

PLANNING COMMITTEE	DATE: 18/03/2024
ASSISTANT HEAD OF DEPARTMENT REPORT	

Number: 3

Application Number: C23/0793/40/DT

Date Registered: 12/02/2024

Application Type: Householder

Community: Llannor

Ward: Efailnewydd/Buan

Proposal: External changes to a plan previously approved under plan number C08D/0205/40/LL including a first-floor extension, appearance and external materials.

Location: Tŷ'n Llwyn, Llannor, Pwllheli, Gwynedd, LL53 5UG

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 Full application for the erection of extensions to a two-storey house. The Council gave permission for single-storey and part two-storey extensions under reference C08D/0205/40/LL in 2008 and part of these extensions on a single-storey level have been erected. This proposal means changing the previously approved plan by providing first floor extensions to the single-storey parts that have already been approved. The proposed extensions will include a living room, a film / playroom, a snug and a cloakroom on the ground floor, along with a terrace above the film / playroom, two bedrooms with dressing rooms/walk in wardrobe and an ensuite and internal balconies. The extensions are located at the front, side and rear elevation of the house. The proposal will be a modern design and substantially bigger than the existing building. The intention is to finish the extensions with a mixture of stone, corten steel, larchwood treated with fire, as well as bare concrete on the walls; and natural slate on the roof.
- 1.2 The site is located in the open countryside and outside any development boundary as defined by the Gwynedd and Anglesey Joint Local Development Plan. The existing property is a traditional two-storey house, finished with pebbledash. As mentioned above, work has partially started on previously approved extensions. The nearest residential property is approximately 120m away.
- 1.3 Number 11 Llannor public footpath runs within metres of the proposed extension's south-western gable-end.
- 1.4 The property is served by an existing entrance and track from a third-class country road.
- 1.5 The application is submitted to the committee at the local member's request.

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 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**
- PS1: The Welsh Language and Culture
 PS 4: Sustainable Transport, Development and Accessibility
 TRA 2: Parking standards
 TRA 4: Managing transport impacts
 PS 5: Sustainable development
 PS 6: Alleviating and adapting to the effects of climate change
 PCYFF 2: Development criteria

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PCYFF 3: Design and place shaping
 PCYFF 4: Design and Landscaping
 Policy PS19: Conserving and where appropriate enhancing the natural environment

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities (adopted July 2019)

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note – 5 Nature Conservation and Planning.

Technical Advice Note – 12 Design.

3. **Relevant Planning History:**

3.1 C03D/0231/40/LL – APPLICATION TO RETAIN A SINGLE-STOREY EXTENSION TO A DWELLING – Approved with Conditions - 28-07-2003

C04D/0323/40/LL – TWO-STOREY EXTENSION TO A DWELLING – Approved with Conditions - 28-07-2004

C07D/0129/40/LL – CONSTRUCT A TWO-STOREY EXTENSION TO THE BACK OF A DWELLING AND ALTERATIONS – Approved with Conditions - 08-06-2007

C08D/0205/40/LL – AMENDED APPLICATION – CONSTRUCT A TWO-STOREY EXTENSION TO THE BACK OF A DWELLING AND ALTERATIONS – Approved with Conditions on 05-06-2008

C23/0498/40/DT – EXTERNAL CHANGES TO A PREVIOUSLY APPROVED SCHEME UNDER REFERENCE C08D/0205/40/LL INCLUDING FIRST FLOOR EXTENSIONS, EXTERNAL MATERIALS AND APPEARANCE – Application withdrawn due to a recommendation to refuse on 20.09.2023

4. **Consultations:**

Community/Town Council: Support

Transportation Unit: I refer to the above application and I confirm that the transportation unit does not have any objection to the proposal.

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Rights of Way Unit: Not received

Welsh Water: There is no public sewerage system in this area. Any new development will require the provision of satisfactory alternative facilities for sewage disposal. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Biodiversity Unit: 29.1.2024 Observations

The proposed development shown on a 3d drawing, show a substantial additional construction with which will alter the existing roof significantly with new adjoining roofs and Velux windows.

Site data

Although there are no bat records for the site, bats have been recorded within 374 meters for pipistrelle and Myotis bat roosts.

PROW through site.

Pond adjacent to house. Several hedgerows connecting the house to the wider countryside.

Two streams/ditches within 35 meters of house.

Designated Sites

- Several Wildlife Sites within 1km
- Gors Geirch SSSI & SAC within 2km

Ecological Reports:

- None provided

Biodiversity Enhancement

- None provided

I recommend swift bricks/bird boxes and native hedge planting and the management of fields as hay meadows and this must be shown on the proposed plans. Biodiversity enhancements are required for all developments following Welsh Government Planning Policy letter to all heads of planning on securing biodiversity enhancement (23/10/19) in response to the Section 6 Duty of the Environment (Wales) Act 2016.

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Below are two aerial photographs, the left one taken in the year 2000 and the right one in 2021. This shows the expansion of the farm the loss of three hedgerows since 2000.

Bats

The proposal will significantly alter the roof of the existing house and there is the potential for bats to be roosting within the roof and this development has a high potential to impact bats. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 making it an offence to disturb or harm bats or destroy their roosting places. Any external lighting has the potential to impact bats roosting in the house or foraging around the site. The applicant should also provide a map showing the proposed external illumination with specific details on lighting.

I object to the proposal because it has not provided a protected species survey (bats & birds) nor has it provided any biodiversity enhancement.

21.02.2024 Observations

The bat survey report has been produced to a good standard, no protected species are presumed to be impacted. The impact to biodiversity as a result is expected to be negligible.

Some biodiversity enhancement should be included on the design drawings and undertaken during development to ensure this application is compliant with local and national planning policy. Enhancements are suggested in the ecology report.

Public Consultation: A notice was posted on the site and nearby residents were notified. No responses were received.

5. Assessment of the material planning considerations:

The principle of the development and visual amenities

- 5.1 Policy PCYFF 3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria including that the proposal adds to or improves the character or appearance of the site, the building or the area in terms of setting, appearance, scale, mass, height and elevation treatment; that it respects the context of the site and its place in the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it improves a safe and integrated transport and communications network; that it limits the risk and danger of flood water run-off and prevents pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and vibrant environments taking into account the health and well-being of future users.

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5.2 It is acknowledged that single-storey extensions with one section being two-storey have previously been approved on the site and that work has started. The proposal in question involves erecting additional and substantial first-floor extensions to the previously approved single-storey extensions, these first-floor extensions would be a mixture of pitched roof and a flat roof. The intention is also to provide a terrace above part of a single-storey extension as well as internal balconies. The proposal in question is modern in terms of its design and the choice of external materials and likely to create a very different structure to the current property. There is significant concern regarding the design of the proposal and this opinion was expressed to the applicant during the pre-application enquiry procedure. It is also noted that the applicant withdrew the previous application following discussion regarding the Local Planning Authority's concerns. The site is located over 400 metres from the nearest country roads in each direction, however, there is a number 11 public footpath running past the property's gable and the proposal would be obvious and very visible from that footpath.

5.3 It is considered that the proposal, because of its size, bulk, design and finish, would create an alien feature in the open countryside and, because of this, would have a substantial negative impact on the area's visual amenities as it would not be in keeping with the character and appearance of the current house and the houses in this area of countryside and it is not considered that it would meet criteria 1, 2 and 3 of policy PCYFF 3 within the LDP which seek to ensure that proposals add to and improve the character and appearance of the site and the building in terms of setting, appearance, scale, height, mass and elevations treatment; that they respect the site's context and its place in the local landscape; and uses materials that are appropriate to its surroundings, nor the requirements of Technical Advice Note 12: Design that supports proposals of high-quality designs.

General and residential amenities

5.4 The site is located in the open countryside approximately 120 metres from a nearby house to the west and approximately 300 metres from a nearby house to the east. Although changes to the house would be substantial and include a substantial terrace and internal balconies, it would not have a significant negative impact on the amenities or privacy of any nearby residents. For those reasons, it is not considered that the proposal, if approved, would be contrary to policy PCYFF2 of the Anglesey and Gwynedd Joint Local Development Plan in this context.

Transport and access matters

5.5 The house is located far from the access to the main road and it is therefore considered that it would not affect road safety. Number 11 Llannor public footpath runs past the property's south-western gable. There is no intention to extend the property outwards any more than its existing size in this direction, therefore it appears that the proposal would not have an impact on the setting of the footpath in this case.

5.6 It is not considered that the proposal is contrary to policy TRA 2 and TRA 4 within the LDP.

Biodiversity matters

5.7 The Biodiversity Unit has confirmed that a full bat survey is required for this proposal, because it would mean making substantial changes, including providing windows in the roof as well as combining the proposed extensions into the current property's roof. It is also noted that there have been records of bats and their roosts within 400m of the site. As a consequence of these

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observations, a bat survey has been received, as well as site plans and revised elevations indicating proposals for biodiversity improvements as noted in the survey, which include installing a bat box on the building, providing dark zones and reinforcing existing hedges. The Biodiversity Unit has confirmed that the survey has been completed to a high standard, and the proposal would not be likely to have an impact on any protected species. Their observations also refer to the need to incorporate the improvements noted in the survey and to show them in the plans.

- 5.8 Therefore, based on the bat survey and the Biodiversity Unit's response, it is considered that the proposal is acceptable and is unlikely of harming any protected species, and it offers appropriate biodiversity improvements. It is therefore considered that the proposal is in accordance with the requirements of policy PS19 of the LDP, Technical Advice Note 5: Planning and Nature Conservation, as well as the amendment to Chapter 6 Planning Policy Wales regarding the green infrastructure and the phased approach.

Language Matters

- 5.9 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.10 It is noted that there are some specific types of development where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds to submit a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing, retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should show how consideration has been given to the language.
- 5.11 The proposal in question is for extending a current residential house. Planning consent has already been approved to extend the property in 2008, and the proposal in question means further extensions. It is not considered that the intended extensions are likely to have a detrimental impact on the Language and therefore, it is considered that it complies with the requirements of policy PS1 in this context.

Relevant planning history

- 5.12 Planning permission was given to erect a single-storey extension to the property under reference C08D/0205/40/LL. Work on this permission has started and it is therefore in force. However, it cannot be considered as a "fall back" situation as the proposed extensions are substantially larger and different.

6. Conclusions:

- 6.1 Having considered every relevant planning matter, it is not considered that the application can be supported based on its size, bulk, design and finish as it would create an alien feature in the

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countryside and have a substantial negative impact on the area's visual amenities. The proposal is unacceptable therefore, and it is recommended to refuse it.

7. Recommendation: To refuse.

1. The proposed development's size, mass, design and external finish would not reflect nor respect the site as it would create an unacceptable and incongruous feature on the form and character of the landscape and the local area and, therefore, on the local area's visual amenities. The proposal is therefore contrary to criteria 1, 2 and 3 of Policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan, 2017, as well as the advice contained in the Technical Advice Note 12 document: Design.