
PLANNING COMMITTEE 16/11/20

Present: Chair: Councillor Eric M. Jones
Vice-chair: Councillor Gareth A Roberts

Councillors: Stephen Churchman, Elwyn Edwards, Simon Glyn, Louise Hughes, Anne Lloyd Jones, Berwyn Parry Jones, Eric Merfyn Jones, Gareth T Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Also in attendance: Gareth Jones (Assistant Head of Planning and the Environment), Cara Owen (Planning Manager), Rhun ap Gareth (Senior Solicitor), Gareth Roberts (Senior Development Control Engineer) and Lowri Haf Evans (Democratic Services Officer).

Others invited: Councillor John Brynmor Hughes (Local Member)

1. APOLOGIES

None to note

The committee extended their deepest sympathy to the family of Councillor Charles Jones.

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The Solicitor, Rhun ap Gareth, in item 5.4 on the agenda (planning application number C19/1072/11/LL) as his uncle lived near the site.

The officer was of the view that it was a prejudicial interest and he left the meeting during the discussion on the application.

- b) The following members declared that they were local members in relation to the items noted:

Councillor Gruffydd Williams (a member of this Planning Committee), in relation to item 5.1 on the agenda, (planning application number C20/0607/42/DT);

Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5.2 on the agenda (planning application number C20/0070/39/DT)

3. URGENT ITEMS

None to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 20 October 2020, as a true record.

5. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

RESOLVED

5.1. Application Number C20/0607/42/DT Garth Hudol, Rhodfa'r Môr, Nefyn, Pwllheli, Gwynedd,

Two-storey extension

- a) The Planning Manager elaborated on the background of the application, noting that this was an application for a two-storey extension to an existing dwelling which would extend 3.6m from the existing wall. There would be a single-storey element to the extension, with a mono-pitch roof at the southern end of the structure; the extension would measure 5.5m long with 1.5m of this being one-storey; this would create an additional lounge downstairs and extend the current bedroom and create an additional bathroom on the first floor. It was highlighted that the property was a substantial detached house in a residential area within the development boundary of the Nefyn Local Service Centre. The officer added that the application was submitted to the Committee at the request of the Local Member.

She referred to Policy AT3 which refers to protecting non-designated heritage assets that are of local significance. It was recognised that Garth Hudol had some historical significance due to its literary connection and that it was indeed a distinctive and attractive building that was valuable in terms of its place in the streetscape. Having said this, the scale of the proposed extension was fairly small compared to the original house, and its design was in keeping and acceptable with the original in respect of features such as the shape and roof height, and size and position of the windows. Consequently, it was considered that the development was sympathetic to its built environment and, via appropriate conditions, the use of suitable materials could be secured to ensure consistency with the original house. The officer added that the building was not listed and neither the building nor its features were statutorily protected.

Given that the extension would be positioned west of the property next door, the officer reported that it was inevitable that there would be some loss of light to the windows of Ceris from the development, especially late in the day. However, it was noted that the side windows of Ceris already looked towards the side elevation of Garth Hudol and essentially the impact of the development would be to bring a 5.5m length of side elevation 3.6m closer, with only 4m of this being two-storey. The officer drew further attention to the fact that Garth Hudol could complete developments under permitted development rights which would enable the owners to erect a 3m high structure directly near the boundary with the neighbours.

It was recognised that there would be some harm to the amenities of Ceris in terms of shadowing and loss of light, but it was not considered that those detrimental impacts in themselves were significant enough compared to the existing situation to justify refusing the application. In response to concerns regarding the impact on the privacy of Ceris, it was noted that the windows in the extension's northern elevation would look over the neighbours' garden, with the front garden of Ceris already visible from the nearby road. Consequently, it was not considered that the extension would add significantly to overlooking of external areas of the neighbours' property.

Having weighed up the planning application against the requirements of local and national policies as well as the observations and objections received, the officers considered that the proposal was acceptable.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- There was history attached to the building
 - The extension was substantial

- Concern about the impact on the amenities of the people next door
 - Overdevelopment of the site
 - The extension was the same size as an 'affordable house'
- c) It was proposed and seconded to refuse the application, contrary to the recommendation.
- ch) During the ensuing discussion, Members made the following observations:
- The house was a striking building and had historical connections
 - Any addition would impact on neighbours' amenities
 - An extension would change the character and appearance of the house
 - It would affect the light into the house next door - too close to Ceris
 - A substantial extension to an already substantial house
- d) In response to a question regarding the right to refuse a 'more harmful' extension under permitted development rights it was noted that the owners would not require planning permission for an extension up to 3m in height.

RESOLVED: to refuse the application for the following reasons;

- **A substantial extension that changes the form and appearance of the existing house which will have a detrimental impact on its character.**
- **The proximity of the proposed extension will have a detrimental/harmful impact on the amenities of the adjacent house (Ceris) by darkening the side windows**

5.2. Application Number C20/0070/39/DT Tŷ Wiggins, 12 Lôn Cernyw, Bwlchtocyn, Pwllheli

An extension including raising the roof height

Attention was drawn to the late observations form.

- a) The Planning Manager elaborated on the background of the application, noting that this was an application for an extension which would entail raising the height of the roof to a property located in the countryside of the Bwlchtocyn area and within the Area of Outstanding Natural Beauty. She added that the site was also situated within a Landscape of Outstanding Historic Interest and within a housing estate. The application was being submitted to the Committee at the request of the Local Member.

It was explained that from looking at the property from the front, the height of the roof apex would be raised from approx. 5 metres to 6.5 metres, with a pitched roof to also be placed above the existing garage. The rear extension would create a balcony on the first-floor level with decking to remain beneath it on the ground-floor level.

The extension was considered acceptable in terms of its design, scale and size and in proportion with the existing property – it would not be an over-development, with sufficient amenity land remaining for the property's use. The officer acknowledged the concerns that had been submitted with regard to raising the roof level and the fact that the other dwellings on the estate were single-storey dwellings. Although it would create a higher property, it was considered that the overall design retained a similar appearance to the existing property, particularly so on the front elevation which faced the estate, and that it did not have an oppressive effect on the rest of the estate. It was added that the property was located at the furthest end of the estate, where the land was on a lower level, therefore

raising the height would not have a harmful impact on the area's visual amenities. The officer also acknowledged concerns that the proposal would create a precedent for similar developments on the remainder of the estate, however, each application would have to be assessed on its own merits, and the fact that this application would receive planning permission would not set a precedent for the rest of the estate.

Reference was made to the observations of the AONB Unit, noting that they had no objection given that the property was a relatively recent single-storey dwelling, and was not in a prominent location from public places. Consequently, it was not considered that the proposed alterations would cause the building to impact on the AONB. Despite its location within the AONB, the property was situated amidst other houses and formed part of the current built form of this part of Bwlchtocyn and, consequently, it would not stand out in the landscape.

As a result it was not considered that the proposal would have a harmful impact on the area or on the AONB, and the proposal's design was considered acceptable. Also, the officers did not consider that there were implications in terms of road safety and the amenities of nearby residents.

- b) Taking advantage of the right to speak, the applicant's agent made the following points:-
- This was not an application to convert a single-storey dwelling into a two-storey dwelling, but an application to raise the roof in order to create dormer rooms.
 - The property stood at the far end of the estate, on the lowest part of the estate in a remote corner – therefore it would not be overbearing
 - The dormer extension would not cause harm to anyone; the property was positioned away from the other properties and would therefore not affect visual amenities or cause any instances of overlooking adjacent properties
 - They accept that a number of property owners on the estate are concerned, but there was no basis to their fears.
 - Number 10 was approximately 1.4 metres higher than number 12 therefore, even with a former extension, number 12 would still be lower than next door.
 - The extension would not set a precedent – every application must be dealt with on its own merits
 - Any disruption during the construction work can be managed through planning conditions
 - There would be no loss of privacy to a nearby dwelling as the proposal, when completed, would retain the appearance of a single-storey dwelling.
 - The AONB Officer had no objection – and had noted that the property was not in a prominent position.
 - There were no planning grounds which would justify refusal of the dormer extension
- c) Taking advantage of the right to speak, an objector to the application made the following points:
- That he was speaking on behalf of 85% of the other owners who lived on the estate who had all registered their objections to the application
 - Lôn Cernyw was a small estate of bungalows that had been sympathetically designed to have similar appearances – the proposed development would be a departure from that concept.
 - The scale and size of the proposed dwelling was a significant over-development which would be intrusive, oppressive, alien and completely at odds with the character of the estate, with numbers 10 and 11 Lôn Cernyw suffering most.

- The original design had positioned number 12 in such a way as to allow an open aspect in a northerly direction, for the benefit of all the bungalows. The proposed development would disregard this principle in the sense that the new roof line would substantially conceal the existing open aspect and would certainly have a harmful impact on the area's visual amenities.
- That application was contrary to policies PCYFF 2 and 3 because of the scale and height of the development together with the negative effect it would have on the area's visual amenities.
- Lôn Cernyw was a delightful development that had been well-designed and built over 40 years ago, and this original aspect should be retained.

ch) Taking advantage of the right to speak, the Local Member made the following points:

- the estate was unique and had not changed its character over the years
- the proposed extension was substantial – when considering the size permitted for an affordable dwelling
- altering one dwelling would change the appearance and character of the estate
- Need to keep the estate as it was

d) Proposed and seconded – to refuse the application on the grounds that the proposal is an over-development of the site, together with concern that it might set a precedent for others.

An amendment was proposed to defer the decision in order to conduct a site visit or obtain more information about the site through additional video footage and images. This would be advantageous as a means of having an idea of the impact of the proposal on the area

In response to the amendment the Senior Solicitor highlighted that the amendment was appropriate but under Covid-19 guidelines, it was not possible to conduct a site visit. He added, in accordance with the protocol, that the first step in assisting the Members to reach a decision would be to provide additional video footage and photographs.

dd) During the ensuing discussion, Members made the following observations:

- The site was within the AONB
- Approving the application would risk setting a precedent
- More information was required about the layout of the estate to seek a better understanding
- The term 'single-storey' was misleading as the property would have two floors

RESOLVED to defer in order to prepare additional videos and images of the estate and the site

5.3 Application Number C20/0350/42/DT – Application withdrawn

5.4 Application Number C20/0623/19/AC Land near Lôn Cefnwerthyd, Bontnewydd

An application to vary conditions 2 and 21 of planning permission C19/0014/19/LL in order to reposition plots 14 and 29 and reposition the garage of plot 17, reduce the slab level of plots 18 and 26 and remove part of footpath to the hammerhead.

Attention was drawn to the late observations form

a) The Planning Manager elaborated on the background of the application, noting that this was an application to vary conditions 2 and 21 of planning permission C19/0014/19/LL. She reported that the original planning permission C19/0014/19/LL was for erecting 29

living units together with creating a new vehicular access, parking spaces, landscaping and a public open space.

She drew attention to the fact that an application for a non-material amendment to the changes before the Committee had been submitted under reference C20/0198/19/DA and had been refused because the repositioning of plot 14 was likely to have an impact on nearby properties which would need to be assessed as part of a formal application. It was noted that the remaining amendments were non-material and were the subject of this application for the convenience of dealing with all the matters together.

Members were reminded that the principle of developing this site had already received planning permission under C19/0014/19/LL, and that the amendments to the proposal before the Committee had no impact on the location, total number, percentage of affordable housing, mix of housing or the general design of the site. It was therefore considered that the proposal still complied with the requirements of policies PS 16, PS 17, PCYFF 1, TAI 3 and TAI 15 of the LDP as had been confirmed in the previous application. It was added that the construction work had already commenced on the site.

It was highlighted that the proposal entailed repositioning plot 14 approximately 1m closer to plot 15 (which was directly next door) in order to distance the property from the hedge that bordered the whole site. Reference was made to the property named 'Tywyn' which was located beside the site and abutted the rear of plots 14, 15 and 16, with the rear of plot 14 facing the back garden of 'Tywyn'. Repositioning plot 14, as proposed in this application, would mean that the oriel window at the back of plot 14 would look over a small area of the far corner of the back garden of 'Tywyn'. Since this area was so small and was located in a corner at the far end of the garden (an extensive garden, and located away from the sections directly near the house of 'Tywyn') it was not considered that it would have a significant detrimental effect on the privacy of the property of 'Tywyn'. It was highlighted that the owner of Tywyn objected to the proposal on the grounds of any overlooking of his property. However, in this case the potential overlooking was considered to be minimal, and compared with the extensive area of garden belonging to the property of Tywyn, it would not be impacted - it would be unreasonable to refuse the proposal on this ground. It was noted that only the position of plot 14 within the plot formed the subject of this application, and that its design and ground level was in accordance with what had already been approved under the previous application. It was confirmed that there was no change to the location of the other plots situated along this boundary with the property of 'Tywyn'.

The officer explained that the assessment had given full consideration to the objections received during the public consultation period on the application. It was not considered that any material planning objection had been put forward which outweighed the relevant planning policies noted in the assessment, therefore it was considered that the proposal met the relevant requirements of the local and national policies.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion a member made the following observation:
 - That the owner should be content with the adaptations

RESOLVED: to approve the application subject to the following conditions:

1. Time
2. Comply with relevant plans and all the reports

3. **Materials/slate – details in accordance with what was agreed under C19/0994/19/AC**
4. **Landscaping and site boundaries - details in accordance with what was agreed under C19/0994/19/AC, C19/1082/19/RA and C20/0226/19/RA**
5. **Highways CEMP – details in accordance with what was agreed under C19/0994/19/AC**
6. **Drainage**
7. **Biodiversity and controlling environmental impacts – details in accordance with what was agreed under C19/0994/19/AC**
8. **Archaeology – details in accordance with what was agreed under C19/1082/19/RA**
9. **Building Control Plan**
10. **Removal of general development rights from the affordable dwellings**
11. **Removal of general development rights from plots 14, 15, 16, 17 (including the installation of additional windows and roof-lights)**
12. **Agree on opaque glass for a bedroom window at the rear of plot 14 and agree an opening method**
13. **A Welsh name for the housing estate and the houses**
14. **Details and timetable for installing equipment in the open space.**
15. **Agree on arrangements for securing affordable housing – details in accordance with what was agreed under C19/0994/19/AC**

**Note
SUDS**

The meeting commenced at 11.00am and concluded at 12.20pm.

CHAIR