

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 6

Application Number: C18/0871/35/LL

Date Registered: 15/10/2018

Application Type: Full - Planning

Community: Cricieth

Ward: Cricieth

Proposal: Change of use of annexe to holiday accommodation

Location: Eirianedd, Rhos Bach, Criccieth, LL520EP

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is an application to convert an existing curtilage building to a two-bedroomed holiday unit.
- 1.2 The site is located within a residential housing estate known as Rhos Bach, Cricieth. The site consists of a two-storey residential property with an external single-storey pitch-roofed building within the curtilage that is used as a games room/annexe. The building does not currently appear to have self-contained facilities.
- 1.3 It is proposed to convert the existing building, which would involve making exterior modifications, including closing off the existing doorway and opening new windows and doors on the four elevations; also, providing an open plan kitchen and living/dining room, a bathroom, and two bedrooms within the building. The proposal would involve dividing a garden and providing separate parking spaces for the holiday accommodation; the external finish of the building would remain as it currently is (render on the walls and slate on the roof).
- 1.4 The following documents have been submitted as part of the application:
 - Design and Access Statement
- 1.5 The applicant has received pre-application advice for the proposal.

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 **Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026, July 2017**
 - PCYFF 1: Development Boundaries
 - PCYFF 2: Development criteria
 - PCYFF 3: Design and place shaping
 - PCYFF 4: Design and landscaping
 - TRA 2: Parking Standards
 - TRA4: Managing transport impacts
 - TWR 2: Holiday Accommodation
 - Canllaw Cynllunio Atodol: Holiday Accommodation

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2.4 National Policies:

TAN 12 Design
Planning Policy Wales (Edition 9) 2017

3. Relevant Planning History:

3.1 C11/0385/35/LL - First floor extension above an existing flat roof to the rear of the building - APPROVED 20.06.2011

3.2 Pre-application advice was provided under reference Y18/001238. In the response provided it was highlighted that the proposal was contrary to policies TWR 2 and PCYFF 2 since the proposed unit was located within a mainly residential area, and it is considered that the proposal would have an unacceptable impact on the amenities of nearby residents. Parking problems on the estate have been highlighted, likewise the requirement to provide off-street parking.

4. Consultations:

Community/Town Council: No objection

Transportation Unit: No objection to the proposal to convert an annexe to a holiday unit on condition that three parking spaces are retained for the main house.

I also note that the applicant has already created a parking space for the annexe but has not yet modified the adjacent footpath to create a new vehicular access.

I, therefore, recommend that a condition be imposed on any permission to create an entrance before the building is used as a holiday unit.

Welsh Water: Observations about a pipeline

Natural Resources Wales: No observations to offer

CADW: The site is located within the buffer zone of the Cricieth Castle ancient monuments and the outer rampart.

Changes to the exterior of the building have been restricted to new openings. The site is located approximately 350m east of the ancient monuments. The proposal is unlikely to be visible concurrently with any of the ancient monuments since other buildings stand between them. No observations to offer therefore.

Public Consultation: A notice was posted on site and nearby residents were notified. The notification period ended on 19.11.2018 and no correspondence had been received.

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5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located within the curtilage of a property within an existing housing estate within the development boundary of Cricieth. The proposal has been submitted as an application to convert an existing building into holiday accommodation. It is not clear what the building's current use is, since the application form states that it is an annexe. However, the existing floor plans and the design and access statement suggest that it is a games room.
- 5.2 Policy TWR2 supports the conversion of outbuildings to holiday accommodation if the development is of a high quality in terms of design, setting and appearance, and if the following criteria can all be met: (the first criterion is irrelevant, as the proposal does not involve erecting a new building)
- ii. The scale of the proposed development is appropriate considering the site, location and/or dwelling in question.
 - iii. That the proposal does not lead to a loss in the permanent housing stock;
 - iv. That the development is not located in a mainly residential area, and does not cause significant harm to the residential character of the area;
 - v. That the development does not lead to an excess of such accommodation in the residential area.
- 5.3 Since the site is located within the curtilage of an existing residential dwelling within a housing estate and within the boundaries of the village of Cricieth and its development boundary, it is considered that the proposal does not comply with point iv of Policy TWR2 as noted above. Consequently, and due to its proximity to the residential dwelling on the site, the proposal cannot be considered to be of high quality in terms of its location. It is also considered that using this building within the curtilage as a separate unit would mean that the scale of the development is unacceptable and that each property would detrimentally affect the other. The proposal is, therefore, considered to be contrary to the requirement of policy TWR 2, and specifically criteria ii and iv.
- 5.4 Paragraph 6.3.67 of the LDP confirms that there are concerns about over-provision of self-serviced accommodation in parts of the Plan area, and this may mean that providers and operators may not receive the income anticipated from what could be presumed to be a significant investment. Clearly, neither National Guidance nor the Councils intend for this policy to lead to an excessive concentration of this type of holiday accommodation in a specific location, which could result in businesses failing.
- 5.5 To this end, paragraph 6.3.67 confirms that applicants will need to submit a detailed business case to show the robustness of the proposed plan, and this would be a means for the Council to assess whether the proposal had a realistic hope of being viable, that the proposal was not speculative.
- 5.6 Should the proposal be approved and were it to lead to a surplus of accommodation in the area, the applicants would risk investing in the building and a business that is inviable. This could have an increasingly negative effect on the area if the unit were unsuitable for permanent residential use, and that the building were to remain unoccupied.
- 5.7 It is noted that the LPA has encouraged the applicant to provide a business plan to support the proposal, and has provided the applicant with a business plan template. A

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Business Plan has not been submitted as part of the application, therefore it has not been possible to assess the impact of this proposal on an excess of such accommodation in the area.

Visual, general and residential amenities

- 5.8 Policies PCYFF 2, 3, and 4 of the Joint Local Development Plan relate to assessing the design of the proposal, amenities and external materials.
- 5.9 The proposal is for the provision of a self-service holiday accommodation unit. As noted above, the proposal involves changes to the building's openings in order to accommodate doors and windows. The proposal would involve dividing the front curtilage of the property in two with the provision of three separate parking spaces for the existing house and one separate space for the proposed holiday accommodation.
- 5.10 The site of the application is substantial, but it currently forms part of the residential curtilage of the existing house. The holiday accommodation unit backs onto the curtilage of the existing property and a bedroom window overlooks this part of the property's curtilage. Likewise, it is possible to look into this bedroom from the curtilage of the existing property. Although the entire site is under one ownership at present, since this application creates a brand new planning unit with definite boundaries between both units, it would be possible to sell both units separately. This would create a disturbance for the residents of both units since the windows would face the curtilage of the residential property.
- 5.11 Holiday units by their nature involve movements that differ from usual residential units, and these differences could cause a disturbance due to the nature of the holiday use, time of movements and noise, etc. It is noted that residential houses are located around the site in all directions and the applicant has stated that the residential property directly to the rear of the property is rented out as a holiday unit. It must be noted that it is not possible to control this through planning procedure and that this in itself does not justify supporting a new holiday unit on a nearby site.
- 5.12 To this end, it is considered that the proposal is contrary to the requirements of policy PCYFF 2 in terms of securing the amenities of current and future occupiers in relation to overlooking and privacy, and safeguarding the amenities of local property owners from activities that could cause disturbance from noise and movements.
- 5.13 The proposal keeps the finishes as they are, which complements the existing residential property. This is considered to be acceptable if the principle of the development was otherwise acceptable.

Transportation Matters

- 5.14 The proposal involves dividing the front curtilage of the property in two and providing three parking spaces for the main house and one parking space for the holiday unit. The Transportation Unit is satisfied with this as long as the footpath, where the entrance has already been created for the external building, is modified in an acceptable way in accordance with the requirements of the Street Works Manager. Based on this, therefore, the proposal complies with the requirements of Policy TRA 4 of the LDP.

6. Conclusions:

- 6.1 Based on the above assessment, the proposal is considered to be unacceptable as the site is within a residential housing estate (and within the curtilage of an existing house),

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which is contrary to criterion iv of policy TWR 2. Consequently, and due to its proximity to the residential dwelling on the site, the proposal cannot be considered to be of high quality in terms of its location. It is also considered that using this building within the curtilage as a separate unit would mean that the scale of the development is unacceptable and that each property would detrimentally affect the amenities of the other, which is contrary to criterion ii of policy TWR 2. It is also considered that the proposal is contrary to the requirements of policy PCYFF 2 in terms of securing the amenities of current and future occupiers in relation to overlooking and privacy, and safeguarding the amenities of local property owners from activities that could cause disturbance from noise and movements.

7. Recommendation:

7.1 To refuse – reasons

- 1 The proposal to convert the existing building within the curtilage into a self-contained holiday accommodation is unacceptable because of the site's location within a residential housing estate, which is contrary to criterion iv of policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2016. Because of the building's location and its proximity to the existing residential dwelling on the site, the proposal cannot be considered to be of high quality in terms of its location. It is also considered that using this building within the curtilage as a separate unit would mean that the scale of the development is unacceptable and that both properties would detrimentally affect the amenities of the other, which is contrary to criterion ii of policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2026.
- 2 The proposal is contrary to the requirements of policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2026 in terms of securing the amenities of current and future occupiers in relation to overlooking and privacy, and safeguarding the amenities of local property owners from activities that could cause disturbance from noise and movements.