

PLANNING COMMITTEE	DATE: 24/05/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	

Number: 4

Application Number: C21/0215/45/LL

Date Registered: 16/03/2021

Application Type: Full

Community: Pwllheli

Ward: Pwllheli

Proposal: Conversion of a residential three-storey house into two flats

Location: 20 Yr Ala, Pwllheli, LL53 5BL

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS

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1. Description:

1.1 This is a full application to convert an existing residential property into two self-contained living units. The existing three-storey building is located at the end of a terrace of similar houses.

1.2 One unit would have one bedroom, and the second unit would have two bedrooms. Specifically the internal layout offers:

Unit One - ground floor – shared hall/access, bedroom, living room, kitchen, bathroom

Unit Two - First floor - living room/kitchen, bathroom, utility room
- Second floor – two bedrooms

It is understood that both living units would be accessed by sharing the existing front door (with an additional door within the ground floor unit leading to an outside area to the rear) while an existing side gate would be kept in order to maintain access to the side and rear of the site, with a specific area for bin storage, two clothes lines and a garden/open space at the rear. It is intended to erect a fence measuring 1.8m in height along the site boundary. The application has been amended since its original submission following the receipt of an observation from a neighbour which noted that there was no right to install a gate to the rear of the site as his land bordered this part of the site. As a result of this observation, the application was amended by removing the gate from the plan.

1.3 The site is located within the development boundary and is adjacent to the A497 in and out of Pwllheli. The site is also located within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The site is partially located within a C1 flood zone. There are three adjacent dwellings, to the rear and opposite the site.

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 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017

PS1 – The Welsh Language and Culture

PS 5 – Sustainable developments

PS 6: Alleviating and adapting to the effects of climate change

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ISA 1: Infrastructure provision

PCYFF 1 – Development Boundaries

PCYFF 2 – Development criteria

PCYFF 3 – Design and place shaping

TRA 2 – Parking standards

TRA 4 – Managing transport impacts

PS 17 - Settlement strategy

TAI 1 - Housing in the sub-regional centre and the urban service centres

TAI 8: An appropriate mix of housing

TAI 9 – Subdivision of existing properties to self-contained flats & houses in multiple occupation

PS 18 – Affordable housing

AT 1 – Conservation areas, world heritage sites and landscapes, parks and registered historic gardens

Also relevant in this case are the following:

Supplementary Planning Guidance: Housing Mix

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 15: Development and flood risk

3. **Relevant Planning History:**

3.1 It does not appear that the site has any relevant planning history.

4. **Consultations:**

Community/Town Council: No objection

Transportation Unit: The Transportation Unit has no objection to the proposal. There is no specific parking provision for the property in its current form, and

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there is no intention, or method of providing parking provision as part of the application, and it is noted that the majority of the local houses park on the adjacent street. The location is within easy walking distance of the town centre and regular public transport, and it is therefore considered that the proposal is acceptable without any specific parking provision, and is unlikely to have a detrimental impact on the local roads network.

Natural Resources Wales: Not received at the time of preparing the report.

Welsh Water: Standard response about connecting to the public sewer system.

Drainage Unit: No observations

Language Unit: As the applicant notes that the units will be let at an affordable social rent as part of the Housing Action Plan, which forms part of the Council's wider plans to secure housing for the county's residents, thereby contributing to safeguarding and promoting the language, the Unit has no observations.

Strategic Housing Unit: The Housing and Property Department is very supportive of this application. There are currently a substantial number of applications on the housing register for one and two bedroom accommodation in the Pwllheli area, and we are unable to accommodate everyone who needs a house. This means that a number of people are living in circumstances that are far from ideal, which do not meet their needs, including overcrowding in small houses, sub-standard dwellings in relation to condition, and bed and breakfast accommodation. The development is part of the Council's Housing Action Plan, and will be used to contribute to meeting the need for housing for local residents in the Pwllheli area. The creation of two living units, at an affordable social rent, would assist in meeting the needs identified in the housing register.

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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 were received objecting on the following grounds:

- An error in the plans.
- Intended use
- Detrimental effect on the privacy / amenities of local residents.
- Need for a fire escape
- A lack of parking spaces
- Location of bins
- Lack of consultation
- It would be better to ensure housing for local need

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

- House prices
- Antisocial behaviour in other parts of the town

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policies TAI 1 and PS 17 encourage housing developments to address the Plan's strategy through housing designations and suitable windfall sites within the development boundary. In addition, Policy PCYFF1 states that proposals will be approved within development boundaries, while policy PS 5 encourages sustainable developments by prioritising previously developed land. The site in question is a windfall site that already includes a residential house within the current development boundary of the town of Pwllheli, which is designated as an urban service centre. As the proposal proposes to convert one existing dwelling into two self-contained flats, it is considered that it equates to an increase of one unit in the area. It is therefore considered that the principle of the proposal is wholly acceptable for a residential development and complies with the relevant requirements of policies PCYFF 1, TAI 1, PS 17 and PS 5.
- 5.2 The proposal is to convert the existing house into two separate self-contained living units. Therefore, consideration is given to the requirements of Policy TAI 9 in this instance. This policy permits the sub-division of existing properties into self-contained flats provided they conform to the criteria within the policy. Criterion (1) notes that the property should be suitable for conversion into the number and type of units proposed without the need for significant extensions and external adaptations - the existing building is suitable and it not intended to undertake any works to extend the building. Criterion (2) refers to the proportion of multiple occupancy houses in wards - this application is for self-contained flats, not a multiple occupancy house, and therefore the criterion is irrelevant. Criterion (3) relates to ensuring that the development will not have a detrimental impact on residential amenities - residential amenities are discussed in further detail in the report. In addition,

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consideration should be given to criterion (4) of the policy that states that the proposal must not exacerbate existing parking problems in the local area. It is therefore considered that the proposal is acceptable in terms of the requirements of the criteria of policy TAI 9.

5.3 Confirmation was received from the Joint Planning Policy Unit that the indicative housing provision for Pwllheli over the period of the Plan has been delivered, meaning that the development would exceed the indicative supply level for the town. The total indicative supply in the LDP is 323; between the number of houses already completed and the number that are likely to be completed, and the number of designated sites, the current total is 327, which is 4 above the indicative supply figure. In such a situation, justification must be received about how it would meet a recognised local need. It is considered that the information noted below justifies the proposal in this case, and it is considered that the increase of one additional living unit is acceptable in this case. The town of Pwllheli has an important role as an Urban Service Centre, and policy TAI 1 notes that a higher proportion of developments will be directed to these Centres. TAI 9 also permits the sub-division of an existing property within the development boundary, and it is therefore considered that the principle of the development is acceptable in accordance with the relevant requirements of policies TAI 1 and TAI 9.

5.4 In relation to addressing need and responding to local demand, the following confirmation has been received from the applicant:

"The development is part of the Council's Housing Action Plan and will be used to contribute towards the effort to meet the need for housing for the local residents in the Pwllheli area. We currently have tens of applications on the housing register for one and two bedroom accommodation in Pwllheli, and we are unable to accommodate everyone who needs a house. This means that a number of people are forced to live in poor circumstances e.g. overcrowding in small houses, sub-standard dwellings in relation to condition, individuals sharing houses although the relationship between them has broken down, poor accommodation and bed & breakfast accommodation etc.

The creation of two living units here would enable us to use them to accommodate people in such circumstances, individuals who are usually near the top of the housing register, at an affordable social rent, until a suitable house becomes available. This will help us to prevent people from becoming homeless in the first place. We have a number of other living units in Pwllheli that are used for the same purpose without any problems. We currently have around 95 units of this type in Gwynedd and therefore it is not a new concept".

It is believed that the above confirms a recognised need and justification for a residential development in the town which, according to relevant figures, has reached its capacity for new houses on windfall sites. It outlines how the proposal, to provide one additional living unit, addresses the needs of the local community by demonstrating that there is a need for this type of development in the area.

5.5 Relevant parts within the SPG: Housing Mix state *"Like many other parts of the country, without intervention, the number of single-person households and couples with no children in the Plan area is likely to increase while the number of larger households decreases. Household size has been diminishing and it is anticipated that the average size will remain more or less the same. This suggests that there will be a high demand for smaller properties...the Authorities want to*

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improve the opportunities available through the provision of smaller homes. It is necessary to ensure that the housing stock addresses the need and demand for housing and supports the aspirations of economic growth in order to realize the economic strategies of both Councils. While there may be a demand for some 'executive' large houses, the evidence shows that there is a more basic need for a supply of affordable housing for households with smaller income. Providing two and three bedroom flats/ houses (whether they are new build, change of use of non-residential buildings or bringing empty houses back into use) will increase the choice for smaller families, young couples and young people who wish to share, or older households who wish to down-size. These type of households would find it difficult to afford four or five-bedroomed houses, or houses of this size would be too big for their requirements... The provision of a few one-bedroom apartments/ houses could help meet the needs of some single young people and young couples and some older households".

- 5.6 In addition to the above, a Statement of Justification was received with the application, which stated:

"The development is part of the Council's Housing Action Plan and will be used to contribute towards the effort to meet the need for housing for the local residents in the Pwllheli area. These are affordable units/houses to meet the identified need on the Common Housing Register. At present, 68 people require a one-bedroom unit in Pwllheli – these individuals all have links to the Pwllheli area. This development would be a way of meeting part of this need. In relation to the value and prices of houses in the locality, it is important to emphasise that the Council or housing association would be the landlord would manage the units in the future – they would be affordable in perpetuity, and would not be considered for sale on the open market. Therefore, there would be no negative impact on house prices as a consequence of the development".

- 5.7 Therefore, given the Policy Unit's observations and the confirmation in relation to the recognised demand for units of this type and size in the area, it is considered that there is clear confirmation of the need for units of this size in the area. The units would be let to residents in accordance with the Council's letting policy, and would meet the local demand for housing. Given the above, it is therefore considered that there is justification in this case for the proposed development that will meet recognised local need.

Visual amenities

- 5.8 Policy PCYFF 3 of the Local Development Plan promotes good building design by ensuring that proposals conform to a series of criteria by aiming to safeguard the recognised features and character of the landscape and the local environment, safeguard the visual character by ensuring that building materials are of a high standard and in-keeping with the character and appearance of the local area and suitably landscapes the site.
- 5.9 It is not intended to undertake external alterations to the existing building. The changes would solely be internal. It is seen that there is an intention to erect a fence along the site boundary and minor works within the curtilage of the building, but it is not considered that the existing appearance of the site would change significantly. It is highly likely that the building itself would be improved, as the investment due to the conversion would improve the appearance of the existing building. It is therefore considered that this proposal is

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acceptable in relation to the relevant requirements of policy PCYFF 3, and it is not considered that it would have a detrimental impact on the area's visual amenities.

- 5.10 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The proposal involves the conversion of an existing building, and it is considered that the impact of the proposal would be local and would not have a wider impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

General and residential amenities

- 5.11 The site is located in a busy location close to Pwllheli town centre, surrounded by residential houses to the rear and opposite the site. The existing front elevation of the building looks over the public road to the front. It is seen that a 1.8m high fence would be erected along the site's boundaries to ensure that the residential amenities are protected. No changes made to the building itself would create any direct overlooking that is either new, or that would worsen the existing situation.
- 5.12 It was suggested in the observations that were received during the public consultation that a fire exit would be required for the building's higher floors, and that its inclusion would affect the privacy of the adjacent property. The proposal does not include this type of structure as suitable fire measures will be installed within the building. If a fire escape was needed in the future for any reason, a further permission would be required, and the impact would be fully assessed at this point, but in relation to this proposal, no fire escape is proposed and it is therefore not a material consideration. From the plans it can be seen that a space noted as a "landing" is shown on the first floor, and it is possible that this has been mistaken as some kind of external space. But this is only an internal space at the bottom of the stairs that lead to the second floor and will have no real consequential impact.
- 5.13 Concern has been expressed about the bins that will be kept at the front that would affect the pavement and existing movements. From the intended ground floor plan, it is shown that a specific space is designated for bin storage in the yard that forms part of the site and behind the access gate at the side, and it is not therefore considered that there would be real concern about this element. As has already been noted, when it became evident that there was no access right between the rear of the site and adjacent land, the application was amended by removing the gate that was originally shown as part of the proposal.
- 5.14 It is not considered that the proposal would cause any more significant harm to the amenities of the local neighbourhood than the existing situation, and it is considered to be acceptable in relation to Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.15 The house does not currently have a parking space and it is not intended to include spaces for the two new flats. It would normally be expected for living units to include off-road parking spaces but in this case, it is seen that there are unrestricted parking spaces along the majority of the public road. Additionally, it is seen that there are public car parks comparatively close, as well as very convenient public transport links. Given this, the Transportation Unit has no objection to the proposal. Although there is an increase of one living unit on the site there is no real increase in the number of bedrooms. The existing house includes three bedrooms, and the two new units would also provide a total of three bedrooms, therefore there is no real change to the number of bedrooms. It is not considered that this increase would be detrimental to the existing public road which is already busy, and is one of the main roads into the town. Having assessed the proposal against the

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requirements of the policies, and having considered the observations received, it is not considered that the proposal is unacceptable in relation to this aspect, and that it is in accordance with the requirements of policies TRA 2 and TRA 4.

Linguistic matters

- 5.16 Criterion 1b of Policy PS1 notes the need for a language statement for a residential development which will individually or cumulatively provide more than the indicative housing provision set out for the settlement. As noted above, Pwllheli will see its expected growth level on windfall sites through units completed in the period from 2011 to 2020 and the current land bank. Consequently, the applicant has submitted a Language Statement, that notes:
- 5.17 *"The plan to convert an existing property to provide two units in 20 Yr Ala is part of the Council's Housing Action Plan and will be used to contribute towards the effort to meet the need for housing of the local residents in the Pwllheli area, which is not currently available. The proposed site is located in an area of Pwllheli that has a very high percentage of Welsh language speakers. We anticipate that this development will promote the Welsh Language by offering accommodation to the residents of Gwynedd in an area where the use of the Welsh language is totally normal and natural. The construction work will be undertaken by local companies, and it is hoped that this could also boost the opportunity for employment for local people. This work will create a future use for the site, and will boost the local economy of Pwllheli, and will promote the use of the Welsh language in the area".*
- 5.18 Paragraph 1.9 of the SPG: Housing Mix notes *'Ensuring that the right type of housing is developed will be just as important in terms of community cohesion and its fabric, which in turn will be beneficial to the Welsh language. Using diverse information to help identify gaps in the housing needs of existing and potential new families helps to ensure that the housing provided can meet the needs of the local community and thus help the families to stay in the area.*
- 5.19 As already noted above, the Language Unit confirms that as the units will be let at an affordable social rent as part of the Housing Action Plan, which is part of the Council's wider plans to secure housing for the county's residents, thereby contributing to safeguarding and promoting the language, the Unit has no observations.
- 5.20 Therefore, having considered the observations of the Language Unit, the fact that the real increase is one house, its size and location, and the Housing Service's letting arrangements, it is obvious that local residents would benefit from this provision. Therefore, having considered all the relevant matters, it is considered that the proposal is acceptable on the grounds of the requirements of criterion 1B of Policy PS1.

Flooding matters

- 5.21 The site is partially within a C1 flood zone as noted on the development advice maps included with TAN15: Development and Flood Risk. Residential use has already been established here, but as the intention is to divide into two units, the use of the site would be considered as having intensified by the creation of an additional separate residential unit. Planning Policy Wales (13.4.1) advises that development proposals should not lead to the intensification of existing developments that could be at risk.

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- 5.22 Although it is believed that the proposal is acceptable in principle, it must be considered whether it is also acceptable regarding flood risk, especially in relation to access and exit considerations, and for emergency planning purposes. The agent has been advised to submit a limited flood consequence assessment in accordance with the guidance noted in Table A1.15 of TAN 15. The information had not been received at the time of writing this report, and we trust that it will have been received by the date of the Committee.
- 5.23 In relation to the consideration of the proposal in terms of intensifying the existing use of the site by the provision of an additional living unit on the site, the current plans show a three-bedroom unit, while the proposed plans also show three bedrooms, but within two units.
- 5.24 The proposals are to provide one self-contained living unit with one-bedroom on the ground floor, and the second unit over the remaining floors above. Although the proposal provides a new living unit, the existing house could provide an additional bedroom on the ground floor, which could in reality accommodate up to six people. However, the potential consequences of floods must be considered, in the context of the type of development, and its acceptability according to the requirements of TAN 15. A Flood Impact Assessment must be undertaken to ascertain whether suitable mitigation is required/could be incorporated that would enable the proposal to meet the requirements of TAN 15. Having received the Flood Impact Assessment, its contents must receive the approval of Natural Resources Wales.
- 5.25 Therefore, based on the above, and upon receipt of suitable information in the form of a flood consequence assessment and NRW approval, it is considered that the proposal conforms to the requirements of TAN 15, policies ISA 1 and PS6 of the LDP.

Response to the public consultation

- 5.26 It is considered that all the observations received during the consultation period have been fully considered. The application was amended when it became evident that no access would be available through the gate at the rear of the site. Written confirmation was received from the applicant regarding the proposal and the intended use, and a Statement of Justification. It is acknowledged that local concern has been highlighted about the use of the units, and whether they would be let to vulnerable individuals, but the concerns noted are not material planning considerations. Residential use has been established on this site, and it is not considered that the reasons outlined above would intensify the use of the site to the degree that it would have an unacceptable impact on the amenities of nearby residents or the wider area.

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 all the observations received, it is believed that this proposal is acceptable and is in accordance with the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To delegate powers to the Assistant Head of Department to approve the application, subject to the receipt of an acceptable flood impact assessment, approved by NRW, and subject to the following conditions:
1. Time
 2. Compliance with plans

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3. Boundary treatment completed prior to occupying the units

Note:

Welsh Water

Party Wall Act Requirements