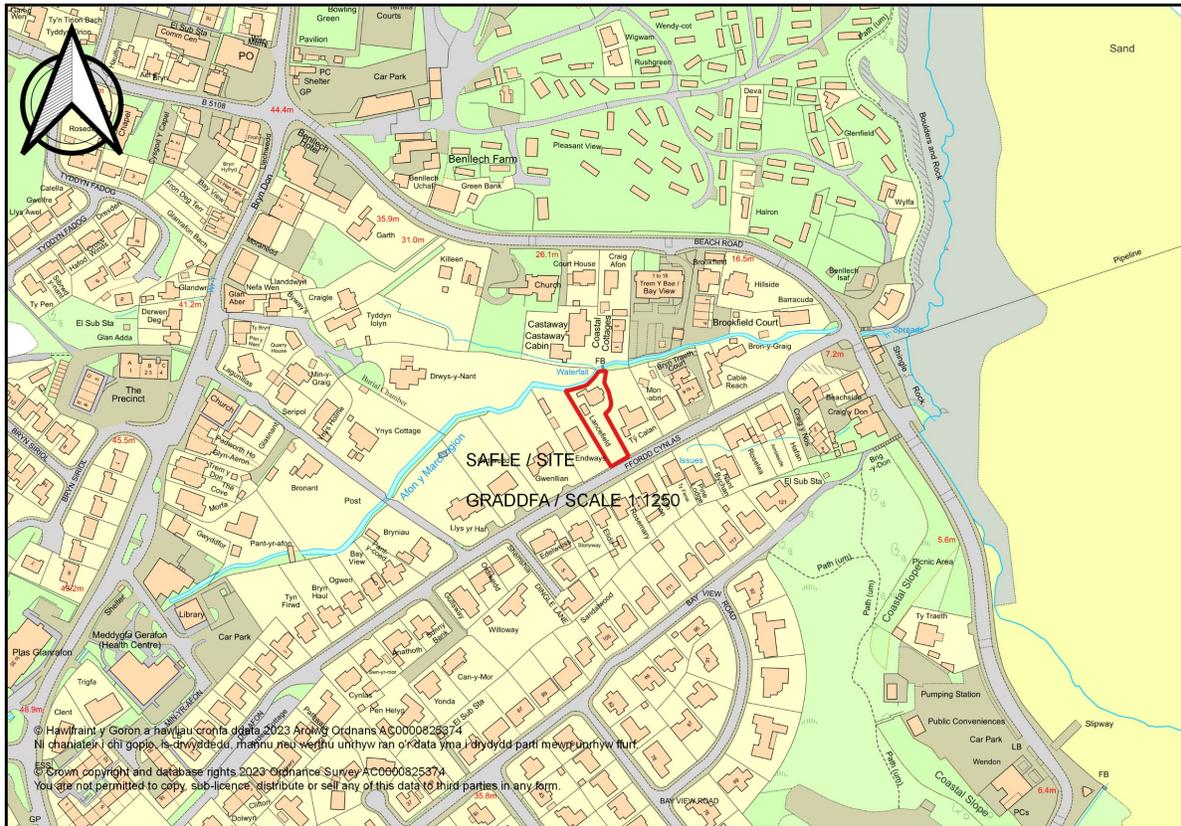


Application Reference: HHP/2023/51

Applicant: Mr. Steven Lomas

Description: Cais llawn ar gyfer dymchwel y modurdy presennol ynghyd â chodi anecs deulawr yn / Full application for demolition of the existing garage together with the erection of a two storey annex at

Site Address: Lancefield, Ffordd Cynlas, Benllech, Tyn Y Gongl



Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Permit

Reason for Reporting to Committee

The application is called to the Planning and Order Committee at the request of the Local Member Cllr Ieuan Williams on the grounds of over-development of the site and adverse impact on the amenities of adjacent residential properties.

A site visit was conducted 17th May. Planning Committee where members had the opportunity to view the site and its setting.

## Proposal and Site

The proposal is for the demolition of existing single storey pitched roof garage together with the erection of a new two storey pitched roof attached annexe to the south western elevation of Lancefield, Benllech.

## Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy TRA 2: Parking Standards  
Policy AMG 5: Local Biodiversity Conservation

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

### Planning Policy Wales – Edition 11 (February 2021)

Technical Advice Note 12 – Design

## Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Over-development, concerns of local infrastructure capacity (physical and social), and use of the annex as a summer house in the future. In particular the plan does not respect the context of the site and the development would not improve the character and/or appearance of the site. A precedent of allowing also creates a risk of significant adverse impact on local amenities, the development would be a summer house or for residents, as well as more activities, disturbance, vibration, noise, dust, fumes, litter, drains, light pollution, or other forms of pollution and disturbance.
Cynghorydd Ieuan Williams	Requested that the application be called in to be determined by the Planning Committee.
Cynghorydd Euryr Morris	No Response
Cynghorydd Margaret Murley Roberts	No Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Detail on Parking Arrangements and CTMP requested and received. No Objections
Iechyd yr Amgylchedd / Environmental Health	Observations

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Observations
Dwr Cymru Welsh Water	Condition and Advisory Notes provided
Draenio Gwynedd / Gwynedd Drainage	Observations
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 09/06/2023. At the time of writing this report, 9 letters and 7 web comments of representation had been received at the department. The main comments can be summarised as follows:

- Concerns regarding the removal of two mature trees at the site
- Works on the boundary of the site effecting neighbouring property
- Future use of the property
- Future use of the Annexe as a separate independent dwelling or holiday let
- Inaccuracies in the application documentation
- Scale of Development – much larger / wider than existing garage and two storey with significant glazing. Closer to the boundary than existing garage.
- Out of Keeping / Character with the area
- Detrimental impact to residential amenity of neighbouring properties due to proximity to boundary, scale, noise and increased vehicle movement
- Drainage concerns with additional occupants at the site
- Concerns of local infrastructure capacity (physical and social)
- Impact to skyline and streetscape
- Daylight warmth impacted.
- Disturbances, Fumes, Noise, Rubbish, drainage, light pollution, Vibration created by the additional accommodation in which this application creates at the site.
- Precedent of permitting creates a risk of significant adverse impact on amenities.
- Objection to accuracy of plans displaying neighbouring windows
- Proximity/ New window opening issues (to be discussed in main report below)

In response to the comments raised:

- The trees removed are within the curtilage of the proposal property and are not protected by a Tree Preservation Order.
- The planning application does not include proposed works at the west boundary of the site. A 2.2m high fence is to be erected, which is only 200mm higher than the existing fence to the east boundary of the application site.
- Future Use –The planning application must be considered as has been submitted. It is not possible to consider any future use as this would be subject to a separate planning application.
- The application received is for an annexe used ancillary to main property, not as an independent dwelling or holiday let. A Justification statement has been received as part of the application. Condition (05) will restrict the occupation of the annexe to be ancillary to the main dwelling.
- The existing vehicular access is to be retained and the existing substantially sized vehicular parking area at the site is also to be retained.
- Residential amenity/Design/Overdevelopment - The case officer has visited the neighbouring properties internally and externally to analyse different viewpoints. The design and residential amenity will be considered further in the main body of the report.
- Dwr Cymru have been consulted and have confirmed that they are satisfied with the proposal.
- The proposal includes the erection of an annexe which will have a lower roofline than the existing main dwelling, in keeping within the streetscape of Ffordd Cynlas. The placement of Lancefield is set back within the plot of the site with a large front garden towards the main road approx. 38m from the residential road.

- An annexe is, by definition, associated with the main home. In most cases, it will offer a degree of independent living that gives it the feel of the occupier's own space. The annexe introduces one additional bedroom at the address. It is not considered the additional living space creates an excessive additional amount of disturbance to that of the existing dwelling.
- It is considered this application does not create a precedence for other developments as each planning application is dealt with on its own merits.

### **Relevant Planning History**

30C537 - Addasu ac ehangu yn / Alterations and extensions to - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 24/12/2003

30C537A - Cynlluniau llawn ar gyfer codi annedd ynghyd a chreu fynedfa newydd yn/Full plans for the erection of a dwelling together with the construction of a new access at - Lancefield, Ffordd Cynlas, Benllech. Tynnwyd yn ol / Withdrawn

30C573B - Codi modurdy ynghyd a chreu fynedfa newydd i gerbydau yn / Erection of a garage together with the construction of a new vehicular access at - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 01/12/2004

30C537C - Dymchwel modurdy integrol presennol ynghyd a chodi annedd gyda modurdy a chreu mynedfa newydd i gerbydau yn / Demolition of existing garage together with the erection of a dwelling with integral garage and construction of a new vehicular access at - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 05/04/2005

30C537D - Cais diwygiedig ar gyfer codi annedd ar dir ger /Amended application for the erection of a dwelling on land adjoining - Lancefield, Benllech 04/01/2006

HHP/2022/186 - Cais llawn ar gyfer addasu ac ehangu yn / Full Application for alterations and extensions at - Lancefield, Ffordd Cynlas, Benllech, Tyn Y Gongl - Caniatau / Permit 18/08/2022

### **Main Planning Considerations**

#### **Proposal:**

The proposal is for the demolition of the single storey pitched roof garage together with the erection of a new two storey pitched roof attached annexe the South West of the main detached 2 storey property of Lancefield, Benllech. The property is located within the residential street of Ffordd Cynlas within the coastal town of Benllech. The property has an L-shaped curtilage with a small rear garden towards the bordering River/waterfall and a substantially large front garden and driveway.

There closest neighbours are to the South East and South West with the site topography sloping down from west to east. The residential street is sloping down to the east towards the beach with various ground level differences between residential properties. The land also slopes downwards from Lancefield towards the main highway. Due to the sloping nature of the site a Streetscape Section was requested, this provides a visual plan displaying how the annexe will fit into the area. The annexe will be set back approx. 38 metres away from the main residential street and is to have a lower roofline than the main dwelling

#### **Design/Justification:**

The initial siting of the proposed annexe has been amended from the previous planning application that had been withdrawn. The annexe has been placed further back within curtilage of the property to adjoin the main dwelling. The design has also been amended in the interest of residential amenity as detailed below.

The original design included a two-storey pitched roof design with a cladded rendered first floor, a blank south west elevation, 2 north west rear elevation windows, significant glazing at the front (North east elevation) and significant glazing and door access at the North East Elevation. After initial consultation the proposed scheme was reduced slightly in scale with a smaller 1st floor to avoid a blocking in effect to neighbouring property known as Endways and to ensure that the annexe would not be overbearing or cause loss of light to the neighbouring property.

Policy PCYFF 3 states that all proposals will be expected to demonstrate a high-quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to the relevant policy criteria.

The proposal is a modern building but it is considered that it is in keeping with its surroundings. There is no particular style in this immediate area with a mixture of single storey and dormer bungalows nearby of varying age and design. It is considered that the annexe fits in with the character of the existing property and surrounding area and complies with the requirements of policy PCYFF 3.

The roof of the annexe will be a pitched slate roof and makes use of modern, high-quality materials which will complement the existing property and the surrounding area. The scale and massing of the annexe respects the character of the surrounding built environment and landscape without having a negative impact on the amenities of adjacent residential properties.

This is a two storey self-contained annexe and includes a first-floor living/kitchen/dining space. The ground floor will include one bedroom, Bathroom, Hallway and a Storeroom. Confirmation has been received by the applicants that the proposed annexe will be used incidental to the main dwelling and will be for family use only. For the avoidance of doubt Condition (05) restricts the use of the annexe to be used ancillary to the main dwelling.

The existing garage measures 3.5m Height x 6m Length x 3m Width and the proposed annexe measures 5.5m Height x 10.6 m Length on the ground floor and 8.1m on the first floor, 4.9m Width on the ground floor and 4m Width on the First floor, and the materials to match existing Lancefield property (pitched slate roof and render to match existing) . The annexe will be larger than the existing garage and will be located closer to the West boundary, however the proposal is located immediately adjacent the existing dwelling within a large residential curtilage. Careful consideration has been given to whether the proposal would impact nearby residential properties, this will be discussed below.

#### **Adjacent Residential Properties:**

Careful consideration has been given to the impact of the proposal upon the amenities of adjacent residential properties. The ground floor will be used as a storeroom, bathroom, bedroom and hallway with the first floor being used as an open plan living / kitchen / dining room. The ground floor openings of the proposal will be screened from neighbouring properties by the screening proposed as part of this application. The first floor includes 2 rooflights on the northeast elevation, a front elevation window, rear elevation window together with a narrow strip/angular window at the east side elevation which is from the main aspect of the property.

To consider the impact on adjacent residential properties the Supplementary Planning Guidance (SPG) on Urban and Rural Environment is used as guidance. As noted, the SPG is guidance not policy but is used to assist with considering the impacts of developments upon adjacent residential properties. Guidance Note 8: Proximity of developments provides indicative minimum distances which has been considered as part of this planning application. It is important to note that due to the annexe being on the first floor an additional 3m should be added on top of the minimum distances described in the SPG.

The two immediate residential neighbouring properties are Endways to the South West and Ty Calan to the North East. Consideration has been given to the residential amenity of both properties as detailed below.

### **Endways:**

As previously stated, the LPA has given careful consideration to whether the annexe would have a negative impact upon the amenities of this residential property. Initial concerns were raised by the LPA on the impact of the first floor on the side window of the rear extension on Endways. After negotiating with the agents, the planning application was amended to reduce the first-floor length. This has ensured that the side window of Endways will not be affected.

The neighbour expressed concern on the proximity of the annexe to their boundary and overlooking concerns towards the side windows of the main property. It is important to note that Endways is located higher than Lancefield and the side windows of Endways currently overlooks Lancefield.

To consider the impact upon the neighbour it is important to note the distances of the annexe in relation to the annexe.

- Side elevation of the annexe to the boundary of Endways is 2.069m:  
*The indicative distances of the SPG states a distance of 2.5m should be achieved from a side elevation to the boundary*
- Side elevation of the annexe towards the side window of the rear extension of Endways is 11.36m:  
*The indicative distances of the SPG states a distance of 12m should be achieved from side – Ground Floor Main*
- Front elevation of the front window to the side windows of Endways is 10.2m:  
*The indicative distances of the SPG of the front window to the side windows of Endways states a distance of 24m should be achieved*

As previously stated, the SPG is used as guidance and is not a policy. Consideration must be given to other material considerations such as positioning of the windows and current overlooking given the existing topography and its setting within a residential area. Lancefield has numerous windows on the ground floor and has had planning permission for dormer windows in the roof which was approved under planning application HHP/2022/186. The properties in this area overlook each other to some degree due to the orientation and built-up form of development.

The first-floor window is located as far as possible on the proposed elevations from Endways property. Consideration has been given to whether the windows would overlook Endways side windows. The first-floor front window of the annexe may not comply with distances of the SPG; however, consideration has been given to the orientation of the windows, and due to the fact that the side windows of Endways is on an angle and not directly in front of the annexe it is not considered that there will be direct overlooking impact to existing side windows of Endways.

Condition (06) ensures that the on the Southwest Elevation (facing Endways) will be obscurely glazed to avoid any overlooking.

### **Ty Calan:**

Careful consideration has been given to the impact of the proposal upon the amenities of Ty Calan.

The LPA initially expressed concerns on overlooking from the first-floor front and side windows towards Ty Calan. The applicant confirmed that a fence would be erected on the East boundary, the fence will be erected away from the boundary and will alleviate overlooking towards Ty Calan. The proposed Streetscape drawing shows that the fence effectively mitigates any overlooking from the windows of the annexe. Consideration has been given to whether the erection of a 2.2m fence in this location would impact Ty Calan. The applicant would be entitled to erect a 2m high fence under permitted development

rights; therefore, as the fence would only be 200mm above the permitted development rights it is not considered that this would have a negative impact on the neighbour.

To consider the impacts on Ty Calan the LPA has considered the distances of the SPG.

- First floor window (front elevation) of annexe towards boundary of Ty Calan – 8.1 m:  
*Indicative distances of SPG from first floor window of annexe to boundary – 13.5 m (Ground Floor Main to Boundary, 10.5, additional 3m included due to first floor main living space))*
- First floor window of side elevation of annexe towards North East boundary – 9m  
*Indicative distances of SPG from first floor window of annexe to North East boundary – 13.5m (Ground Floor Main to Boundary, 10.5, additional 3m included due to first floor main living space))*

As previously stated above, the SPG is used as guidance and is not a policy. Consideration has been given to current overlooking issues from Lancefield towards Ty Calan and the additional mitigation measures such as the fence to ensure no additional overlooking from the annexe.

It is considered that the proposed fence will mitigate overlooking from the proposed annexe windows towards Ty Calan. Lancefield currently overlooks Ty Calan due to the differences in land levels and consideration must be given to this in the determination process. It is not considered that the annexe will overlook Ty Calan any more than the main dwelling, the fence will ensure that the annexe will not cause any more overlooking issues than the existing. Furthermore, the proposed annexe is located to the South West of the existing property whereby Ty Calan is to the North East of the application site. Any direct overlooking is therefore minimal and will be mitigated by the proposed 2.2m fence. A condition (condition (08)) will be placed on the permission to ensure that the fence will be erected prior to the use of the annexe.

### **Highways:**

The Highways department requested additional information as part of this application. A suitably scaled drawing of parking arrangements, arrangements for surface water drainage and a Construction Traffic Management Plan (CTMP) were all requested.

A CTMP was submitted together with an updated Proposed Site Plan, drawing no. D918.06 Rev D, displaying the parking arrangements of the proposal with the existing vehicular access and parking labelled as existing and a new Aco drainage channel and soakaway to be installed at end of driveway, to ensure that surface water does not discharge onto the highway. The plan displays turning space for vehicles and parking for the proposal conforming to the Local Authority's Parking Standards.

Policy TRA 2 stipulates that parking provision for all modes of transport should be in accordance with the Councils' Parking Standards. It is considered the existing hardstanding/driveway at the site will provide adequate additional parking at the site, in line with Policy TRA 2.

The highway Authority had no objections to the proposed development following receipt of the additional information requested.

### **Biodiversity Enhancement / Sustainability:**

In accordance with the requirements of the Environment Wales Act (2016) for developments to show biodiversity enhancement Schwegler Swift Terrace Bird Boxes are to be placed at the site. This promotes the resilience of ecosystems, so far as consistent with the proper exercise of those functions complying with Policy AMG 5: Local Biodiversity Conservation.

Due to the inclusion of new energy efficient systems, construction techniques and insulation materials it is considered the dwelling will be environmentally sustainable. The proposed plans display new solar panels to be placed on the roof of the South West Elevation providing a sustainable energy source for the occupants of the annexe.

## Conclusion

It is considered that the proposal complies with the JLDP policies listed in the main body of the report. There are a variety of different style and scale of dwellings in the immediate area, and it is considered that the proposal is subservient to the main dwelling and will fit in with the general form of development in the immediate area. The proposed annexe will be high quality and will not have a negative impact upon the amenities of adjacent residential properties.

## 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.**

- D918.06 Rev D - Proposed Site Plan
- D918.07 - Proposed Floor Plans, Elevations & Sections
- D918.08 Rev A - Proposed 3D Views
- D918.09 Rev C - Proposed Streetscape Section
- D918.10 – Existing and Proposed East Boundary Elevations
- Construction Traffic Management Plan - Lancefield, Ffordd Cynlas, Benllech, April 2023

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

**(03) Demolition or construction works shall not take place outside the hours of 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and at no time on Sundays or Public Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

**(04) Full details of a lighting scheme which shall include full specifications of all external lights, a plan showing any light spillage on the application site and surrounding land; specifications and heights of any columns, bollards or other such fixtures for the development should be submitted to and approved in writing by the Local Planning Authority before the use hereby approved commences. The Lighting Scheme shall be designed to maximise energy efficiency and to prevent light pollution. The development shall thereafter be carried out in accordance with the Lighting Scheme approved under the provisions of this condition and then operated and maintained in accordance with the approved scheme for the lifetime of the development.**

Reason: To safeguard the amenities of occupants of the surrounding properties

**(05) The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling on land outlined in red on the location plan submitted under planning application reference HHP/2023/51**

Reason: For the avoidance of doubt

**(06) Prior to the occupation of the extensions hereby approved the window on the proposed south west elevation as labelled on the drawing D918.07 – Proposed Floor Plans, Elevations & Section, shall be Non-opening and fitted with obscure glazing (level 5 obscurity level) and thereafter shall be retained as such for the lifetime of the development hereby approved.**

Reason To safeguard the residential amenities of occupants of the adjacent residential property

**(07) 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.

**(08) The fence as shown on the North East boundary as shown on drawing no: D918.10 – Existing & Proposed East Boundary Elevations shall be completed prior to the use of the annexe.**

Reason: To safeguard the residential amenities of occupants of the adjacent residential property

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: **PCYFF 1, PCYFF 2, PCYFF 3, TRA 2, AMG 5**

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.