

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

Number: 5

Application Number: C22/0521/42/DT

Date Registered: 06/06/2022

Application Type: Householder

Community: Nefyn

Ward: Morfa Nefyn and Tudweiliog

Proposal: Extension to the front of the property

**Location: Llys Awel, 5 Maes Terfyn, Morfa Nefyn, Pwllheli,
Gwynedd, LL53 6EQ**

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 Application to erect an extension on the front of the property.
- 1.2 The site is located within a residential housing estate of similar single-storey dwellings on the outskirts of the village of Morfa Nefyn. The existing property is a single-storey detached dwelling with a floor in the roof and is finished with pebble-dash and a slate roof. There is currently a parking area in front of the property. The property is a three bedroom affordable house with a secured discount of 35% via a 106 agreement.
- 1.3 The proposal involves the erection of a single-storey mono-pitch roof extension on the front of the property by the side of the existing porch. The extension measures 4.1m by 2.5m by 2m to the eaves and 4m high to the ridge. It is proposed to finish the extension to match the property, however, it is proposed to install cladding on the extension walls and the porch.
- 1.4 An amended plan has been submitted that reduces the extension compared with the original proposal due to the location of the water pipe.
- 1.5 The application is being submitted to the Planning Committee for decision at the request of the Local Member.

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

PS 5: Sustainable development

PCYFF 2: Development Criteria

PCYFF 3: Design and place shaping

TAI 15: Affordable Housing Threshold and Distribution

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2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note (TAN) 12: Design (2009)

3. Relevant Planning History:

3.1 Application/appeal reference. Application address. Description of the proposal. Decision and date.

C05D/0192/42/LL – Construction of eight one-storey dwellings (amended plan). - Approved - 16-08-2006

C11/0840/42/RC - Application to amend the 106 agreement to change the method of assessing affordable value - Approved - 02-02-2012

4. Consultations:

Community/Town Council: No objection

Welsh Water: Response 24.06.2022

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

ASSET PROTECTION

The proposed development site is in close proximity to a 90mm public watermain with its approximate position being marked on the attached plan. Under Section 159 of the Water Industry Act 1991, Dwr Cymru Welsh Water has rights of access to its apparatus at all times, and as such would require an easement of 3m either side of the centreline of the watermain. Having regard to the proposed plans, it would appear that the proposed extension would be located within the required easement. Our strong recommendation is that your plans are amended to take into account the location of the asset adjoining the site. Alternatively, it may be possible to divert the watermain if the developer applies under Section 185 of the Water Industry Act albeit may prove unviable for the purposes of this development, and therefore recommend the proposed development is repositioned to accommodate for the required easement.

In the first instance, we would advise of the need to accurately locate

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the asset on site as our record plans are a general guidance only and should not be relied upon in the event of excavations or other works made in the vicinity of the assets. We would need to carry out the survey work and would suggest that the developer contact our colleagues at PlanandProtect@dwrwymru.com for a quotation.

At present we are unable to support the application and object until the plans have been amended to take into account the required easement of the public watermain.

No response has been received to the second consultation at the time of writing.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period ended and no observations had been received.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 This property is an affordable house that has already received planning permission under reference C05D/0192/42/LL.
- 5.2 The internal floor area of the existing property (according to the original plans) measure approximately 111.19m². The proposal provides an additional extension of approximately 10.25m² that provides an extension to the current lounge.
- 5.3 Criterion 3(vii) of Policy TAI 15 states "Extensions and adaptations to affordable housing will be permitted provided that the alterations or adaptations allow the house to remain as an affordable dwelling". It is important that the unit continues to be a house that is really affordable to meet with specific future needs. It is important that this proposal does not compromise on this. Therefore, you will need to be satisfied that any alterations/extensions proposed means that the unit can truly continue to be considered as an affordable house.
- 5.4 Initially there is a need to consider what the size of the unit would be with the extensions, and if this is in-keeping with the needs of the property residents together with the size of property considered as affordable. It should be ensured that the size of the unit complies with what is noted in Appendix 5 of SPG 'Affordable Housing' so that its value continues to be considered as affordable.
- 5.5 Paragraph 3.4.1 of the SPG Affordable Housing notes that the size and scale of the affordable housing cannot exceed the type of property required to meet the target need. Too large a property may not be affordable for other future need in the area.
- 5.6 The proposal means extending the existing lounge. Usually extensions to affordable housing entails adding a bedroom, however, this is not what is proposed here. There is no justification for the need for additional living space bearing in mind the need to maintain the unit as an affordable house.

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- 5.7 As discussed above, the existing internal floor area of the property measures approximately 112m² and the proposed extension would add approximately 10m² giving a total following extension of 122m².
- 5.8 SPG Affordable Housing (Appendix 5) notes the maximum notional floor areas for the following type of units:
- 7 Person 4 Bed House: 114m²
 - 6 Person 4 Bed House: 110m²
 - 5 Person 3 Bed House: 94m²
 - 4 Person 3 Bed House: 88m²
- 5.9 According to the above figures the existing property is more than the maximum size for a 3-bedroom affordable house, and adding the proposed extension would make the property higher than the maximum floor area for a 4-bedroom property.
- 5.10 Paragraph 3.4.10 of the SPG notes that these figures are based on the Development Quality Requirements (DQR) and for dwellings that are not DQR compliant we would expect their floor areas to be below the notional figures noted above.
- 5.11 Further to the aspects noted above, an open market value valuation of the unit with the proposed extension should be accepted and this would enable the Planning Service to consider whether the unit will continue to be affordable, considering the discount noted in the 106 Agreement (35% in this case).
- 5.12 Since the extension for a living space in the property has no justification and means that the property's floor area exceeds what is permitted for a 4-bedroom affordable unit (where there is only 3 bedrooms in the property) the Local Planning Authority has not requested a valuation in this case. Considering current house prices, the price would be likely to be significantly higher than an affordable price.
- 5.13 Even if the valuation was to prove that it would continue to be available to those who need affordable property, the proposal continues to offer a floor area that exceeds what is mentioned in the SPG Affordable Housing for affordable housing and therefore there is no certainty that the property would continue to be affordable in future.
- 5.14 Therefore, to this end, it is considered that the proposal, due to its size is contrary to the requirements of criterion 3(vii) of Policy TAI 15 that notes "Extensions and adaptations to affordable housing will be permitted provided that the alterations or adaptations allow the house to remain as an affordable dwelling" together with appendix 5 and paragraph 3.4.10 of the SPG that confirms the maximum size of affordable housing and notes that these figures are based on the Development Quality Requirements (DQR) and for dwellings that are not DQR compliant we would expect their floor areas to be below the notional figures noted above.

Visual, general and residential amenities

- 5.15 The site is located within the village of Morfa Nefyn and is a semi-detached house within an estate of similar housing. Some of the houses include similar front extensions to what is offered here.

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- 5.16 The proposal before you has been reduced a little due to the water pipe that crosses the front of the property. As noted above, some of the houses on the estate include a similar front extensions to what is proposed here, however, those extensions suit the houses in terms of size, form, design and finish.
- 5.17 The extension before you crosses over the existing porch and offers a different pitch to the main property and the porch. The rest of the front extension on the houses in the estate have been finished with stone or pebble-dash, and this proposal uses timber cladding that is an alien finish here.
- 5.18 It is considered that the size and location of the extension, together with the roof pitch and its finish are unsuitable and does not exhibit a high quality design and is not in-keeping with the existing property. Although it is possible to impose a condition to agree on materials, it is not considered that this would be sufficient to meet with the requirements of policy PCYFF 3.
- 5.19 Considering the size of the extension and its proposed location on the property, and height, it is not believed that any additional significant impact is likely to derive from the development in terms of overlooking or shadowing any other property. It is therefore believed that the proposal is acceptable under policy PCYFF 2 of the LDP as it relates to the protection of private amenities.

6. Conclusions:

- 6.1 It is considered that the extension is contrary to the requirements of criterion 3(vii) of Policy TAI 15 that notes "Extensions and adaptations to affordable housing will be permitted provided that the alterations or adaptations allow the house to remain as an affordable dwelling" together with appendix 5 and paragraph 3.4.10 of the SPG that confirm the maximum size of affordable housing and note that these figures are based on the Development Quality Requirements (DQR) and for dwellings that are not DQR compliant we would expect their floor areas to be below the notional figures noted above.
- 6.2 In addition, it is considered that the size and location of the extension, together with the roof pitch and its finish will be unsuitable and it does not exhibit a high quality design and is not in-keeping with the existing property. Although it is possible to impose a condition to agree on materials, it is not considered that this would be sufficient to meet with the requirements of policy PCYFF 3.

7. Recommendation:

- 7.1 To refuse – reasons

The proposal, due to its size, is contrary to the requirements of criterion 3(vii) of Policy TAI 15 of the Anglesey and Gwynedd Joint Local Development Plan 2017 notes that "Extensions and adaptations to affordable housing will be permitted provided that the alterations or adaptations allow the house to remain as an affordable dwelling" together with appendix 5 and paragraph 3.4.10 of the SPG that confirm the maximum size of affordable housing and note that these figures are based on the Development Quality Requirements (DQR) and for dwellings that are not DQR compliant we would expect their floor areas to be below the notional figures noted above.

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It is not considered that the proposal demonstrates a high-quality design and therefore it is contrary to the principle of policy PCYFF 3 Design and Place Shaping of the Anglesey and Gwynedd Joint Local Development Plan (2017).