


Number: 3

	Rhif y Cais / Application Number : C13/0156/11/LL
Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa. Location Plan for identification purposes only. Not to scale.	



PLANNING COMMITTEE	DATE: 17/10/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C13/0156/11/LL
Date Registered: 08/03/2013
Application Type: Full - Planning
Community : Bangor
Ward: Garth

Proposal: DEMOLITION OF AN EXISTING REAR EXTENSION AND THE ERECTION OF A PART TWO-STOREY AND PART SINGLE-STOREY EXTENSION TO THE REAR OF THE PROPERTY, ALONG WITH THE PROVISION OF FRENCH DOORS AND ERECTION OF NEW 1.8M FENCE NEAR THE RIGHT OF WAY
Location: 7, GLANDWR TERRACE, BANGOR, GWYNEDD, LL572SL

Summary of the Recommendation: TO REFUSE

1. Description:

- 1.1 This application was deferred at the meeting of the Planning Committee, dated 25.07.2016 following the receipt of late observations on the listed building application attached to this application.
- 1.2 This application was submitted to the Planning Committee originally on 29.04.2013 and it was decided at that Committee to defer the application in order for the Committee to visit the site, and in order to consult further with the Biodiversity Unit regarding whether or not a bat survey needed to be submitted. This site visit was undertaken on 13.06.2016.
- 1.3 By now, the terrace is listed (Grade II) and amended plans, together with a listed building application have been submitted under reference C16/0440/11/CR.
- 1.4 The property is an end-terrace three-storey house, within a terrace of seven houses. There is a two-storey section to the rear of the property, along with a single-storey building ancillary to this two-storey section.
- 1.5 It is proposed to demolish a part of the existing two-storey rear section and re-build new sections of the same length but higher by approximately 0.1m and wider by approximately 1.7m. The existing two-storey section runs smoothly with the building line of the main property and measures 3.3m wide. The new extension would be 1.7m wider and therefore it would extend outwards behind the side of the property. The new two-storey extension would include a kitchen on the ground floor and a bedroom on the first floor. It is proposed to install hardwood sliding doors on the sea-facing eastern side of the ground floor leading from the kitchen, with two sash upvc windows on the first floor, which are to be re-used following their re-location from the gable end of the existing house.
- 1.6 On the western side of the new two-storey extension, the ground floor window will remain the same, and the only adaptation will be the installation of a conservation type roof-light on the roof of the extension.
- 1.7 It is also proposed to demolish the existing single-storey outbuilding and re-erect a new single-storey extension that will form part of the house and measure approximately 0.6m wider and 0.2m higher than the existing. The existing outbuilding has a "lean to" roof and extends outwards from the house's construction line by approximately 1.3m and it is proposed to retain this element in the new extension. A toilet and two rooms make up the existing external building, which are

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not interconnected with the main house. Two timber doors and windows exist on the eastern elevation, along with one timber door and a separate access on the western side, with two small roof-lights and a slate roof.

- 1.8 It is proposed to re-build the single-storey external building in its entirety and it will form an internal part of the house by creating a kitchen and dining room with an utility room and bathroom. The far end of the extension will be used for storage purposes. It is intended to retain one original timber door on the western side and close the existing access to the toilet in order to create a new door, with a conservation type roof-light on the end. On the eastern side, it is proposed to retain the location of one original timber door at the end of the storage area, and install one glass door and a small window on the rest of the extension that will look out towards the sea. As noted above, the external building currently has a lean to roof and it is proposed to replace this with a slate pitch roof.
- 1.9 The external finish of the extensions would be lime render and it would have a slate roof and cast-iron rainwater goods. No internal adaptations form part of the application.
- 1.10 A garden is located to the side of the property (as well as a garden at the front of the house), and in this section, there is a shed, historic steps leading down towards the sea and also a private right of way runs through the garden. It is proposed to erect a 1.8m high timber fence along the side of the property in order to divide the garden and the private right of way. The fence would be connected to the side of the property near the front and would extend along the gable end to the rear. A 1.2m high fence would also be installed on the other side of the 1.8m fence and in a way this will divide the garden in half and create a boundary on either side of the private right of way. A 1.2m fence will be erected on the sea side of the garden, along with a 1.8m high wall near the existing shed with an access door. The fence will mean that a path will run through the garden to keep the right of way open, but it will also ensure that the property has a private garden.
- 1.11 The site is located within the development boundaries of the City of Bangor and an unclassified road runs nearby and an access road to the houses with public right of way leads to and past the rear of the site. The building is an end-of-terrace house in a terrace of seven houses which are all grade II listed as they are a good example of nineteenth-century middle-class houses.

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 considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. 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 making the recommendation the Council has sought to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is

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considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 Gwynedd Unitary Development Plan 2009:

Gwynedd and Anglesey Joint Local Development Plan which is currently being prepared is subject to an ongoing Public Inquiry. At present, it is not a relevant planning consideration for making decisions on planning applications.

B1 – DEMOLITION OF LISTED BUILDINGS – Safeguard Listed Buildings against proposals for their total or partial demolition unless there is outstanding justification for doing so, in accordance with a number of criteria regarding the condition and ownership of the building.

B3 – DEVELOPMENTS THAT AFFECT THE SETTING OF LISTED BUILDINGS

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

B22 – BUILDING DESIGN - Promote the design of good buildings by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

B23 – AMENITIES – Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aiming to safeguard the recognised features and amenities of the local area.

B24 – ALTERING AND EXTENDING BUILDINGS 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.

B25 - BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and in keeping with the character and appearance of the local area.

The Gwynedd and Anglesey Joint Local Development Plan which is currently being prepared is subject to an ongoing Public Examination. At present, it is not a relevant planning consideration for making decisions on planning applications.

2.4 National Policies:

TAN 12 Design

Planning Policy Wales (Edition 8) January 2016

The Welsh Office Circular 61/96 – "Planning and the Historic Environment: Historic Buildings and Conservation Areas".

3. Relevant Planning History:

3.1 C16/0440/11/CR Demolition of an existing rear extension and the erection of a part two-storey and part single-storey extension to the rear of the property - Application also before the Committee

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3.2 APP/Q6810/E/16/3157595 - Appeal in respect of lack of decision submitted and registered in relation to the listed building application on 19 September 2016

4. Consultations: (Observations received on the amended plan only.)

Community/Town Council: Object as the proposal would change the appearance of the listed building; therefore, it would have a detrimental impact on the remaining properties within the listed terrace.

Environment Agency: No response

Welsh Water: No response

Biodiversity: No Biodiversity concerns and no observations to be made.

Footpaths Unit: The Countryside and Access Department is concerned that by-way no. 29 Bangor is protected during and at the end of this development.

Transportation Unit: No objection to the proposal. However, I recommend that you bring the application to the attention of the Footpaths Unit as the property abuts by-way 29 rather than a highway.

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:

- The extension is larger and affects right of way around the property and down to the beach.
- The right to demolish a listed building
- The scheme does not adhere to the character or scale of this historic building.
- Impact on the open feel this part of the terrace
- Fence affecting access right.
- The effect on the character of the Listed Building and the terrace as a group.
- 3D plans were submitted showing the proposal and the sections to be demolished compared with the new extension.
- Glass doors on the side are incompatible within a historic building
- The design of the single-storey extension is insensitive to the original building.

Objections were also received that were not relevant planning matters:

- Lack of access to a private right of way / stairs leading to the sea
- It would be easy to divide the extension into a separate residential unit in the future.

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5. Assessment of the material planning considerations:

The principle of the development

- 5.1 General planning policies within the Gwynedd Unitary Development Plan support applications for the erection of extensions on residential houses provided they are appropriately assessed.
- 5.2 Policy B24 of the Gwynedd Unitary Development Plan involves alterations to buildings. This proposal includes the demolition of a section of the existing rear two-storey extension and the rear single-storey outbuilding, and extending the existing two-storey section and building a new single-storey extension on the same site. The extension is suitable and is in-keeping with the original site and property. The extension is approximately 1.7m wider (at most) than the existing extension, and is more or less the same in terms of length and no more than 0.1m higher. It is considered that the extension is of a suitable size and design, and complements the site in this case. It is not considered that the proposal is contrary to the requirements of policy B24 above.

General and residential amenities

- 5.3 The report in relation to the associated listed application gives appropriate consideration to Policies B1, B2 and B3 of the GUDP and The Welsh Office Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas" which are relevant to demolition work and any effect the proposal could have on the character of the listed building.
- 5.4 In the context of this full application, Policies B22, B23 and B25 of the Gwynedd Unitary Development Plan relate to assessing the design of the proposal, amenities and external materials.
- 5.5 This proposal includes the demolition of a section of the existing rear two-storey extension and the rear single-storey outbuilding, and extending the existing two-storey section and building a new single-storey extension on the same site. It is proposed to demolish a section of the existing two-storey rear building and re-erect a new extension of the same length but higher by approximately 0.1m and wider by approximately 1.7m. The existing two-storey section runs smoothly with the building line of the main property and measures 3.3m wide. The new extension would be 1.7m wider and therefore it would extend outwards behind the side of the property. The new two-storey extension would include a kitchen on the ground floor and a bedroom on the first floor. It is proposed to install hardwood sliding doors on the sea-facing eastern side of the ground floor leading from the kitchen, with two sash upvc windows on the first floor, which are to be re-used following their re-location from the gable end of the existing house.
- 5.6 It is also proposed to demolish the existing single-storey outbuilding and re-erect a new single-storey extension that will form part of the house and measure approximately 0.6m wider and 0.2m higher than the existing. The existing outbuilding has a "lean to" roof and extends outwards from the house's construction line by approximately 1.3m and it is proposed to retain this element in the new extension. A toilet and two rooms make-up the existing outbuilding that is not interconnected to the main house. Two timber doors and windows exist on the eastern elevation, along with one timber door and a separate access on the western side, with two small roof-lights and a slate roof.

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- 5.7 It is proposed to re-build the single-storey external building in its entirety and it will form an internal part of the house by creating a kitchen and dining room with a utility room and bathroom. The far end of the extension will be used for storage purposes. It is intended to retain one original timber door on the western side and close the existing access to the toilet in order to create a new door, with a conservation type roof-light on the end. On the eastern side, it is proposed to retain the location of one original timber door at the end of the storage area, and install one glass door and a small window on the rest of the extension that will look out towards the sea. As noted above, the external building currently has a lean to roof and it is proposed to replace this with a slate pitch roof.
- 5.8 It is not considered that the extension is excessive in terms of size, or that it dominates any nearby property. The extension is approximately 1.7m wider than the current extension (at its largest point), and is the same as the existing in terms of length and no more than 0.2m higher; this is not considered excessive or unacceptable in terms of the policies noted above.
- 5.9 It is proposed to install first floor windows in the extension facing the Porth Penrhyn direction. These windows look over the residential curtilage of the property itself together with public land (beach and footpath). It is not considered that these windows will cause any overlooking of other properties. It is also intended to erect a fence of up to 1.8m in height attached to the property. It is intended for this fence to be of timber.
- 5.10 It is proposed to place slates on the roof of the extensions and the extension walls would be rendered to complement the existing property.
- 5.11 As a result of the above, the proposal to extend the existing dwelling is suitable and in-keeping with the existing dwelling in terms of its size, design and materials. Consequently, it is not considered that the proposal is contrary to the requirements of policies B22, B23 or B25 of the Unitary Development Plan which relate to assessing the design of the proposal, amenities and external materials.

Response to the public consultation

- 5.12 Following a period of public consultation, several items of correspondence were received objecting to the proposal and noting that the extension is larger than the existing and affects the neighbours' access right around the property and down to the beach, that a listed building should not be demolished, that the plan is not in-keeping with the character and scale of this historic building, that the proposal is likely to have an impact on the open feel of this part of the terrace, that the proposed fence affects access right, and impact on the character of the listed building and the terrace as a group.
- 5.13 It is considered that the above report has dealt with all of these matters.
- 5.14 For clarity, the path which runs along the side of the property which is the subject of this application appears to be in the applicant's ownership, and this is not disputed. This path is not a public footpath; therefore the allegation of access rights and any impact thereon is a civil matter, and not a matter for the application. It appears from the plan that it is intended to erect a fence measuring 1.8m and 1.2m in height along the site boundary with the side wall of the beach, and there are allegations that this fence would affect access down the steps to the beach. As the fence is within the curtilage of a listed property, no permissible development exists and therefore, planning permission is required. Erecting the two fences would be something quite

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temporary that could be reinstated in the future without disturbing the listed building. This site would also be relatively concealed with many trees on the site and it is not considered that it would cause significant harm to the special architectural or historic character of the listed building or the amenities of nearby residents. A public right of way runs past the rear of Glandwr terrace and towards the Bay houses, but this path is located outside the application site, and the proposal does not affect it.

The effect of the proposal on the Listed Building(s)

- 5.15 Policy B3 of the GUDP states that proposals on sites which affect the setting of a listed building will not be approved unless several criteria can be complied with and then three criteria are listed in order to assess the application. As well as this policy, the advice given in the Circular is also relevant. In addition, policy B1 of the GUDP states that proposals to demolish listed buildings entirely or substantially will be refused, unless there is particular justification for doing so.
- 5.16 In accordance with the requirements of Policy B3, consideration must also be given to the rest of the terrace when assessing this application, as the terrace is listed as a listed group. Although the building will be extended, it is considered that the extension would continue as a secondary element in the context of the site of 7 Glandwr terrace and the terrace as a whole. Neither the size nor the design will be dissimilar to what currently exists on the site, and when looking at the context of the terrace from the rear, it can be seen that the lay of the land along the rear of the terrace runs downwards, i.e. falls from 1 Glandwr terrace towards 7 Glandwr terrace. It is not considered that the extension that is part of the proposal is neither out of place nor out of character with the remainder of the terrace due to the lay of the land and also as the length of the curtilage of each house in the terrace increases in length from no. 1 towards no. 7. It is also considered that the proposal is unlikely to disrupt the setting of the remainder of the terrace, bearing in mind that the rear has relatively high boundary walls and this conceals each curtilage from the public access road to the rear, thus, many of the rear elevations are relatively concealed. Whilst it is accepted that the rear elevation of the terrace as a whole is relatively uniform, it must be noted that variance already exists and that it is not considered that this proposal would create an incompatible or alien feature when it is considered in the context of the entire terrace. Therefore, it is not considered that the proposal is contrary to Policy B3.
- 5.17 The requirement to assess the principle of demolishing listed buildings in their entirety or significantly/substantially is in the context of the requirements of policy B1 of the UDP which relates to the demolition of listed buildings. The policy states: *“proposals to demolish listed buildings entirely or substantially will be refused, unless there is particular justification for doing so.”* It also states: *“Significant demolition’ in the context of this policy constitutes alterations that entail the loss of significant evidence of the building’s structural history or materially affect its special architectural or historic interest”*.

From assessing the above-mentioned application, the officers do not consider that the demolition work to the rear is a complete or substantial demolition; however, a number of objections have been received from statutory consultees and from the public to this aspect of the application. Due to the differing opinions of the statutory consultees and officers regarding a fundamental part of the proposal, it is considered that it would be useful to receive confirmation of clear reasons for demolishing sections of the building on the scale shown in the application or that the agent has responded to the requirements of policy B1 in the Design and Access Statement. To

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this end, the agent was asked to submit information / evidence to justify the demolition work instead of adapting and extending the building. This information was submitted on 23 September 2016, stating as follows:

- 1) The proposed plans do not show a proposal to completely or significantly demolish the building.
- 2) A section of the extension to the rear of the house and the single-storey outbuilding have been earmarked for demolition, there is no proposal to do anything to the front.
- 3) According to the Royal Commission on the Ancient and Historic Monuments of Wales, they do not have an objection to the demolition of the outbuildings.
- 4) The outbuildings do not have special architectural features, the condition of the existing walls are not great with cracks suggesting that the foundations are not as sound as that and a section of the wall is bulging. From looking at the roof timbers, they seem modern with the house itself.
- 5) I assume that this extension is similar to many non-registered outbuildings in this area.
- 6) See the photograph of the gable-end wall intended to be demolished and the poor condition of the relatively small stone masonry, thus with more lime mortar between them, and the brickwork.
- 7) To retain the walls and bring them up to Building Control standard, sections of the walls would need to be re-built, foundations would need to be dug and reinforced, and render would need to be installed and isolated to the exterior walls.

The observations received from the agent mainly refer to the poor condition of the existing walls, and the need to improve the thermal performance of the walls in order to save energy and prevent damp. It is considered that the thermal performance of the walls could be improved in other ways without having to demolish them, as well as damp prevention. The points made by the agent regarding the condition of the walls are noted; however, no robust evidence was submitted of the structural condition of the walls (such as a structural report or similar) and whether or not they can be maintained as existing, rather than demolish them. The amenity groups have questioned why the rear buildings need to be demolished and why they cannot be adapted. It is not considered that the agent's response has fully mitigated these concerns.

- 5.18 It is considered that the principle of demolishing on the scale shown as part of the application and then extend/re-build the rear extension can be acceptable from the perspective of local and national policies despite the response received from some statutory groups and in response to the public consultation period. Due to the differing opinions of the statutory consultees and officers, it is considered that it would be useful to receive confirmation of clear reasons for demolishing sections of the building on the scale shown in the application or that the agent has responded to the requirements of policy B1 in the Design and Access Statement. Although officers requested this further justification and that further information had been received from the agent, it is not considered that this evidence provides sufficient evidence / justification regarding the structural condition of the walls (e.g. in the form of a structural report or similar) and whether or not it will be possible to maintain them as they are rather than demolish them. The explanation of policy B1 states *"In accordance with national regulations, consent to wholly or significantly demolish Listed Buildings would be given only when there is no other practical option available to preserve the building or structure and the site is to be redeveloped."*

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6. Conclusions:

- 6.1 Should the above-mentioned justification for the demolition work be acceptable, it is considered that the size and design of the new extension will also be acceptable and meet the requirements of policies B3, B22, B23, B24 and B25 of the GUDP.
- 6.2 However, it is not considered that the proposal is acceptable in its current form as no robust information has been submitted to justify the demolition work of relevant sections of the listed buildings and why the existing listed buildings cannot be adapted and it is considered that it is not possible to approve the application without this information.

7. Recommendation:

- 7.1 To refuse - reasons
1. No robust information was submitted to justify the demolition work and why the existing listed building cannot be adapted in its existing form in accordance with the advice given in the Welsh Office Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas and Chapter 6 of Planning Policy Wales.