

PLANNING COMMITTEE	DATE: 06/09/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 7

Application Number: C21/0337/38/DT

Date Registered: 12/04/2021

Application Type: Householder

Community: Llanbedrog

Ward: Llanbedrog

Proposal: To demolish a single-storey garage. Erect a double garage with annexe above, for the personal use of the Applicant and family and friends occasionally.

Location: Derwen Deg, Llanbedrog, Pwllheli, Gwynedd, LL53 7UA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1. This is an application to demolish an existing garage and erect a two-storey building in its place - a double garage on the ground floor and a separate entrance leading to a residential annexe connected to the main house, with a foyer and bathroom on the ground floor and a bedroom and living room on the first floor.
- 1.2. The site is within the garden of "Derwen Deg" house, which is a detached dwelling within the development boundary of the Coastal-Rural Village of Llanbedrog, as defined by the Anglesey and Gwynedd Joint Local Development Plan. The site lies within a residential area and is served by private roads that are also public rights of way. The site is also within the Llŷn Area of Outstanding Natural Beauty.
- 1.3. The proposal is to demolish the existing single-storey garage and erect a two-storey building to replace it. The building would measure 8.3m x 6.8m in surface area and would be 6.2m high to the ridge of the roof.
- 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
 - PS 19 – Conserving and where appropriate enhancing the natural environment
 - AMG 1 – Areas of Outstanding Natural Beauty

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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:**

C06D/0307/38/LL – Revised application, single-storey extension at the side of the house – Approved 26/07/06

C05D/0575/38/LL – Single-storey extension at the side of the house – Approved 22/11/05

C05D/0353/38/LL – Rear, two-storey extension – Approved 15/07/05

4. **Consultations:**

Community/Town Council: Object – an over-development of the site, concern regarding an unsuitable sewage system and an unsuitable road to the houses.

Concern regarding the accuracy of the plans submitted

Transportation Unit: No objection

AONB Unit: With appropriate conditions regarding materials/colours, it is not believed that the development would affect the AONB

Biodiversity Unit: Observations – Request a condition for protecting and enhancing biodiversity

Welsh Water: Observations – Request a condition to prevent additional surface water flows to the sewage 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:

- Concern regarding the safety of the vehicular access to the site, and the private road being unsuitable to deal with extra traffic
- Concern regarding the condition of the sewerage system and the water supply locally
- The first-floor window in the western elevation would overlook a private property
- The building would be very high and an over-development of the area.
- The building would be harmful to the area's character and to the quality of the AONB

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

- Concern that the building will be let as a holiday unit
- There is no proven need for the development
- That the Derwen Deg property is a holiday home
- Internal alterations could be carried out to the building in order to create an independent living unit
- The development could set a precedent for other developments in gardens in the area
- Any asbestos on the site needs to be removed safely
- It is not fair that conditions on other houses for local people prevent similar developments

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 state 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 Llanbedrog Coastal – Rural Village as defined by the LDP, 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.

Use of the Annexe

5.2 It should be noted that the term "annexe" has a specific meaning in a planning context, and to be considered an "annexe" it is essential that the building will be ancillary to the main house and that it would not be used as a separate dwelling. It should be linked to the main dwelling through its

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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, taking account of the building's location by the main house and the statement in the application form that an annexe is being applied for, we believe that by imposing an appropriately worded planning condition, the use of the building can be managed appropriately.

Visual amenities

5.3 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 building is fairly tall as an outside building, bearing in mind the developed nature of the area, we do not believe it would constitute a dominating feature in the streetscape, nor would it cause a significant harmful impact to the appearance of the site or the surrounding area. We believe a pitch roof would suit the site, and a condition could be imposed to ensure that roof slates of the appropriate colour are used to match the surrounding buildings.
2. Considering the relatively small scale of the building in respect of its built context, we believe the new building would respect the context of the site and be in keeping with the surrounding area.
3. Details of materials have not been included in the plans submitted, but a condition can be imposed to ensure that the external materials are appropriate to their location.
4. to 10. Not relevant

5.4 The site lies within the Area of Outstanding Natural Beauty, but taking account of its location amongst other dwellings in the centre of Llanbedrog and the nature of the local gardens that contain mature trees and hedges, it is not considered that the proposal in question would affect the character of the AONB. Provided suitable materials and colours are secured through an appropriate condition, the AONB Unit had no concerns regarding the development's visual effect on the landscape of the designated area. We therefore believe that the proposal is also acceptable under the requirements of Policy AMG1 of the LDP.

General and residential amenities

5.5 A neighbour has expressed concern regarding potential overlooking of their property from the first-floor window in the western elevation of the annexe / garage. We agree, although there is some distance between the nearest property, "Hawddamor", and the development site (25m), it is likely that the neighbour's property would be directly visible from this window which would be harmful to the residents' amenities. We therefore believe that it would be reasonable, especially given that this will be an annexe to be used as ancillary space to the residential use of the main house, to stipulate a condition to ensure that the window in question is kept opaque permanently.

5.6 Concern was also expressed that increased use of the access road leading to the site as a result of more intense use of the building could lead to collisions and problems for current road users. While acknowledging these concerns, we do not believe that a one-bedroom annexe such as the one in question here is likely to have a substantial effect on traffic flow, especially given that the intended use for the annexe will be as occasional use associated with the residential use of the main dwelling. Overall, it is not believed that this development would lead to any added

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significant harm to neighbours' amenities, and as such the proposal is acceptable under policy PCYFF2 of the LDP.

Transport and access matters

- 5.7 Objections were received raising concerns about the harmful impact of the potential increase in traffic that would be using the access road to the site. The Transportation Unit noted that the site is located along a private road, which has public right of way status along it – they did not believe that the proposal will have any impact on the local county roads network. Considering that the proposal in question involves a residential annexe that would add one bedroom to an existing residential property, we do not believe that the use of the site would intensify so significantly as to harm safety or convenience to the access road. The proposal is therefore considered acceptable in respect of vehicular access, and complies with Policies TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.8 The Biodiversity Unit had no concerns regarding the development's effect on wildlife, although they did emphasise that caution should be exercised when demolishing the existing building so as not to cause harm to protected species. Based on this we believe that the application is acceptable under the requirements of policy PS 19 of the LDP.

Other matters

- 5.9 Some objectors raised concerns regarding the suitability of the sewerage system and water supply to cope with the development. However, subject to an appropriate condition, the relevant utilities provider, namely Welsh Water, did not express any objection to the proposal and we therefore believe that the infrastructure can cope with this development.
- 5.10 Objectors raised several points relating to matters that although are 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 occasional use by family and friends, together with a double garage, we cannot give consideration to matters relating to other developments that are claimed could take place on the site e.g. a holiday let or a separate dwelling. Similarly, from a planning perspective, the Derwen Deg property 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.
- 5.11 Concern was also expressed that the existing building was built from asbestos, and while we fully appreciate this concern, we must note that such considerations are dealt with through procedures outside the planning system.

6. Conclusions:

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

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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
5. Welsh Water Condition

Note: Protected Species

Welsh Water