

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

**Number: 6**

**Application Number: C16/1556/18/LL**

**Date Registered: 12/12/2016**

**Application Type: Full - Planning**

**Community: Llanddeiniolen**

**Ward: Penisarwaun**

**Proposal: Convert existing buildings into three self-serviced holiday units.**

**Location: Tŷ Gwyn, Waun, Penisarwaun, Caernarfon, LL55 3PW**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

## 1. Description:

- 1.1 This is an application for the conversion of three former agricultural buildings, which are now in ancillary use to the residential use of Tŷ Gwyn which is nearby, into three self-serviced holiday units.
- 1.2 The buildings are located in a rural area on the outskirts of a cluster of houses outside the development boundary of the village of Penisarwaun as defined in the Gwynedd Unitary Development Plan. The site lies within the Dinorwig Landscape of Outstanding Historic Interest.
- 1.3 The proposal includes the following elements:-
- Converting a barn into self-contained accommodation in the style of a 'bunkhouse' with an open dormitory for six people on the first floor and facilities such as lounge / kitchen, bathrooms and storage on the ground floor
  - Converting a single-storey building into a one-bedroom, en-suite accommodation with a bed and cooking area
  - Converting a two-storey building into accommodation with a bedroom on the first floor and living facilities on the ground floor. It is intended to install a first-floor balcony at the rear of this building (south-easterly facing).
  - Creating parking spaces for eight cars, with a surface of slate chippings
  - Creating two new bin storage areas
- 1.4 The additional information below was submitted to support the application:
- Structural Survey Report
  - Survey Report on Protected Species
  - Statement regarding Design Considerations
  - Building Specifications
- 1.5 The application is submitted to the Planning Committee following the receipt of more than three items of correspondence that are contrary to the officer's recommendation.

## 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 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, and in making 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. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

### 2.3 Gwynedd Unitary Development Plan 2009:

#### POLICY B12 - PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS

Protect landscapes, parks and gardens of special historic interest in Wales from developments that would cause significant harm to their character, appearance or setting.

#### POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Refuse proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B23 - AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

#### POLICY B32 – INCREASING SURFACE WATER

Refuse proposals that do not include appropriate flood minimisation or mitigation measures that will reduce the volume and rate at which surface water reaches and flows into rivers and other water courses.

#### POLICY C4 – ADAPTING BUILDINGS FOR RE-USE

Proposals to adapt buildings for re-use rather than demolition will be approved provided they can conform to specific criteria relating to the suitability of the building, visual considerations, design and the impact on the vitality of neighbouring towns and villages.

#### POLICY CH33 - SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

#### POLICY D15 – SELF-SERVICED HOLIDAY ACCOMMODATION

Proposals for developing new, permanent self-catering holiday accommodation and adaptation of existing buildings or existing establishments will be approved if the design, setting and appearance of the development is of high standard and if it conforms to criteria relevant to the location and scale of the development, impact on the permanent housing stock and on residential areas and availability of this type of holiday accommodation.

#### SUPPLEMENTARY PLANNING GUIDANCE – HOLIDAY ACCOMMODATION

### 2.4 Gwynedd and Anglesey Joint Local Development Plan. (Composite Version including Matters Arising Changes, January 2017)

#### POLICY PCYFF 1: DEVELOPMENT CRITERIA

#### POLICY PCYFF 2: DESIGN AND PLACE SHAPING

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

STRATEGIC POLICY PS 6: MITIGATE AND ADAPT TO THE IMPACT OF CLIMATE CHANGE

STRATEGIC POLICY PS 11: THE VISITOR ECONOMY

POLICY TWR 2: HOLIDAY ACCOMMODATION

POLICY AT 1: CONSERVATION AREAS, WORLD HERITAGE SITES AND LANDSCAPES, PARKS AND REGISTERED HISTORIC GARDENS

POLICY TRA 2: PARKING STANDARDS

### 2.5 National Policies:

Planning Policy Wales: Edition 9, November 2016

Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)  
 Technical Advice Note 13 – Tourism (1997)

### 3. Relevant Planning History:

C96A/0266/18/CL: Extension - Approved 18/09/96

3/18/505: Two-storey extension - Approved - 07/07/83

### 4. Consultations:

Community/Town Council: No objection  
 Highlight that the road leading to the site is narrow and further traffic could cause problems

Transportation Unit: No objection  
 Confirm that, despite a potential increase in traffic levels, this increase would not be unreasonable or detrimental to the local roads network.  
 Recommend standard conditions

Welsh Water: Comments  
 Request a condition not to let surface water / land drainage water flow to the public sewer  
 Standard advice notes for the applicant  
 Confirmation that there is capacity in the sewage system for three additional residential units

Natural Resources Wales: Comments  
 Request a condition to ensure compliance with the recommendations of the Protected Species Report

Biodiversity Unit: Comments  
 Accept the findings of the Protected Species Report and the proposals for providing a bat roost.  
 Request conditions to protect bats

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Land Drainage Unit: No objection  
It does not appear that the application will have an impact on any watercourse.  
The Council is not aware of any flooding issues in this area.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received objecting to the development for the following valid planning reasons:

- Concerns regarding the safety and inconvenience on the narrow access road
- The parking arrangements are not safe for road users
- The sewer system cannot cope with further input
- That the land drainage is very poor which means that it is regularly wet or saturated
- There is already an over-provision of holiday accommodation in the area
- Concerns regarding the possible effects of noise and disturbance for neighbouring residents

The following observations were also received; these are not material planning matters for this application:

- Concern regarding the consultation process for the application
- That structural harm is caused to a private property due to traffic on the road
- No benefits to the local community will emanate from the development
- That an application for housing in the local area was refused in the past due to the unsuitable local roads network

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 Policy C4 of the UDP supports proposals to adapt and re-use buildings provided they can conform to a series of criteria. It is considered that this proposal meets with those criteria for the following reasons:

- The structural report submitted with the application shows that the buildings are permanent and structurally sound
- The structural report shows that the buildings are suitable for residential use
- The minor alterations to the external appearance would not harm the appearance of the buildings and continuing to use them for a positive economic purpose would be a means to protect traditional rural buildings
- Conditions may be imposed to ensure that there would be no harmful change in the nature of the external activity and
- The development would not lead to a dispersal of activity on such a scale as to prejudice the vitality of towns and villages.

5.2 Policy D15 approves proposals to convert existing buildings into permanent self-serviced holiday accommodation if the design, layout and appearance of the development is of a high quality and if the proposal meets with a series of criteria. It

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

is considered that the design proposed is standard and suitable for the buildings and also that the development meets with the criteria as:

- The scale is appropriate for the site
  - It will not result in a loss of permanent housing stock
  - There will be no harm to the area's residential character
  - It will not lead to an over-concentration of such accommodation
- Supplementary Planning Guidance – Holiday Accommodation sets a threshold that further self-catering holiday accommodation should not be approved where more than 10% of the housing stock is already holiday units; however, there is no evidence that this is true about the community of Llanddeiniolen.

5.3 Therefore, it is considered that the proposal meets with the requirements of Policies C4 and D15 of the UDP and is acceptable in principle under the policies of the current plan.

5.4 It is a requirement that planning applications are determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The current 'Development Plan' is the Gwynedd Unitary Development Plan (2001-2016) and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) will replace the UDP as the 'development plan' once it is adopted. It is hoped that the JLDP will be adopted during July 2017.

5.5 When dealing with any planning application the statutory test should be your first consideration at all times, i.e. it is necessary to determine planning applications in accordance with the development plan, unless other relevant considerations state otherwise. The JLDP is now a material planning consideration for the purposes of development control - see paragraph 3.1.3 Planning Policy Wales that states:  
*"Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies ..."*

5.6 Although many policies have been discussed in detail during the Gwynedd and Anglesey Joint Local Development Plan Hearings, we will not know for certain what the contents of the Plan will be until the Inspector presents his binding report.

5.7 Paragraph 2.14.1 of Planning Policy Wales states:  
*"...thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances."*

5.8 In this case, the JLDP policies as noted in 2.4 above are material and as these policies are consistent with the policies of the Unitary Development Plan, it is considered that the recommendation of this report is consistent with the emerging policy.

### **General and residential amenities**

5.9 It is considered that this plan, despite changing a little of the buildings' external appearance, would help to protect the character of the buildings in the long term and by so doing would protect the area's visual character, which is located within a Landscape of Outstanding Historic Interest.

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

- 5.10 It is inevitable that some noise and disturbance would emanate from the site, but, given that the site is on the outskirts of a cluster of 21 existing houses, it is not considered that the disturbance which would emanate from three holiday units would cause additional significant harm to the amenities of residents. In addition, it is considered that the distance from the holiday units to the nearest dwelling, which is over 30m, means that they are unlikely to have a direct impact on the residents of that property. It is intended to erect a balcony to the rear of the southerly unit, but, due to its distance from the nearest residential property and the orientation of those buildings, it is not considered that the balcony would lead to harmful overlooking.
- 5.11 Some visual impact would emanate from the new parking spaces leading to some increase in the "urban" nature of the location; however, given the nature of the site near a cluster of existing houses, it is not considered that this would be unexpected or harmful to visual amenities.
- 5.12 It is noted that concerns have been raised regarding the possible impact of the development on the quality of lives of local residents but it is not considered that it would be reasonable to consider that using three buildings for (temporary) residential use in itself would be harmful to the amenities of neighbours.
- 5.13 It is not considered that the impact of this development would be harmful to private amenities, the amenities of the neighbourhood or to general visual amenities, including the quality of the Landscape of Outstanding Historic Interest, and, therefore, it is considered that the application meets with the requirements of policies B12 and B23 of the Unitary Development Plan.

#### **Transport and access matters**

- 5.14 Policy CH36 of the Gwynedd Unitary Development Plan involves private car parking facilities. It is intended to create purposeful parking spaces for eight vehicles (an additional five to the existing provision). This provision is acceptable by the Transportation Unit. In addition, the Transportation Unit accepts that, though the development is likely to lead to an addition in traffic levels on the local roads network, this increase would not be an unreasonable increase or harmful to the safety of the roads network. It is therefore considered that the proposal is acceptable under Policies CH33 and CH36 of the UDP.

#### **Flooding and drainage matters**

- 5.15 A considerable number of correspondences was received from an objector showing evidence of historic flooding events in the area including allegations that the local sewage system is not adequate to cope with any increase in use. Welsh Water has confirmed that there is capacity in the public sewer system to take sewage from three additional units provided that no surface water or land drainage water flows to the system. In addition, neither Natural Resources Wales nor the Gwynedd Consultancy Land Drainage Department raised any objections to the development. The buildings will not be extended and the surface of the parking areas will be of slate chippings and, therefore, there will be no increase in the hard surfaces on the ground. Consequently, the development is not likely to exacerbate water drainage problems in any way. Nevertheless, despite the above, as the application form suggested that surface water would be disposed of via a 'soakaway' and in order to ensure that the best solution is implemented in relation to dealing with surface / ground water, it is suggested that it would be appropriate to impose a condition to agree on a surface water and land water drainage scheme before work on the development commences.

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

In so doing, it is believed that the application meets with the requirements of Policy B32 of the UDP.

### **Biodiversity matters**

- 5.16 A bat survey shows that bats use the buildings, including the long-eared bat (*Plecotus auritus*), the pipistrelle bat (*Pipistrellus pipistrellus*), the soprano pipistrelle bat (*Pipistrellus pygmaeus*) and the Natterer's bat (*Myotis nattereri*). In addition, there was evidence that swallows use one of the buildings. The report proposes mitigating measures for protected species and these are acceptable by the Biodiversity Unit and NRW. With appropriate conditions imposed on the permission, it is considered that the proposal, therefore, meets with the requirements of Policy B20 of the UDP.

### **Response to the public consultation**

- 5.17 A number of observations were received regarding this application with the main relevant concerns relating to highways, flooding and possible amenity impacts. It is considered that the above discussion has appropriately addressed these matters.

## **6. Conclusions:**

- 6.1 It is considered that the proposal to convert three buildings into three self-contained holiday units is acceptable in respect of the relevant policies noted above and it is not considered that it would have an adversely harmful impact on the area's residential amenities or on the quality of the designated Landscape of Outstanding Historic Interest. Furthermore, it is considered that the location and form of the development is acceptable and in keeping with the context of its location. Having given full consideration to all the relevant planning matters and all the objections received, the development is considered suitable and acceptable for the site and complies with the local and national policies and guidelines noted.

## **7. Recommendation:**

- 7.1 To approve – conditions
1. Five years
  2. In accordance with the plans
  3. The materials for the balcony to be agreed
  4. Holiday use only/keep a register
  5. Withdrawal of permitted development rights
  6. Biodiversity condition
  7. Need to agree on a surface water and land water drainage plan
  8. Creation of parking spaces prior to the occupancy of the holiday units