

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

**Number: 2**

**Application Number: C17/0059/03/LL**

**Date Registered: 07/05/2017**

**Application Type: Full - Planning**

**Community: Ffestiniog**

**Ward: Diffwys and Maenofferen**

**Proposal: Application to demolish the existing shed and construct an extension in its place.**

**Location: Pencae Fucheswen, Blaenau Ffestiniog, Gwynedd, LL41 3DJ**

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

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

## 1. Description:

- 1.1 Application to demolish the existing shed which is adjoined to the property and construct a single-storey extension with a pitch roof in its place.
- 1.2 The application site is located at the end of a semi-detached terrace within the area of Fucheswen, Blaenau Ffestiniog. The site is not located within the village development boundary. The property, and a number of other houses, are located down a narrow, unclassified road, which leads to this site. A public footpath also runs past the front of the site.
- 1.3 The site that is the subject of the application is a residential dwelling. The proposal involves demolishing the existing shed which is adjoined to the property, and construct an extension in its place measuring 4.5m by 5.4m, and 4.3m to the ridge. The extension provides an additional bedroom along with an en-suite bathroom and a utility room.
- 1.4 The walls are intended to be finished with a natural stone and a slate roof.
- 1.5 A bat survey was received on 07.05.2017 along with an amended location plan which confirms that the applicant owns an additional plot of land at the front of the property.

## 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 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. 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 reaching the recommendation set out below, 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.

### 2.3 Gwynedd Unitary Development Plan 2009:

#### 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.

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

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 safeguarding 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 B24 - ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE

Ensure that proposals for alterations or extensions to buildings conform to a series of criteria aimed at protecting the character and amenity value of the local area.

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

POLICY PCYFF1: Development criteria  
POLICY PCYFF 2: Design and place shaping  
POLICY PCYFF 3: Design and landscaping  
TRA 2: Parking standards  
TRA 4: Managing transport impacts

2.5 **National Policies:**

Planning Policy Wales Edition 9 2016  
TAN 12: Design

3. **Relevant Planning History:**

C10M/0082/03/LL - CONSTRUCT A SINGLE STOREY EXTENSION TO THE SIDE OF THE DWELLING – APPROVE- 06-September-2010

4. **Consultations:**

Community/Town Council: Not received

Footpaths Unit: I refer to the above application. Following an inspection of the Official Map, I confirm that the development abuts public footpath No. 59, Ffestiniog Town Council. Therefore, the path must be safeguarded and it must be ensured that access is protected during and after the development.

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

- Welsh Water: No observations to offer
- Biodiversity Unit: Thank you for consulting with the Biodiversity Unit regarding the above application. Chris Hall's bat survey showed that bats were not using the building. I have no further concerns and no observations to make.
- Natural Resources Wales: No objection.
- Public Consultation: A notice was posted on site and nearby residents were informed. The advertisement period has expired and correspondence was received objecting on the following grounds:
- Safeguarding access to the public footpath.
  - Current lack of parking / no vehicular access to the existing property.
  - Lack of space for lorries/vehicles delivering building materials

5. **Assessment of the material planning considerations:**

**The principle of the development**

- 5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless material 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 Unitary Plan as the 'development plan' once it is formally adopted. It is likely that the JLDP will be adopted during July 2017.
- 5.2 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. Paragraph 3.1.3 of Planning Policy Wales 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 ..."*
- 5.3 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 submits his binding report.
- 5.4 Paragraph 2.14.1 of Planning Policy Wales states:

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

*"...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."*

5.5 In this case, the Joint LDP policies as noted in 2.4 above, are material and as these policies are consistent with the policies of the Unitary Development Plan and the relevant National Advice included in PPW, it is considered that the above assessment and the recommendation of this report are consistent with the emerging policy.

5.6 General planning policies within the Gwynedd Unitary Development Plan support applications for the erection of extensions on residential houses provided that they are appropriately assessed.

#### **Visual, general and residential amenities**

5.7 Policies B22, B23, B24 and B25 of the Gwynedd Unitary Development Plan relate to assessing the design of the proposal, amenities and external materials.

5.8 The proposal proposes to demolish an existing stone building and construct a single-storey extension with a pitch roof in its place. The proposed extension complements the main property in terms of size and design and the proposed windows overlook land in the applicant's ownership. A public footpath runs past the front of the site. It was not considered that the proposal was likely to have a detrimental impact on the amenities of neighbouring residents in terms of privacy or overlooking. The intention is to finish the extension with a natural stone, and a slate roof is acceptable.

5.9 It is therefore considered that the proposal complies with the requirements of policies B22, B23, B24 and B25 above.

#### **Biodiversity Matters**

5.10 A bat survey was received on 07.05.2017, and the Biodiversity Unit and Natural Resources Wales are satisfied with the survey's results, which notes that there are no bats using the shed that is to be demolished. It is therefore considered that the proposal complies with the requirements of policy B20 of the Unitary Development Plan.

#### **Parking and public access issues**

5.11 The proposed development is located on the outskirts of Blaenau Ffestinoig and down a narrow unclassified road which leads to a number residential properties. The unclassified road which runs past these houses is also a public footpath. There is no convenient parking available to the majority of these houses (one or two have off-road parking spaces) and some have no space to park at all. The objections also note that many of the houses are holiday

PLANNING COMMITTEE	DATE: 03/07/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

homes, although this is not a material planning consideration. The objections also refer to significant parking problems during periods when these houses are in use. Although the property which is the subject of this application has land around the property within its ownership, it is not sufficient for parking or turning, or it is on a steep slope.

This is the current situation with this site, and all the local residents (including the applicant) are aware of this.

5.12 The proposal entails providing an additional bedroom. The applicant could have provided an additional bedroom without planning permission by either converting the current outbuilding which is to be demolished; or by constructing a smaller extension than is proposed (width of 3.8m instead of 4.5m, and height of 4m instead of 4.3m). It is not considered that this proposal changes the current situation regarding parking.

5.13 With regards to the the public footpath; the Footpaths Unit has confirmed that the path should be kept clear at all times. Objections have been received which refer to the obstruction to and restricted access to the public footpath; and it appears that restricting access to a public footpath is illegal. Obstructing the access to a public footpath can cause problems, but as long as there is passing room (exact size depends on the status of the footpath) it does not completely obstruct the footpath. The Footpaths Unit deals with these matters directly.

5.14 The application's agent has confirmed that it would be possible to store building materials on land owned by the applicant. The Local Planning Authority recognises that the road is narrow; but it is not essential to deliver building materials on a large lorry, and it would be the developer's responsibility to ensure a safe mode of delivery.

5.15 It is considered that the above addresses the issues raised from the objections received.

6. Conclusion:

6.1 It is not considered that the proposal is contrary to any relevant policy. The proposal is unlikely to have a detrimental impact on the amenities of the local area or any nearby properties.

**7. Recommendation:**

7.1 To approve – conditions

1. Time
2. Compliance with plans
3. Agree on finishes
4. Slate
5. Protect the footpath