

Application Reference: HHP/2023/53

Applicant: Mr & Mrs J Jones

Description: Full application for alterations and extensions at

Site Address: 48 Cae Braenar, Holyhead



Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)

Recommendation: Permit

Reason for Reporting to Committee

The applicant is related to an employee of the council’s Planning Service.

Proposal and Site

The application site is located within the Cae Braenar housing estate within the development boundary of Holyhead as defined by the Joint Local Development Plan. The existing property is a two-storey semi-detached dwelling with a small roof structure at the front of the property.

The application is for the erection of a single storey porch extension underneath the existing small roof structure to create a new entrance porch.

Key Issues

The applications key issues are if the proposed porch extension complies with current policies, has a negative impact on the existing dwelling and neighbouring residential properties.

Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Response to Consultation and Publicity

Consultee	Response
Cyngor Tref Caergybi / Holyhead Town Council	No observations received to date
Cynghorydd Pip O'Neill	No observations received to date
Cynghorydd Jeff M. Evans	No observations received to date
Dwr Cymru Welsh Water	Requested any increase in roof area or impermeable surfaces surface water drainage not to drain into the public sewer system.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No comments to make on the application and had advice for applicant.

Publicity:

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties with the expiry date for receiving representations was the 11/04/2023. At the time of writing this report two letters have been received.

The two letters of objection had the following concerns:

- The proposed development will reduce or eliminate any direct sunlight into neighbouring properties.
- The plans show that the construction contravenes the council's '45 degree rule' and states that the impact on neighbouring property is negligible which the objector strongly disagrees with this statement as any loss of direct sunlight is not negligible.

Relevant Planning History

19C1063 - Codi ystafell haul yng nghefn / Erection of a conservatory to the rear of 48, Cae Braenar, Caergybi/Holyhead. Caniatau / Approved 21/06/2010

Main Planning Considerations

The application proposes the erection of a single storey porch extension underneath the existing small roof structure to create a new entrance porch.

The main planning considerations are if the proposed porch extension complies with current policies, has a negative impact on the existing dwelling and neighbouring residential properties.

(i) Siting, Scale, Design and Appearance of the extension and its impact on the neighbouring properties

The siting of the proposed development is on the North West facing front elevation of the property underneath an existing roof structure with the neighbouring attached property having the same roof structure on their dwelling. The existing flat roof structure measures 2.6m to roof ridge, 2.3m in height to the roof ceiling and extends 2.4m out from the existing dwelling. There is an existing living room window from the dwelling that looks out onto the driveway underneath the roof structure with the neighbouring property having a similar window. The siting of the proposed extension below the roof structure will create a porch space onto the applicant's driveway and would be in front of the existing living room window. The single storey extension measures 2.7m in width, 2.3m in length and 2.3m in height with the existing roof structure remaining as is.

The agent has provided a proposed floor plan of the extension and has shown on the plan the neighbouring dwellings living room window at no 47 Cae Braenar. The plans also includes a 45 degree angle from the centre line of no 47 living space window showing approximately 0.7m of the proposed porch would be within the 45 degree angle. The drawing is labelled and states:

IoACC's Supplementary Planning Guidance (SPG) 18 states 'An extension of more than a single storey should not extend beyond a 45 degree line from neighbouring windows, both to prevent excessive shading of gardens and retain the look'. The proposal is for a single storey porch extension utilising the existing canopy roof (which extends along the same place for No 47. Cae Braenar, the roof's projection can be seen opposite. Although the proposed extension does cross a theoretical 45 degree line, the extension is single storey and its impact on the neighbouring property will be negligible, due to the existing canopy's projection and the minimal amount of wall that actually crosses the theoretical 45 degree line.

The council's Supplementary Planning Guidance does state that 'an extension of more than a single storey should not extend beyond the 45 degree line from neighbouring windows, both to prevent excessive shading of gardens and retain the outlook.' This rule can be considered for single storey extensions if the height, roof design and siting of the proposed works would have a negative impact on the neighbouring property. Using the 45 degree rule a small part of the extension (0.7m of wall) would be within the 45 degree rule. After visiting the site the neighbouring window does have access to direct sunlight in the evening but does not have access to direct sunlight all year round and not for large parts of the day. The existing roof structure on both properties does prevent a large amount of direct sunlight and daylight from entering the living room spaces. Under permitted development rights the applicant could erect a 2m high wall/fence on the boundary which would be 0.3m smaller in height than the proposed porch extension.

The design and appearance of the proposed development will have the same material choices as the existing dwelling. Several dwellings within the Cae Braenar housing estate have completed similar works to their properties to create porches underneath their existing roof structures.

The proposed development is considered acceptable as the loss of direct sunlight to the neighbouring attached dwelling is not considered to be harmful as to have a negative impact on the owners window into their living space, permitted development rights would allow a 2m high fence/wall to be erected on the property boundary, the porch extension is built under an existing roof structure and its scale would not have a negative impact on the existing dwelling complying with policies PCYFF2 and PCYFF3.

Conclusion

It is not considered that the proposed porch extension will impact the existing building and will not have a negative impact on the neighbouring dwelling's window and living space. It is considered that the overall proposed scheme complies with relevant planning policies and the recommendation is one of approval.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

- Location Plans & Photos – OBS-2023-011 GA001 – March 2023**
- Proposed Drawings - OBS-2023-011 GA003 – March 2023**

Reason: To ensure that the development is implemented in accord with the approved details.

(03) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF2, PCYFF 3

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.