

PLANNING COMMITTEE	DATE: 26/09/2022
REPORT OF THE SENIOR PLANNING SERVICE AND PUBLIC PROTECTION MANAGER	

Number: 7

Application Number: C22/0608/11/DT

Date Registered: 29/07/2022

Application Type: Householder

Community: Bangor

Ward: Glyder

Proposal: Extension and alterations to the front of the property, as well as converting the attic space into a bedroom and a bathroom and a two-bedroom annex to the rear of the dwelling to provide additional accommodation.

Location: 33 Bryn Eithinog, Bangor, Gwynedd, LL57 2LA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application to undertake adaptations to an existing two-storey dwelling. The work would include:
- erection of a first-floor 2.3m extension to the front above of the existing single-storey garage to the front of the dwelling.
 - convert the roof space into additional living space, and
 - erection of a two-storey rear extension as an annexe to the main house. The extension would extend 6.6m to the east and 6.6m to the ridge of the roof.
- 1.2 The new roofs would be covered with natural slate whilst the walls would be finished with render. Ultimately, the property would increase from a four-bedroom house, to a house with an annexe with a total of six bedrooms.
- 1.3 The site is within the curtilage of "33 Bryn Eithinog", which is a detached dwelling in a residential area within the development boundary of the Bangor Sub-regional Centre, as defined by the Anglesey and Gwynedd Joint Local Development Plan. The site lies within a housing estate and is served by unclassified roads that lead from Belmont Road near Tryfan School.
- 1.4 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 (Wales) Act 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**
- TRA 2 – Parking standards
- TRA 4 – Managing transport impacts
- PCYFF 1 - Development boundaries
- PCYFF 2 – Development criteria
- PCYFF 3 – Design and place shaping

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2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales, Edition 11, February 2021

Technical Advice Note 12: Design

3. Relevant Planning History:

C20/0083/11/DT - An application for the erection of a two-storey front and rear extension and installation of windows in the roof (an amended design to that refused under application C19/1135/11/LL) - approved 06/07/20

C19/1135/11/DT Create an additional bedroom within the roof space (amended plan to permission number C19/0764/11/LL - refused - 21/01/2020.

C19/0764/11/LL Extension (amended plan to that approved under application ref C19/0328/11/LL) - approved 12/08/2019.

C19/0328/11/LL Rear and front extensions to the property - approved 02/04/2019.

C18/0337/11/AM Construction of a house - refused 18/04/2018.

4. Consultations:

Community/Town Council: Not received

Transportation Unit: No observations as it is deemed that the proposal will not have a detrimental effect on any road.

Welsh Water: Request a condition to prevent additional surface water flows to the sewerage system, and guidelines for the applicant

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has ended and correspondence was received objecting to the proposed development on the following material planning grounds:

- It would be harmful to the privacy of neighbours
- The extension would cast a shadow on neighbouring properties
- An overdevelopment of the site
- Concern about the increase in traffic that could derive from the increase in residents at the property
- The development could damage the local drainage system
- The annexe would be equivalent to a separate house
- The design is not in-keeping with other houses in the area

The following observations were also received; these are not material planning considerations:

- Concern that the building will be let as a holiday unit
- Concerns that the dwelling would be used as a house of multiple-occupation (HMO)
- It would be harmful to the views from private properties
- The building work would affect the amenities of neighbours

5. Assessment of the material planning considerations:

The principle of the development

5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations indicate otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The site lies within the development boundary of Bangor Sub-regional Centre as defined by the LDP, and therefore, the application is consistent with Policy PCYFF 1 of the LDP. Policy PCYFF 3 also permits the principle of alterations to a personal property, subject to a series of criteria that are discussed in greater detail below. Overall therefore, this proposal is consistent with the principle of the adopted Development Plan.

5.2 The present front extension has been approved as part of the plans that received consent through planning application C20/0083/11/DT, therefore planning consent is not required to change the roof space to a residential space. Therefore, apart from its contribution towards the cumulative impact of the development on the site, detailed consideration has not been given to these elements in this report although they were included in the plans that were submitted.

Use of the Annexe

5.3 It should be noted that the term "annexe" has a specific meaning in planning context and to be considered as an "annexe", it is essential for the building to be subservient to the main house and that it is not used as a separate dwelling. It should be linked to the main dwelling through its everyday use; normally this would mean its use as a semi-independent, but connected, living accommodation by members of the same family. In this case, in light of the location of the building

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connected to the main house in a location where there is no independent access to the street, it is believed, although the plans show the annexe would include a bathroom and a separate kitchen, that it is reasonable to consider the new structure as a subservient annexe to the main dwelling. The applicant has confirmed that his intention is to use the house as a family home and not as a HMO and as the application is asking for an annexe, by imposing an appropriately worded planning condition, the use of the building can be managed appropriately.

Visual amenities

5.4 The main policy relating to this aspect is Policy PCYFF 3 of the LDP which states that all proposals are expected to demonstrate a high-quality design that gives full consideration to the context of the surrounding built environment. It also emphasises that plans for new developments will only be approved provided they can comply with a series of criteria. This application is discussed in the context of the relevant criteria below:

1. Although the rear extension (annexe) is a two-storey building, bearing in mind the developed nature of the area and size of the garden where the extension would be erected, we do not believe it would constitute a dominating feature in the streetscape, neither would it cause a significant harmful impact to the appearance of the site or the surrounding area. It is believed that the pitched roofs and rendered walls proposed to install on the extensions would be in keeping with the surrounding area.
2. Considering the relatively small scale of the extension in respect of its built context, we believe the new extension would respect the character of the site and be in-keeping with the surrounding area.
3. It is proposed to install natural slates on the new roofs and use render on the walls -a condition can be imposed to ensure that the external materials are appropriate to their location.

General and residential amenities

5.5 A neighbour has expressed concern regarding potential overlooking of their property from the new extension, however it was noted that there would only be one new first-floor window in the northern elevation of the property and this would be the new bathroom in the existing house. As this window would be visible from the side of the house, in accordance with the General Permitted Development Order, it would be a requirement that the window in question remains permanently opaque. There would be a Velux window in the new extension that would service a bathroom but having considered its location and the use of the room it is not believed that a condition is required to manage the nature of the window.

5.6 Concern was expressed by a neighbour that the new extensions would cause unacceptable harm in respect of casting a shadow over neighbouring properties and that it would be dominating over their property. In considering the scale of the site, the distance between the neighbouring houses and the fairly short height of the extensions, it is not believed that there would be any significant harm to the amenities of neighbours stemming from these matters.

5.7 Overall, it is therefore believed that the proposal is acceptable under policy PCYFF 2 of the LDP as it relates to the protection of private and general amenities.

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Transport and access matters

- 5.8 Concern was expressed that there would be an increase in use of the access to the site and the lack of parking provision would lead to traffic problems in the area. While acknowledging these concerns, we do not believe that increasing the number of bedrooms from four to six is likely to have a substantial effect on traffic flow, especially given that the site is in an urban location with easy access to alternative modes of transport. The Transportation Unit did not declare any concerns regarding the proposal, and overall, it is not believed that this development would lead to any added significant harm to the accessibility of the main road, and as such the proposal is acceptable under policies TRA 2 and TRA 4 of the LDP.

Other matters

- 5.9 Objectors raised several points relating to matters that, although valid concerns, are not material planning considerations for this particular application. All applications must be dealt with on their own merits, and since this is an application for a residential annexe for residents use, together with other changes to the residential property, we cannot give consideration to matters relating to other developments that are claimed could take place on the site e.g. a holiday let, HMO or a separate dwelling. Similarly, from a planning perspective, the property in question is a residential property in Use Class C3, and thus any application must be dealt with as is appropriate to such a property. It is standard practice to impose a condition on any planning permission to ensure that the annexe shall only be used for ancillary use to the main house, and not for any other purpose. Additional planning permission would be required for any material change of use of the annexe or the house in general.
- 5.10 An objector noted concerns regarding the effect of the development on the area's drains and Welsh Water noted that a sewer crosses the site and that continuous access is needed to this facility by the company. However, there is specific legislation for dealing with matters such as public sewer infrastructures, which is separate to the planning system and therefore it is not appropriate to use the planning system to seek to control such matters. The above is considered to be a legal issue between the developer and Welsh Water.

6. Conclusions:

- 6.1 Having assessed the application against the relevant policy requirements, the proposal is considered acceptable in relation to visual amenities, private amenities and general amenities. Based on the above, the application can be approved according to the following planning conditions.

Recommendation:

- 7.1 To approve – conditions
1. Commence within five years.
 2. In accordance with the plans
 3. Materials and colours to be agreed
 4. Use of the annexe to be ancillary to the house only, and no business use

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5. Welsh Water Condition

Note: Welsh Water

SUDS