

PLANNING COMMITTEE	DATE: 26/02/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	DOLGELLAU

Number: 7

Application Number: C17/0930/08/LL

Date Registered: 05/01/2018

Application Type: Full - Planning

Community: Penrhyndeudraeth

Ward: Penrhyndeudraeth

Proposal: Full application to demolish an existing garage and erect a new two-storey residential house, with a new vehicular access.

Location: The Old Bakery, Penrhyndeudraeth, Gwynedd, LL48 6RA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS.

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1. Description:

- 1.1 A full application to demolish an existing garage and erect a new two-storey residential house along with associated work including the creation of a new vehicular access. It can be seen that the design shows a standard two-storey house with a natural slate roof, front walls with a veneer of local stone and rendered rear walls, including the following inside:
- Ground floor - open living room, dining room and kitchen, toilet
 - First floor - two bedrooms and a bathroom
- 1.2 A new vehicular access is provided with parking and turning spaces within the site, and a garden surrounding the proposed property. It can be seen from the plans that the proposed house would measure 6.3m to its ridge, 10.3m in width, and 6.2m in depth (with a small 1.3m lean-to to the rear).
- 1.3 The site is located in a mixed and dispersed residential area and within the development boundary of Penrhyndeudraeth. The boundary of the curtilage to the front of the property abuts an adjacent unclassified road, and it can be seen that an existing footpath (which has not been identified as a public footpath) runs past the site boundary. A one-storey stone structure which is used as the current garage is sited on a part of the site, and the rest of the site is overgrown land with thorns and brambles and sparse growth of trees on the land. The ground rises relatively steeply in front of the site and parallel to the road towards the rear where it abuts the Ffestiniog Railway line.
- 1.4 An application for pre-application advice was submitted for this site, and it was recommended at that time, due to the size and design of the proposed building, the application would not be supported. However, it can be seen that the proposal has been amended by considerably reducing the size of the building, and has consequently increased the size of the surrounding site including the parking and turning space. The application is submitted to the Committee on the grounds of the objections 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 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 seven 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, 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 and Anglesey Joint Local Development Plan 2011-26 adopted 31 July 2017**

TRA 2 - Parking Standards
 TRA 4 - Managing Transport Impacts
 PCYFF 1: Development boundaries
 PCYFF 2: Criteria

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PCYFF 3: Design and place shaping
PCYFF 4: Design and landscaping
PS 5: Sustainable Development
PS 17: Settlement strategy
TAI 2: Housing in Local Service Centres
TAI 15: Threshold of Affordable Housing and their Distribution
PS 19: Conserving and enhancing the natural environment
AMG 5: Local Biodiversity Conservation

2.4 National Policies:

Planning Policy Wales (Edition 9 2016)
Technical Advice Note (TAN) 12: Design
Technical Advice Note (TAN) 18: Transportation

3. Hanes Cynllunio Perthnasol:

3.1 It appears that no relevant planning history relates to this specific site.

4. Consultations:

Community/Town Council:	No objection
Transportation Unit:	No objection, need to include standard conditions
Ffestiniog Railway Company:	It would be close to the railway line, and the building work could have an impact on the movement and stability of the line, which could impact line maintenance work by disrupting access, impacting safe movement past the nearby crossing, insufficient parking, there is a need to ensure that light from the site would not blind the train drivers, the noise of railway activities would impact the proposed development.
Welsh Water:	Standard observations and conditions regarding drainage matters
Biodiversity Unit:	Initial observations were received from the Unit referring to the need to undertake a trees and ecological survey on the site due to the presence of mature trees nearby and the possibility that the land is used by protected species. The surveys were received in due course and as a result it is accepted that it would be possible to protect and mitigate in accordance with the recommendations of the surveys.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and letters / correspondence was received objecting on the following grounds:

- Lack of information in relation to the measurements of the proposed building
- Drainage matters
- A harmful impact on the character of the area.
- Detrimental impact on the movements on the roads especially during the construction period.

As well as the above objections, objections were received that were not material planning objections and these included:

- Loss of view
- Land ownership issues / rights of way

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The proposal involves constructing a new house on land that is within the existing development boundary and within the residential area of the village of Penrhyndeudraeth. Local and national policies, in principle support the construction of new housing within development boundaries, rather than using lands outside the boundaries. From this viewpoint, it is considered that the proposal would comply with relevant requirements of Policy PS 5 and PCYFF 1.
- 5.2 Policy TAI 2 specifically relates to constructing new houses within the boundaries of Local Service Centers, as can be seen here. The policy supports constructing a house if the proposal complies with the relevant requirements of the policy.
- 5.3 This policy states that "housing to meet the Plan's strategy will be secured through housing designations noted along with suitable windfall sites within the development boundary".
- 5.4 The explanation of this policy also notes that "developments will be achieved by completing construction work, commitments, windfall sites and, where appropriate, new allocations".
- 5.5 It is considered that the proposal complies with the requirements of policies TAI 2 and PS17 which are relevant to the proposal.

Visual amenities

- 5.6 The proposal involves constructing a new two-storey house. The design of the proposed house includes common features seen within the nearby area in terms of design, appearance and finish. It is intended to cover the front external walls with a natural stone finish and the rear walls with a smooth render finish and a natural slate roof. Generally, the site is located among traditional houses with pitched roofs and

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finishes such as stone walls and render. Policy PCYFF 3 of the LDP states that all proposals should exhibit a design of high quality that gives full consideration to the context of the natural, historic and built environment. This is supported by Technical Advice Note 12: Design that states that the setting of houses and the built form should reflect the local context. Therefore, it is not considered that the proposal as shown is contrary to the relevant requirements of policy PCYFF 3 of the LDP.

- 5.7 It is recognised that the existing trees on the site which will need to be felled in order to carry out the development. From doing so, clearly the visual amenities of the site would be affected. Nevertheless, the trees here are self seeded and of a comparably low value, and as usual, it is suggested that a standard condition be imposed to agree on appropriate landscaping measures to somewhat mitigate the impact. It is believed by doing so that the relevant requirements of policy PCYFF 4 will be satisfied.

General and residential amenities

- 5.8 The proposed house would be located on the site which is parallel to the public road and is relatively close to existing housing. It is recognised that constructing a two-storey house on this site, compared with what currently exists on the site, namely an insignificant one-storey building, would have an impact of the general amenities of the area. It was felt that the impact of overlooking on nearby houses would not be substantial or cause disruption to an unacceptable degree. In terms of traffic and noise generated by associated traffic, it is not considered that the proposed house would significantly add to the current situation or cause long-term harm to the local neighbourhood. Therefore, in light of the above and after giving full consideration to all relevant matters, including comments received by neighbours, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and it is considered that it is acceptable in relation to Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.9 The original observations of the Transportation Unit were received noting no concern regarding the new entrance and parking and turning arrangements within the curtilage. It is realised that an objection has been raised in terms of road safety and the impact on existing parking arrangements and that the existing road is narrow. However, the Transportation Unit does not object to the proposal, and therefore it is not considered that the amended proposal is contrary to policy TRA 2 and TRA 4.

Biodiversity matters

- 5.10 Observations were received from the Biodiversity Unit referring to the need to carry out surveys on the site in terms of the development's impact on local trees and ecology. Following receipt of these surveys, there is no objection to the proposal by the Biodiversity Unit in terms of these matters and therefore it is not believed that the proposal would cause harm in terms of this element and the proposal is therefore acceptable in respect of the requirements of policies AMG 5 and PS 19.

Community benefit / 106 agreement issues

- 5.11 Policy TAI 15 notes the thresholds for ensuring the provision of affordable housing as part of any development. In Local Service Centres such as Penrhyndeudraeth, the threshold is two or more housing units and therefore it is not considered justifiable to limit this single unit to be an affordable unit.

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Response to the public consultation

- 5.12 As seen above, a number of observations were received objecting to this proposal for various reasons. Mainly, it seems that concern about the impact of erecting a house on this site on the area's general amenities. In addition, concerns about drainage matters have been highlighted, but it can be seen that Welsh Water had no objection and they are responsible for drainage matters, it is believed that the local interests would be protected in terms of this aspect. There is an existing footpath adjacent to the site, it has not been recorded as a public footpath according to Council records. An observation was received by a neighbour referring to this path as his only link to a nearby property. The path is shown to be outside the application boundary on the location plan, and therefore it is not a material consideration in this case as the planning application would not change the situation. Full consideration was given to all the material planning matters that were highlighted in the observations received as part of the consideration into the application, and having considered all the matters, including the Local Planning Authority's adopted policies, the proposal was considered to be acceptable.
- 5.13 It is acknowledged that there will be some impact on the neighbourhood during the construction period and, therefore, as per usual, in order to attempt to manage the development, it is suggested that a standard condition be included in order to agree on a Building Management Plan that would contain details such as working hours, movements, etc. during the construction period.
- 5.14 Observations were received from the Ffestiniog Railway company as the railway line runs parallel to the rear of the proposed development site. It is reasonable for them to be concerned that the work on the site would impact their activities. As noted above, in order to attempt to manage the development and reduce its impact to the general area, including existing residents, the Building Management Plan (during the construction period only) would manage the impact of any work on the area in general. In addition, a condition would be imposed in order to agree on the site boundary arrangement, this would mean that a suitable boundary arrangement for the whole site would need to be agreed. From the plans submitted, it appears that some excavation work would be carried out on the site where there is a need to construct a retaining wall to subsequently safeguard the land. This is done entirely within the application land and not directly on the boundary with the railway. It can be seen from the plans submitted that there would be approximately 3.5m between the proposed building's read wall and the existing boundary with the railway, and approximately 3m between the new retaining wall and the boundary with the railway. The land between the retaining wall and the boundary is on a slope, and this would not be changed for the 3m between the railway and the proposed retaining wall. The retaining wall would be approximately 1.5m high. It is considered that a suitable finish for the retaining wall could be agreed upon through an appropriate condition. The structural details of the retaining wall are not a matter to be considered under the planning procedure; rather it is a matter that would be addressed under the Building Control procedure.

6. Conclusions:

- 6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that the proposal is acceptable to be approved subject to relevant conditions.

7. Recommendation:

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7.1 To approve – conditions

1. Commence the work within five years.
2. In accordance with plans.
3. Slates and external materials
4. Agree on a Building Management Plan / working times
5. Highways
6. Landscaping/protecting trees/biodiversity
7. Welsh Water conditions.
8. Boundary treatments to be submitted and agreed
9. Withdrawal of PD
10. Party Wall Act Note