

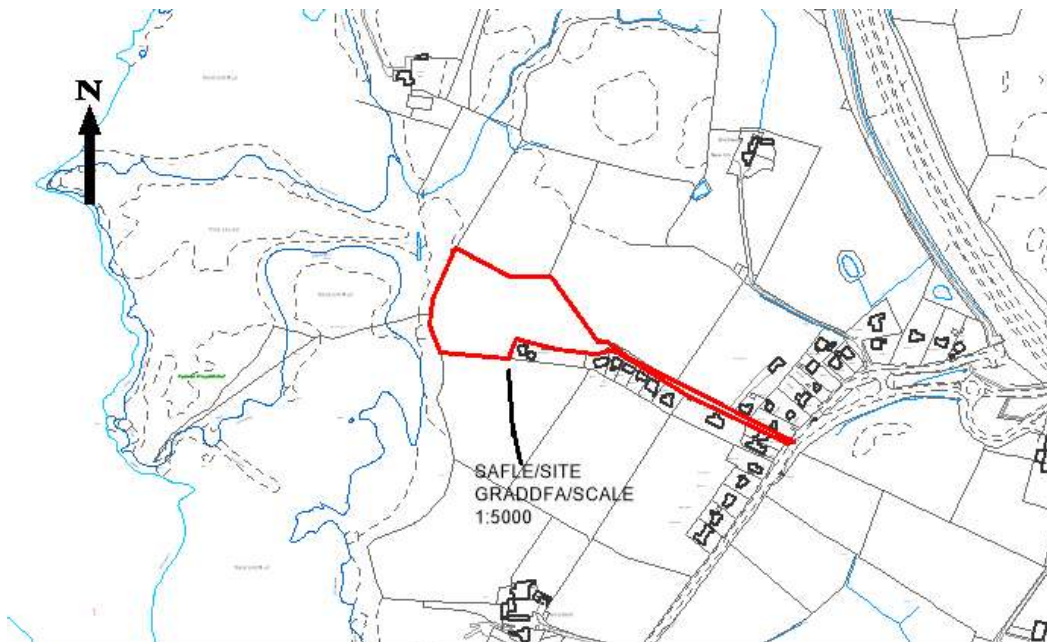
Rhif y Cais: **49C175C** Application Number

Ymgeisydd Applicant

**Miss Rachel Pursgrove**

**Cais llawn ar gyfer newid defnydd y modurdy dwbl presennol i anecs hunangynhaliol yn /  
Full application for conversion of the existing double garage into a self-contained annexe at**

**Bryn Y Mor, Y Fali/Valley**



**Planning Committee: 25/07/2018**

**Report of Head of Regulation and Economic Development Service Service (GJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application is being presented to the committee as the applicant is related to a senior officer of the council.

### **1. Proposal and Site**

This is a full application for the conversion of existing garage into a self-contained annexe.

The site is located outside the development boundaries of Valley and Four Mile Bridge and is located in an open field beyond the curtilage of Bryn y Mor. The site is located within the designated Area of Outstanding Natural Beauty (AONB) overlooking the Inland sea.

A new access and track will be constructed, together with new car parking arrangements. Pavings and a decking area will be constructed around the new annexe.

### **2. Key Issue(s)**

The key issue is whether the proposal addresses the concerns of the Planning Inspector in an appeal dismissed on the 6<sup>th</sup> January, 2009 and whether the proposal complies with relevant policies of the Joint Local Development Plan.

### **3. Main Policies**

#### **Joint Local Development Plan**

PCYFF1 – Development Boundaries

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF4 – Design and Landscaping

PS5 – Sustainable Development

PS6 – Alleviating and Adapting to the Effects of Climate Change

AMG1 – Area of Outstanding Natural Beauty

TAI7 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

#### **Planning Policy Wales (9<sup>th</sup> Edition)**

**Technical Advice Note 6: Planning and Sustainable Rural Communities**

**Technical Advice Note 12: Design**

**Supplementary Planning Guidance for Urban and Rural Environment.**

### **4. Response to Consultation and Publicity**

**Community Council** – No objection in principle; however, attention is drawn to the fact that the property is located within an Area of Outstanding Natural Beauty.

**Local Member (Cllr Gwilym O Jones)** – No response

**Local Member (Cllr Richard Dew)** – No response

**Welsh Water** – Comments

**Highways Authority** – No comments

**Natural Resources Wales** – Standard comments

Site notices were placed near the site and neighbouring properties were notified by letter. The expiry date for receiving representations was the 21 May, 2018. At the time of writing the report no letters were received.

## **5. Relevant Planning History**

49C175 – Retention of stables adjacent to Bryn y Mor, Bryn y Mor Road, Valley – Approved 21/9/95

49C175A – Conversion of the existing outbuilding into a dwelling together with the construction of a new vehicular access at Bryn y Mor, Bryn y Mor Road, Valley. – Refused 6/7/07

49C175B – Conversion of the existing outbuildings into a dwelling together with the construction of a new vehicular access at Bryn y Mor, Valley – Refused 10/4/08 – Appeal Dismissed 6/1/09

## **6. Main Planning Considerations**

This is a full planning application for the change of use of a stable into a self-contained annexe, construction of an access track and car parking arrangements. Significant external elevation changes to the building are being proposed including the provision of a pitched slate roof over what is currently a flat roofed structure, introduction of window and door openings.

A residential annexe may be described as accommodation ancillary to a main dwelling within the residential curtilage and must be used for this purpose. It is acknowledged that an extension of a house or conversion of an outbuilding may provide an opportunity to accommodate a person clearly associated with the occupants of the principal dwelling house e.g. dependent relative or staff working for the residents of the principal dwelling. The layout, design and physical relationship between the house and the proposed annexe will be important considerations, as will the size and scale of the accommodation to be provided. This is because the Local Planning Authority must avoid consenting a new house in the countryside at the outset and to reduce/ avoid a risk of the annexe becoming a self-contained dwelling, separate and apart from the original dwelling house. This is of particular importance because the site is located in open countryside.

It is noted that the proposed annexe has no link to the main house. Whilst there is no requirement for an annexe to form an extension to the main house, its functional relationship with the main dwelling is of particular relevance.

**Principle of the Development:** The site is located outside the development boundary of both Valley and Four Mile Bridge. It is located in what is regarded as a countryside location for the purposes of planning policy. Policy PCYFF 1 requires development outside development boundaries to demonstrate that it conforms to relevant policies in the Plan, national planning policy or that a location in the countryside is essential.

The site is within the designated AONB under Policy AMG1. National and local planning policy in respect of new development in such areas is very clear – new development in such areas should be strictly controlled and in respect of the AONB, the primary objective is the conservation and enhancement of its natural beauty.

A public footpath runs to the north and west of the site along the coastline to the east; forming part of the Wales Coastal Path.

## **Joint Local Development Plan**

Policy PCYFF1 states that outside the development boundaries development will be resisted unless it is in accordance with specific policies in the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential. The development boundaries are essential to prohibit inappropriate development from being located in the countryside.

Policy PCYFF2 states that proposals shall demonstrate compliance with relevant policies of the plan and national planning policy and guidance.

Policy PCYFF3 states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Policy TAI 7 states that in the open countryside the conversion of traditional buildings for residential use will be permitted when all the following criteria are met:

- There is evidence that employment use of the building is not viable
- The development provides an affordable unit for the community's local need for an affordable dwelling or the residential use is a subordinate element associated with a wider scheme for business re-use
- The structure is structurally sound
- No extensive alterations are required to enable the development
- Any architectural characteristics of merit and traditional materials are retained and that the proposal does not lead to the loss of the original structure's character.

The applicant has not provided evidence that employment use of the building is not viable and the proposal is not intended to provide an affordable unit. A structural survey has been provided with the planning application, which states that the building is structurally sound with need to extend the existing foundation at least 200mm. The proposed alterations and additional openings would be more than minor external alterations. The proposal also includes the construction of a new access track and car parking arrangements with pavings and patio area surrounding the annexe. The proposal therefore does not comply with the criteria 1, 2 or 4 of Policy TAI 7 of the Joint Local Development Plan.

Given the extent of alterations, the self-contained nature of the residential use (2 bedrooms, bathroom, store, kitchen/eating area) its distance and physical separation from the main dwelling at Bryn y Mair and the creation of its own separate drive, parking area, decking and garden, the proposal is more akin to a new dwelling in the countryside than an annexe which would operate as ancillary accommodation to Bryn y Mair.

Policy AMG1 states that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the Area of Outstanding Natural Beauty Management Plan. This policy aims to ensure that the aims and objectives of the AONB Management Plans are fully taken into account when considering development proposals.

The AONB Management Plan states 'The management of AONB's requires an understanding of the different components that combine to make each AONB distinctive and nationally important. The main components of AONB's are their **resources** and **activities**. Resources are the distinctive **features** and **special qualities of the area**, which define the AONB's character. The maintenance of these resources is central to the sustainability of the AONB.'

'Activities are the pressure, changes and trends which have either a positive or negative effect on the special qualities, and consequently the well-being of the AONB. These activities represent the diverse environmental, economic and social elements of the AONB and its communities. Identifying the activities which impact upon the resources is essential to the development of effective policies aimed at the protection of the AONB.'

The development would need to conserve or enhance the AONB, and proposals that have a significant effect will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area.

The proposal create a new separate drive, car parking area and garden. No boundary treatment for the garden has been provided as part of the proposal. Significant external elevational changes are proposed to the building including a new pitched roof structure over the whole building.

A previous planning application was refused to change the use of the stable into a dwelling as it would detrimentally affect the character and appearance of the AONB. An appeal was also dismissed and the Planning Inspector confirmed the following:

*'The proposal would be harmful to the character and appearance of the surrounding rural area which has been designated as an AONB'.*

It is considered that the principle of changing the use of the stable into an annexe is the same as the previous application. The proposed alterations and additional openings would be more than minor external alterations.

The proposal for conversion to an annexe would further consolidate the residential character of this group of buildings and erode the rural qualities of the location, detrimentally impacting the AONB.

The proposal therefore does not address the reason for dismissing the previous appeal.

### **Affect on amenities of surrounding properties**

Neighbouring properties have been notified of the development. The expiry date to receive representations was the 21st May, 2018. At the time of writing the report no objections were received.

It is not considered that the proposal will have a negative impact upon the amenities currently enjoyed by neighbouring properties.

## **7. Conclusion**

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

The use of the site as a residential annexe would not comply with the provisions of Policy TAI 7. The proposal by virtue of its siting and level of accommodation to be provided can be likened to an independent unit of living accommodation located in the open countryside contrary to Policy PCYFF1 and PCYFF2. It is also considered that the extent of the development and alterations to the building involved would further erode the rural qualities of the Area of Outstanding Natural Beauty, which will be contrary to Policy AMG1 of the Joint Local Development Plan and Planning Policy Wales.

## **8. Recommendation**

### **Refuse**

(01) The proposals cannot be considered as a conversion due to the extensive works required furthermore it has not been proven that an employment use is not viable and the proposal does not relate to an affordable unit for local need, the proposal is hence contrary to the provisions of policy TAI7 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017) and the advice contained in SPG Design Guide for the Urban and Rural Environment.

(02) The proposal by virtue of its siting and the level of accommodation to be provided can be likened to an independent unit of living accommodation located in the open countryside for which no rural enterprise justification has been submitted as such it is contrary to the provisions of policy PCYFF1 and PCYFF2 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017), the requirements of Technical Advice Note 6 and provisions of Planning Policy Wales (9th Edition).

(03) The proposal would introduce substantial alteration to the building, together with a separate drive, parking area and curtilage which would consolidate the residential character of the area and would further erode its rural qualities through its use and that of its associated curtilage, detrimentally affecting the character and appearance of the designated Area of Outstanding Natural Beauty and as such would be contrary to Policy AMG1 of the Joint Local Development Plan and the advice contained within Planning Policy Wales (Edition 9).

