

PLANNING COMMITTEE	DATE: 06/11/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 7

Application Number: C17/0807/15/LL

Date Registered: 15/08/2017

Application Type: Full - Planning

Community: Llanberis

Ward: Llanberis

Proposal: Amend condition 1 of planning permission C14/0240/15/MG to approve an alternative design for the approved housing

Location: Land near Tŷ Du Road, Llanberis, Caernarfon, Gwynedd, LL554HD

Summary of the Recommendation: APPROVE

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1. Description:

- 1.1 This is an application to amend condition 1 of planning permission C14/0240/15/MG in order to approve an alternative design for a plan for 11 houses which originally received an outline planning permission in 2012 (C11/1103/15/AM). It is vital to remember when considering this application that the development has already commenced and that planning permission for 11 houses has been secured forever and it is only amendments to the plan's details that are under consideration as part of this application.
- 1.2 The new proposal is to erect six different types of housing, all of similar designs and materials but adapted for individual sites. It is intended to keep the housing within the same previously agreed plots with all houses being two-storeys, and a split two-level roof of natural slate. It is intended to have carports for vehicles rather than full-sized garages, with the intention of 'lightening' the appearance. The new houses would have significant elements of glass to the front and rear elevations with the use of stone, render and timber cladding on the external walls.
- 1.3 The developer's intention is to ensure a design which better suits the location and responds better to the site's steep nature.
- 1.4 In addition to the above, some minor amendments are suggested to the site's internal formation in order to avoid features that were not apparent at the time of the previous application, e.g. tree roots. The only changes that would impact the outside of the site would be the minor amendments to the access arrangement from Fron Goch: there would no longer be access from that road to plot 7 (access to this plot would now come from the new estate road) and it is intended to move the vehicular access to plot 8 approximately 10m to the north east.
- 1.5 This application is submitted to Committee as three or more observations contrary to the officer's recommendation were received.

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 Local 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.

2.4 Gwynedd and Anglesey Joint Local Development Plan (July 2017)

PCYFF 2: DEVELOPMENT CRITERIA

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PCYFF 3: DESIGN AND PLACE SHAPING

TRA 4: MANAGING TRANSPORT IMPACTS

2.5 **National Policies:**

Planning Policy Wales, Edition 9, 2016.

Technical Advice Note 12: Design

The Welsh Government Circular 016/2014: Use of Planning Conditions to Manage Developments

3. **Relevant Planning History:**

C14/0240/15/MG - Reserved matters application for erecting 11 residential dwellings as approved under reference C11/1103/15/AM - Approved 18/06/15

C11/1103/15/AM – an outline application to erect 11 dwellings, clear the site and create an entrance and estate road (an amended application to a previous application that was refused for 16 dwellings) – Approved 19/04/12

C10A/0506/15/AM - an outline application to erect 16 dwellings along with the creation of a new access and new estate road - Refused 09/11/11: An appeal against the decision was later submitted and the appeal was refused because it would be an over-development of the site.

4. **Consultations:**

Community/Town Council: Not received

Transportation Unit: No objection - it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Welsh Water Not received

Public Consultation: A notice was posted on the site and nearby residents were notified. The observations below were received in response to the consultation relating to material planning considerations:

- Concern regarding the impact of vehicular access to plot 8 on the safety of the Fron Goch road.
- Concern regarding the impact of the house on plot 11 on the amenities of number 16 Fron Goch.
- The new design is not in keeping with the character of the existing housing in Llanberis, especially those in the vicinity of the Bryn Du and Fron Goch site.
- Concern regarding the impact on amenities of moving the house on plot 1 closer to the Bryn Du property.

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- Concern regarding the impact of the changes to the plan on surface water.

The observations below were also received; these are not material planning considerations:

- Concern that parking spaces on private land that are currently used by Fron Goch residents would be lost as part of the development.
- Allegation that the purpose of the application is to cut costs.
- Concern that there would be other changes to the plan that are not part of this application

5. Assessment of the material planning considerations:

General

- 5.1 It is mandatory for planning applications to be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Gwynedd and Anglesey Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. This site is located within the development boundary of the Local Service Village of Llanberis as defined by the LDP, and it has been earmarked within the plan for 11 houses (denotation T43).
- 5.2 It is important to remember that this application is not involved in the principle of the development and, indeed, as the development has already commenced, in terms of planning, there is nothing that can be done to prevent the development that received approval in 2015 under reference number C14/0240/15/MG from progressing. There is no intention of changing the site's boundary as part of this application.

Design and Materials

- 5.3 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan approve proposals for new developments as long as they do not have a detrimental impact on health, safety or the amenities of the residents of local properties or on the area in general. In addition, developments are required to:
- Contribute to, and improve, the character and appearance of the site
 - Respect the site and surroundings in terms of their location in the local landscape.
 - Use appropriate materials
- 5.4 Due to its location on a site that has already received planning permission for a housing development, it is not considered that the changes to the design of the housing would cause a detrimental impact to the site's general appearance or impact the area's visual amenities compared to what has already been approved. It is believed that the new proposed designs are more modern and more distinctive than what has already been approved, which was quite "generic" in its feel. Having carports for vehicles rather than garages would help to reduce the bulk of the buildings; and the materials, such as slates, stones, timber and render, would appropriately suit the site and the surrounding area.

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- 5.5 Generally, it is considered that the design of the proposed development will be in keeping with the location in an acceptable manner. It is not considered that the suggested changes cause significant harm to the built quality of the site or the local neighbourhood compared to what has already received approval and, consequently, it is considered that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

General and residential amenities

- 5.6 There would be minor amendments to the location of some houses as well as changes to the location of windows. Having said that, it is not believed that there would be any additional detrimental impact deriving from the proposed changes. From looking at the changes to the houses near the two closest properties to the new houses, such as 16 Fron Goch and Bryn Du, it is not believed that the proposed changes from this application would have an additional detrimental impact on these properties in terms of privacy or shadowing impact. In considering issues such as housing angles, location, and the nature of the windows, natural screening and the distance between this property and the new housing, it is believed that the proposed change would not be significant from the viewpoint of its impact on this property. In considering the above, it is believed that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as far as they involve amenities.

Highways matters

- 5.7 The majority of the observations received from the public relate to a concern regarding loss of parking which has traditionally been on private land adjacent to the Fron Goch housing. However, this is an issue involving rights on private land and it is not a planning consideration. Indeed, the situation is no different to what would have happened under the existing permission, apart from the fact that there would be one less new house using Fron Goch for vehicular access and one other vehicular access would be moved a few metres. In recognising the possibility that there would be some inconvenience to those who use the land near this proposed access for parking, the Transportation Unit did not anticipate that the proposed development would have a detrimental impact on any road and therefore it is considered that this proposal meets with the requirements of policy TRA 4 of the LDP.

6. Conclusions:

- 6.1 Based on the above assessment, and having considered the relevant matters, it is believed that the amendments suggested as part of this application are acceptable and, by approving the amended plans, the development would continue to be acceptable under the policies noted above. All material considerations were addressed when determining this application; including all matters raised by objectors, but it has not changed the recommendation.

7. Recommendation:

- 7.1 Approve changing condition 1 of planning permission C14/0240/15/MG to refer to the amended plans.

Note: That all other conditions on planning permissions C14/0240/15/MG and C11/1103/15/AM continue to be relevant.