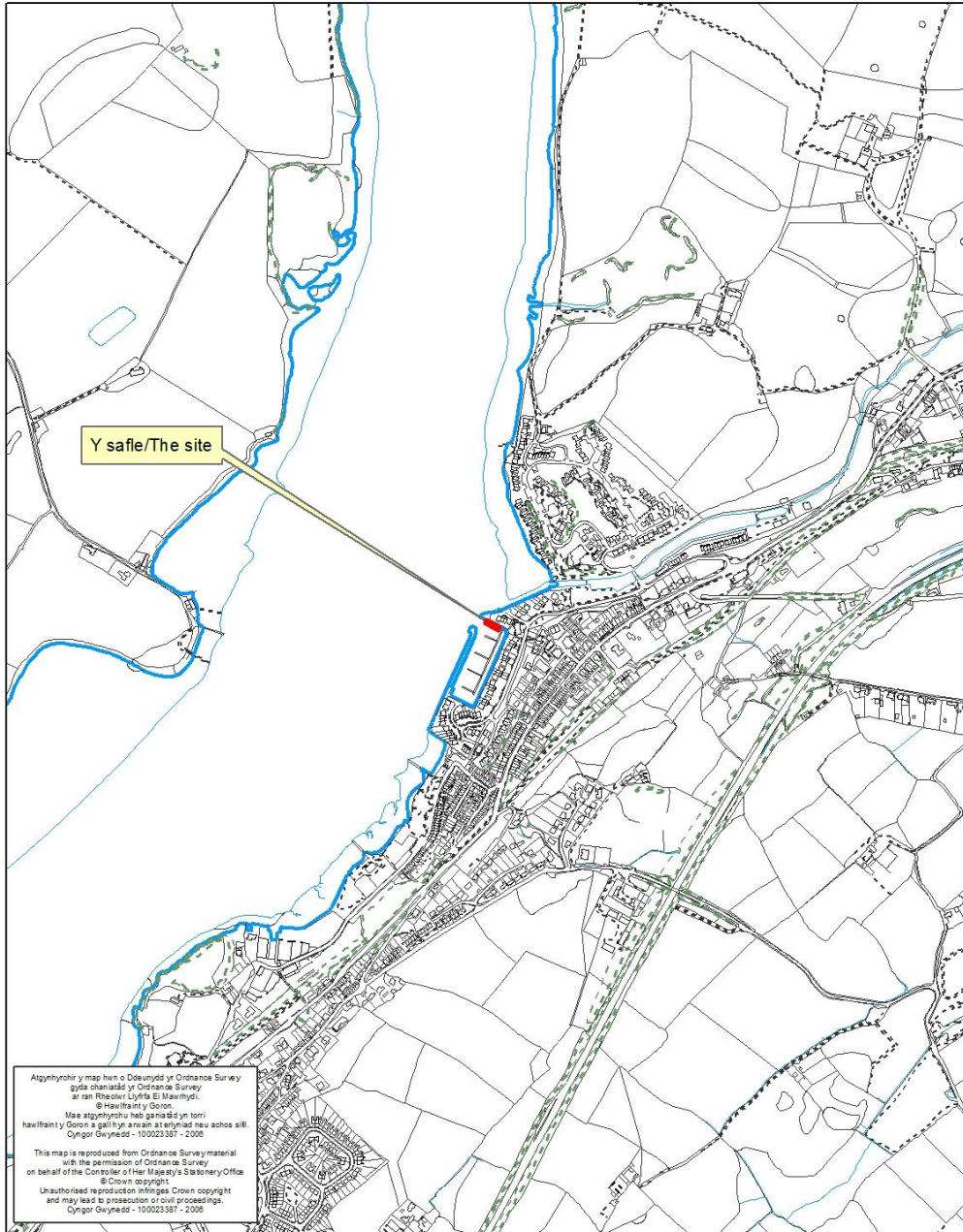


Number: 8



Rhif y Cais / Application Number : C15-0808-20-LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



PLANNING COMMITTEE	DATE: 9/11/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C15/0808/20/LL
Date Registered: 29/07/2015
Application Type: Full - Planning
Community: Felinheli
Ward: Felinheli

Proposal: RETROSPECTIVE APPLICATION TO RETAIN A PONTOON WITHIN THE QUAY
Location: MENAI MARINA, FORMER SLATE QUAY, Y FELINHELI, GWYNEDD, LL56 4JN

Summary of the Recommendation: TO APPROVE UNCONDITIONALLY

1. Description:

- 1.1 This application was deferred at the Committee on 19 October 2015 due to the procedure for speaking at the committee.
- 1.2 This is a full retrospective planning application to retain a pontoon within the quay. The pontoon is located on the northern wall and measures 30m long and 2m wide. It is linked to the harbour wall in three locations by an iron bracket which allows the pontoon to rise with the tide. There is a ladder going down the wall to the centre of the pontoon. The pontoon is constructed from iron and wood.
- 1.3 The site is part of the existing marina located in Felinheli. The harbour wall is a grade II listed structure. The site is within a C2 Flooding Zone.

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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

B2 – ALTERATIONS TO LISTED BUILDINGS OR BUILDINGS IN THEIR CURTILAGES - Ensure that proposals do not cause substantial damage to the special architectural or historical character of Listed Buildings.

B3 – DEVELOPMENTS AFFECTING THE SETTING OF A LISTED BUILDING - Ensure that proposals have no adverse effect on the setting of Listed Buildings and that they conform to a number of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

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.

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.

PLANNING COMMITTEE	DATE: 9/11/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

B24 – ALTERING AND EXTENDING BUILDINGS 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.

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.

2.3 National Policies:

Planning Policy Wales (Edition 7, July 2014)
 Technical Advice Note 12: Design 2014

3. Relevant Planning History:

3.1 C01A/0292/20/LL – Provide pontoons and a car park for cars (reviewed application)
 - Approved 4-1-2002

3.2 C15/0603/20/CR – Retrospective application to retain three closed security gates –
 Approved by the Committee on 7/9/15 and sent to Cadw.

4. Consultations:

Community/Town Council: Not received

Natural Resources Wales: No objection in principle, but makes the following observations:

- This development should have received a maritime licence from NRW prior to installation; legislation does not allow retrospective applications.
- We do not believe that the development would have a detrimental effect on the special area of conservation.
- It is suggested that the applicant should prepare a flood implementation plan

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and several items of correspondence were received objecting on the basis of the following relevant planning matters:

- The impact of the pontoon on the wall's stability
- The wall's condition which is fairly vulnerable
- The impact of installing the pontoon on the wall and the possibility of the wall falling into the sea with the back gardens of nearby houses.
- The importance of obtaining an independent structural report.

The following observations were also received that are not material planning matters:

- Installed without permission
- Insurance matters

PLANNING COMMITTEE	DATE: 9/11/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

5. Assessment of the material planning considerations:

- 5.1 The proposal entails retaining a pontoon located on the harbour's northern wall and measuring 30m long and 2m wide and constructed in iron and wood. It is linked to the harbour wall in three locations with an iron bracket which allows the pontoon to rise with the tide. A large pontoon has already been approved and installed within the harbour; therefore the proposal will not install any new feature at the site.
- 5.2 There are no concerns in terms of the appearance or design of the pontoon as it is similar to the existing pontoon on the site; it must also be borne in mind that the site continues to be used as a marina. It is not considered that it will look alien within the harbour nor will it have any detrimental effect on the appearance or character of the listed wall. It is not considered that the pontoon would have any detrimental impact on the amenities of the area or on the nearby residents and it is considered that it complies with the requirements of policies B2, B3, B22, B23, B24 and B25 of the GUDP.
- 5.3 The objections received draw attention to the condition of the harbour wall and the appropriateness of installing a pontoon on a wall where parts of it have collapsed in the past. This raises concern regarding if the wall is structurally robust to be able to support the pontoon and the tide. An engineering report has been submitted with the application and states that installing the pontoon is unlikely to have any detrimental effect in terms of the structure's engineering.

6. Conclusions:

- 6.1 The new pontoon is in keeping with the area in terms of design and appearance and as it is a working marina. There are no implications on the appearance or character of the listed structure or on the area's amenities or nearby residents, and the submitted engineering report states that the wall is strong enough to be able to support this pontoon. It is therefore considered that the proposal is acceptable and in accordance with policies B2, B3, B22, B23, B24 and B25 of the GUDP.

- 7. Recommendation:** To approve

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