far end of the garden of that property. However, the development would only run alongside the boundary for a length of 3m, and its height would drop from 3.6m to 2.5m across that length. It is not considered that the impact of the building would dominate the users of garden number 25, and given the size and nature of the developments that exist along the back road, it is not considered that there would be significant damage to the visual amenities of the house or garden of number 25 or of any other houses.
- 5.8 Concern was expressed regarding the impact of the roof lights on the rear slope of the building's roof and the possibility of overlooking or light pollution. It is considered, given that there are some houses situated on a higher level than the site to the rear, it would be reasonable to include a condition for the roof lights to be non-opening opaque glass windows in order to avoid any

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possibility of overlooking from these windows. It is not considered that the impact on light pollution from the two roof lights in a built area would be significant, neither is it considered that further measures are needed in relation to this matter.

- 5.9 Given the above, and by including an appropriate condition regarding roof lights, it is accepted that the development meets with the requirements of Policy B23 and will not cause significant detrimental harm.

### **Response to the public consultation**

- 5.10 An objector has commented that the development is dependent on raising land levels, however the application does not include any proposal for such work and therefore the matter has not been considered as part of this application. It is the applicant's responsibility to ensure that it is practically possible to execute the development he is seeking permission for.
- 5.11 Observations were also received regarding the proposed chimney on the roof building. Given that the chimney will not cause detrimental visual impact, its efficiency is a matter to be considered under the Building Regulations system.
- 5.12 One objection was made on the grounds that the roof of the building would be taller than the roof of the house itself. Given that this is a building at the bottom of the garden, its height by comparison with the house is dependent on the land level of that location. The height of the site in itself is not a consideration rather it is the impact of building in that location which applies here and it is considered that this has been duly considered in this report.

### **6. Conclusions:**

- 6.1 Consequently, it is considered that the size, design and materials of the proposed building are acceptable and that they will not affect the character or the appearance of the area. Neither is it considered that the proposal would have an unacceptable detrimental impact on the amenities of neighbouring residents. All material considerations have been addressed when determining this application; however, this has not changed the recommendation.

### **7. Recommendation:**

- 7.1 To approve – conditions
1. Five years
  2. Development to comply with the approved plans
  3. Slate roof and materials
  4. Permanently closed opaque glass roof lights only

Note: Party Wall Act