

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

Number: 5

Application Number: C16/1524/18/LL

Date Registered: 24/11/2016

Application Type: Full - Planning

Community: Llanddeiniolen

Ward: Bethel

Proposal: Demolition of the existing warehouse and erection of two two-storey houses

Location: Warehouse near - Maes yr Haf, Bethel, Caernarfon, Gwynedd, LL55 1UN

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is a full application to demolish an existing warehouse and erect two semi-detached dwellings in its place. The warehouse dates back to the 1960s and it was originally used as a workshop / showroom for a nearby garage business. After that use ceased, many business uses was made of the warehouse; however, it has stood empty for a number of years and the building is now starting to fall into disrepair.
- 1.2 The proposed semi-detached dwellings would reflect the design and size of the existing warehouse and would use more or less the same footprint for the building. It is proposed to raise the roof level from the current 4.9m to 5.3m and it is intended to use a mono-pitch roof of grey metal sheeting thus reflecting the design of the existing building. It is intended to finish the exterior walls with painted render in white painted render on the ground floor and grey painted render on the first floor. There would be no windows in the rear elevation, except for roof lights in rear single-storey elements but there would be substantial windows in the front elevation. There would be one parking space in front of the house along with a bin storage area and to the rear the houses would have a private yard each measuring approximately 5m x 2m.
- 1.3 The site stands in a residential area of the village of Bethel, within the development boundary as defined by the Proposals Map of the Gwynedd Unitary Development Plan.
- 1.4 A Design Statement was submitted with the application explaining the reasoning behind the development.
- 1.5 This application has been brought before the Committee at the Local Member's request.

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; 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 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:**

Policy B20 – Species and their habitats that are internationally and nationally important - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of such sites.

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Policy B22 – Building Design – Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

Policy B23 – Amenities – Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

Policy B25 – Building Materials – Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

Policy C1 – Locating New Development – Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new development. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

Policy C3 – Re-using previously developed sites - Proposals will be approved that prioritise re-using land and buildings previously developed and located within or around development boundaries, provided that the site or the building and the use are suitable.

Policy CH4 – New Dwellings on Unallocated Sites within the Development Boundaries of Local Centres and Villages – Approve proposals for the construction of new dwellings on unallocated sites within the boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

Policy CH33 – Safety on Roads and Streets – Development proposals will be approved if 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 proximity of the site to a public car park.

Gwynedd Design Guidance

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

STRATEGIC POLICY PS 15: SETTLEMENT STRATEGY

POLICY TAI 16: HOUSING IN SERVICE VILLAGES

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POLICY TAI 9: THRESHOLD OF AFFORDABLE HOUSING AND THEIR DISTRIBUTION

POLICY ISA 1: INFRASTRUCTURE PROVISION

POLICY TRA 2: PARKING STANDARDS

2.5 National Policies:

Planning Policy Wales - (Edition 9, November 2016)

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

3. Relevant Planning History:

No relevant recent history.

4. Consultations:

Community/Town Council: No objection

Transportation Unit: Concern that there is only one parking space for each property.

The proposed parking system is raising concern - there would be a need to construct a bend in the road in order to leave in the direction of the B4366 and this will have a detrimental impact on the safety of the nearby road.

Welsh Water: Comments
Request a condition to ensure that sewerage, surface water and ground water are disposed of appropriately.

Biodiversity Unit: No objection

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and no correspondence was received that made observations on the application.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The proposal involves a residential development on a site within the development boundary of the village of Bethel and residential houses are located on land near the site on either side. The site has not been earmarked for any particular use or as

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protected open land. From the perspective of housing policies, the site falls within the definition of infill land and policies C1 and CH4 are relevant to this application.

- 5.2 Policy C1 'Locating new development' states that land 'within the development boundaries of towns and villages ... will be the main focus for new development'
- 5.3 Policy CH4 is relevant and states that, in principle, proposals for the construction of new dwellings on unallocated sites that are within village development boundaries will be approved provided they conform to all the relevant policies of the Plan and the three criteria which form part of the Policy. Criterion 1 relates to having a proportion of all units on the site as affordable units, unless it would be inappropriate to provide affordable housing on the site. In terms of this policy, it is not considered reasonable to request a proportion of two semi-detached houses to be affordable as this would involve 50% of the total, which is substantially higher than is usually expected in similar circumstances, indeed, considering the size and location of the houses, it is likely that they would be affordable in any case. The second and third criteria involve arrangements for the provision of affordable housing and for reasons already noted it is not considered that these are relevant. Based on the above it is considered that the application is in accordance with the principles of policies C1 and CH4 of the Gwynedd Unitary Development Plan.
- 5.4 Policy C3 encourages re-using previously used sites, giving priority to reusing previously used land located within or surrounding development boundaries. In this case, having demolished the existing warehouse, the site would be brownfield land located within a development boundary; therefore, it satisfies the general principle of this policy. Nevertheless, the policy goes on to highlight that any such site should be suitable for development and that it should be ensured that any development coincides with the county's objectives and development strategy. Those issues are elaborated upon in the discussion below.
- 5.5 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.
- 5.6 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 ..."
- 5.7 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.
- 5.8 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

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policy can also be a material consideration in these circumstances."

- 5.9 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.

Design and visual amenities

- 5.10 Policies B22, B23 and B25 of the GUDP are relevant to this application and involve design, finishes, appearances and visual amenities. Gwynedd Design Guidance also offer guidance on these matters. It is vital to remember, in this case, that it is proposed to demolish the original building and therefore there is no restriction on the design of the final building as would arise should this be an application to convert existing buildings into residential units. The existing building is an unremarkable industrial building that dates back to the 1960s and it does not bear any special architectural features. Demolishing the building would be an opportunity to improve the visual amenities of the area and provide a development of a more appropriate design that would fit-in better with the surrounding dwellings.
- 5.11 It is obvious that the proposal before the committee has been designed to reflect the existing building; however, there is no need to do so from the perspective of planning policy. Indeed, Policy B22 of the UDP states clearly that proposals for new buildings that do not respect the site and its surroundings in relation to aspects such as form, materials, land use density and vacant spaces between buildings, should be refused. Similarly, Gwynedd Design Guidelines emphasises that the shape, size and presence of a building within the street scene should respect the spatial quality of its surroundings. The application site is located in a residential area that is relatively uniform in terms of the nature of the dwellings' design; i.e. that they are mainly single or semi-detached two-storey dwellings (with a few bungalows), in relatively substantial gardens, most of which have slate pitch roofs and a few with flat-roofed extensions.
- 5.12 In comparison with the rest of the area, the proposed houses would be of a completely alien design in the location, with a metal, mono-pitch roof, that would not be in keeping at all with any other houses in the locality. In addition, the development would be out of character with the density of the local development pattern with only one small 10m² parcel of land for resident amenities to the rear and a parking space in the front. Other houses have enclosed gardens with plenty of private amenity space and an off-road parking area.
- 5.13 On the whole it is believed, despite the fact that the principle of a residential development on this site is acceptable, it is not believed that the plan proposed is acceptable in terms of its design, density and materials. It is also believed that the proposed plan is an over-development of the site, with a lack of external amenity space, and it would not be in keeping with the development pattern of the local area.
- 5.14 Given the above, it is believed that the proposal is contrary to policies B22, B23 and B25 and therefore the application should be refused.

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General and residential amenities

- 5.15 Policy B23 requests that consideration is given to the effect of the proposal on nearby residential amenities. On the whole, it is not considered that the proposal would cause unacceptable harm to the amenities of the residents of nearby houses in terms of matters such as shadowing or over-looking and therefore the proposal is acceptable in terms of the aspects of Policy B23 that relate to the protection of private amenities.

Transport and access matters

- 5.16 The parking provision does not satisfy the Wales Parking Standards (2008) as it is usually required for two bedroom houses to have two parking spaces. In addition, it is likely that vehicles would have to make a U-turn in the road when leaving the site, thus creating a hazard on the highway. The Transportation Unit has expressed concern regarding the proposal and it is therefore considered that the proposal does not satisfy policies CH33 and CH36 which request that attention is given to road safety and the parking and turning of vehicles in plans for new developments.

Impact on Biodiversity

- 5.17 The Biodiversity Unit is not of the opinion that the development would be likely to have any impact on protected species; therefore, it is considered that the proposal would be in keeping with policy B20 of the UDP.

6. Conclusions:

- 6.1 It is considered that the proposal to demolish the current building and erect a residential building on the site is acceptable in principle. However, it is not accepted that the plan submitted is acceptable as it does not reflect the local development pattern in terms of its design, materials or land use density. In addition, the parking provision on the site is insufficient for the development proposed and the access arrangements would likely lead to hazards for the users of the nearby highway. Having given full consideration to all the relevant planning matters it is not believed that the development proposal submitted is suitable for the site and that it does not comply with the local and national policies and guidance noted.

7. Recommendation:

- 7.1 To refuse

Reasons

1. The development, due to its design, materials and density would not be in keeping with its urban context and would be harmful to the visual amenities of the residential area. The application is therefore contrary to policies B22, B23 and B25 of the Gwynedd Unitary Development Plan along with the advice included in the Gwynedd Design Guidance which state that every development should respect the spatial quality of its surroundings.
2. The parking provision proposed does not satisfy the Wales Parking Standards 2008 and the arrangement as shown would create a hazard for the users of the nearby highway. The application is therefore contrary to Policies CH33 and CH36 of the Gwynedd Unitary Development Plan.