

PLANNING COMMITTEE	DATE: 12/07/2021
REPORT OF THE SENIOR MANAGER – PLANNING AND PUBLIC PROTECTION SERVICE	

Number: 3

Application Number: C21/0376/34/LL

Date Registered: 13/04/2021

Application Type: Full

Community: Clynnog

Ward: Clynnog

Proposal: Application for the erection of a two-storey dwelling with garage

Location: Part of land near Capel Ebenezer passing Bryn Eisteddfod and Gilfach, towards the junction near Penarth, Clynnog Fawr, Clynnog LL54 5BT

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 Full application for the erection of a two-storey residential dwelling with an integral garage together with provision of an access off the existing estate road.
- 1.2 The site is within the development boundary of the village of Clynnog Fawr on an empty plot of land located next to a standard vehicular access leading to existing residential dwellings which have been erected to the rear and to the side of this proposed development. Access to the site is off the estate road leading to the houses at the rear, and the land rises steeply from the front to the rear of the site. A hotel stood on this site in the past before it was demolished and the site was re-developed when the existing dwellings were constructed to the front and rear of the site.
- 1.3 The proposal involves the construction of a two-storey dwelling with an integral garage and includes the following:
- Ground floor - living room, dining room, kitchen, utility, toilet and garage
 - First floor - three bedrooms, one with an *en-suite*, and one bathroom.
- 1.4 There are also ancillary developments, namely the access to the property and a formal garden beyond. It is intended to finish the property with slates on the roof and white render on the external walls.
- 1.5 A previous application for this proposal was refused under C20/1049/34/LL due to its size, scale and design and its impact on nearby properties. It is acknowledged that this proposal is approximately 0.5m lower than the plan refused under the previous application, and the agent of the application has provided additional plans that include the streetscape and a plan of the existing levels.
- 1.6 This application is submitted to the Planning Committee at the Local Member's request.

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 **Gwynedd Unitary Development Plan 2009:**

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PS 1: The Welsh Language and Culture
 PS 5: Sustainable Development
 PCYFF 1: Development Boundaries
 PCYFF 2: Development Criteria
 PCYFF 3: Design and place shaping
 PCYFF 4: Design and landscaping
 TRA 2: Parking standards
 TRA 4: Managing transport impacts
 TA1 4: Housing in Local, Rural and Coastal Villages
 PS20: Protecting and where appropriate enhancing heritage assets
 AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.
 AMG 1: Management Plans of Areas of Outstanding Natural Beauty

Gwynedd Design Guidelines

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

2.4 National Policies:

Future Wales: The National Plan 2040
 Planning Policy Wales (Edition 11 - February 2021)
 Technical Advice Note 12: Design
 Technical Advice Note 24: The Historic Environment

3 Relevant Planning History:

C20/1049/34/LL - erection of two-storey dwelling with garage – REFUSED– 11.05.2021

C16/0654/34/LL – erection of a dwelling (revised scheme to that permitted previously under planning reference C04D/0608/34/LL) – REFUSE – 17.08.2016

C12/0858/34/HD - prior notice to demolish an existing dwelling-house - approved 06.07.12

C08D/0330/34/LL - revised application to construct a two storey dwelling-house with integral garage - approved 16.09.08

C04D/0608/34/LL - modify a hotel into a dwelling-house and construct three new dwellings - approved 15.12.05

4 Consultations:

Community/Town Council: No objection

Transportation Unit: I refer to the above application, and confirm that the Transportation Unit has no objection to the proposal.

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The proposal includes two parking spaces and a garage, which provides an appropriate level of parking provision. As a site on a private estate that has not been adopted there is no need to include notes on applying for a Section 184 licence to create the access, however recommend including the following condition in relation to providing the parking in accordance with the plans:

Welsh Water:

Conditions and confirm that a pipe crosses the site.

Land Drainage Unit:

Since 7 January 2019, sustainable drainage systems (SuDS) are required to control surface water for every new development of more than one dwelling or where the building surface area has drainage implications of 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Gwynedd Council in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, an application may need to be provided to the SuDS Approval Body to be approved before construction work commences. No drainage details have been submitted to date, and until an application is made to the SuDS Approval Body, there is no assurance that the site plan would enable compliance with the full suite of national NDS standards. Early consultation with the SAB is recommended.

Natural Resources Wales:

No observations to offer

The Welsh Government's
Transportation Unit:

No objection

CADW:

Not received

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has ended and letters/correspondence have been received offering the following observations:

- The owner of the neighbouring property known as Anwyllfa confirms that they do not object to the proposal.
- Observations on the address of the site
- Health and safety matters during the construction phase
- Traffic matters during the construction phase

5. Assessment of the material planning considerations:

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The principle of the development

- 5.1 The site is located within the development boundary of the village of Clynnog Fawr, therefore the principle of erecting a house is acceptable. The planning history shows that applications have already been approved here previously, and as such the principle of residential use has already been considered and established. It is therefore considered that, in principle, the proposal complies with the requirements of policies PCYFF 1 and TAI 4. It is therefore not considered that erecting a house on this site is unacceptable, provided that full consideration is given to all of the relevant planning considerations and subject to full compliance with the relevant policy requirements.
- 5.2 The indicative housing provision for Clynnog Fawr over the Plan period is 10 units (which includes a 10% 'slippage allowance', i.e. the method of calculating the figure has taken into account potential unforeseen circumstances that could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period 2011-2020, 5 units were completed in Clynnog Fawr. In April 2020 the land bank, i.e. sites with extant planning permission, was 1 unit. Taking all of the above information into account, it means there is adequate capacity within the indicative supply for Clynnog Fawr, and a Welsh language statement is therefore not required to support this application.

General, visual and residential amenities.

- 5.3 The site is located in a fairly prominent location, adjacent to the main road in and out of the village. The site is surrounded by buildings of various size, design and appearance.
- 5.4 It is inevitable that the development of this site will have some impact on the area's visual amenities, and it is fair to say that any development on this site is likely to have an impact on these amenities. This is based on a comparing the physical scale, land levels etc. with that which already exists on the site and nearby.
- 5.5 It must be accepted that the layout of the proposed building corresponds with what has been approved in the past. Nevertheless, it is true to say that the current design would appear more overbearing than what has been approved in the past and it is believed that it would dominate the local vista. It is acknowledged that some effort has been made to replicate the existing vernacular of the local area, namely, the inclusion of a ridged roof with an exterior finish such as render and stone, whilst also introducing more modern elements, namely the large openings on the ground floor. Although the proposed design and materials complement the new dwellings that have been constructed nearby, the location, land levels, size and height of the proposal in question mean that the building would appear incongruous in the existing streetscape.
- 5.6 As noted, the building's finishes would include a slate roof and rendered walls. These finishes reflect the general finishes of the neighbouring area and would be acceptable if the remainder of the proposal was acceptable.
- 5.7 The success of developing the site relies on full consideration of the impact of any new building on existing views and elevations, including the nearby conservation area. We believe that a suitable and striking building could be created on the site, but this is not deemed to have been achieved in this instance.

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- 5.8 Officers have not been convinced in this case that this is the right building size and design for the site. It is considered that the building needs to better reflect its location and land levels to enable the development to contribute towards the character of the area and enable it to integrate more with the pattern and character of the local area. It is not considered that the design conveys this and, as such, the development cannot be supported in the form it was submitted. It is therefore considered that the proposal is contrary to the requirements of policies PCYFF 2, 3 and 4 and PS5 of the LDP.
- 5.9 We must compare the proposal with what already exists in the vicinity and what has already been approved, and we must consider whether this proposal is acceptable in respect of its impact on the area's general and residential amenities. It is acknowledged that this proposal is approximately 0.5m lower and that the agent has provided additional plans of the streetscape which demonstrate that the level of the roof ridge would be a step down from the new development nearby, but unfortunately the floor levels and the ridge continue to be significantly larger/higher than the one-and-a-half storey property located directly next door.
- 5.10 The proposal avoids the inclusion of windows (on the northern elevation) of a number and form that would affect the residents of neighbouring properties. Nevertheless, the scheme provides three windows on the first-floor and on the ground-floor on this elevation (bathrooms, en-suite, toilet, utility and hallway/landing) and although at least four out of six of these windows would be opaque, it is considered that their impact would be worse than anything approved in the past and would give the feeling of overlooking (because of their number and height) from the viewpoint of the property next door.
- 5.11 Also, the site is considerably higher than the neighbouring property, and the proposal to erect a full two-storey property on this level of land would create an incompatible feature in the area and also cause a markedly oppressive effect on the neighbouring property. The ground level also contributes to the element of overlooking into the rear garden of the neighbouring property - although the garden is currently visible from the site, the site is not in use, therefore any current overlooking is only occasional.
- 5.12 It is noted that the owner of Anwylfa has confirmed in writing to the Planning Service that he does not object to the proposal. His letter noted that the developer intends to reduce the height of the high retaining wall between the two sites, which, in his opinion, would reduce any obtrusive impact. It is noted that the proposed two-storey house is significantly higher than the existing wall and therefore officers remain of the opinion that the reality of the situation would be that the property is likely to have an obtrusive impact and would cause overlooking (a feeling of overlooking and also direct overlooking from garden to garden) to a substantially greater extent than the current situation. Whilst recognising that the neighbour does not have any objection, this in itself does not overcome concerns about the long-term impact of the proposal on residents in future.
- 5.13 It is therefore considered that the proposal causes an unacceptable impact on the amenities of the area and neighbouring residents, and thus the proposal is contrary to the requirements of criterion 13 PS 5, criterion 1 PCYFF 2, criteria 1 and 10 PCYFF3 on grounds of the impact on the amenities of neighbouring properties; it does not promote high design standards that make a

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positive contribution to the local area neither does it add to nor enhance the character and appearance of the site.

Conservation and heritage matters

- 5.14 The site, to all intents and purposes, is on the outskirts of the village and located within an Area of Outstanding Natural Beauty and adjacent to the village's conservation area boundary (a distance of approximately 17m). The site is also within 500m of an Ancient Monument (sundial located near the Church). It is accepted that local residential buildings vary in design and finishes, but the proposal in question on the proposed land levels causes an incompatible feature in the landscape. In terms of the impact on the monument, Cadw has not provided a response to the proposal, and given the location of the monument it is unlikely that the proposal would have a direct detrimental impact on it. Whilst there is concern about the impact of the proposal on the local area, there is no evidence that the proposal which is located within a relatively modern residential area (when compared with the remainder of the village) is likely to have a detrimental impact on broader designations such as the AONB, the Conservation Area or the Monument and therefore it is not considered that the proposal is contrary to the requirements of policies PS20, AT1 and AMG1 on the basis of impact on the landscape and those designations.

Transport and access matters

- 5.15 No objection has been received to the proposal from the Transportation Unit or from the Welsh Government's Transportation Unit with regard to the access and parking/turning provision. We therefore believe the proposal is acceptable in respect of its compliance with the requirements of policies TRA 2 and TRA 4.

Relevant Planning History

- 5.16 It can be seen from the planning history that two houses of different designs have been approved on this site in the past. This is obviously a material consideration, although these permissions have now expired, and it can be seen that this current application conveys a form, in terms of footprint, that is relatively similar to those permitted in the past.

It is also noted that the application in question is a resubmission (with additional streetscape and land level plans) of a previous application (ref C20/1049/34/LL) that was refused due to its size, scale, design and the impact on the next door property.

Any other considerations and the response to the public consultation.

- 5.17 The period of public consultation has ended and letters / correspondence were received objecting on grounds of health and safety and traffic matters mainly during the construction phase. It was noted that it would be possible to deal with these matters with planning conditions if the proposal was acceptable and because neither the Council nor the Government's Transportation Units have objected to the proposal.

It is also noted that the address of the site reflects what was given in the application form.

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We acknowledge the correspondence that is in favour of the proposal, but unfortunately (as explained above) these observations do not affect the above-mentioned assessment.

Language Matters

- 5.18 The proposal does not reach the thresholds set in policy PS1: The Welsh Language and Culture for the provision of new housing.
- 5.19 As this is a Committee application, the SPG for 'Maintaining and Creating Distinctive and Sustainable Communities' requires that the Welsh language be considered. The proposal before you is to erect a dwelling in a location that lies inside the village development boundary, which is contrary to the Plan, as already noted. No statement relating to the language was submitted as part of the application, and because it is contrary to the policies noted above, the LPA has not requested any additional information in relation to the language.
- 5.20 Nevertheless, it is noted that the proposal is for a single house for a local applicant and despite the objection to the proposal in respect of its location and size, it is not considered that it would have an adverse impact on the language in this case.
- 5.21 That said, based on the above, it is not considered that the proposal would be contrary to the specific requirements of policy PS1 of the LDP or the requirements of the SPG.

6 Conclusions:

- 6.1 This site is located within the development boundary of the village of Clynnog Fawr and it is therefore not considered that the principle is unacceptable. Nevertheless, we do not believe that the proposal as presented in terms of its scale, design and land/ground levels is acceptable as it does not incorporate an acceptable design and finishes for this particular site. We also believe the proposal has a detrimental impact on the privacy and amenities of the neighbouring properties on account of its size, height, location and number of windows. These matters are relevant material considerations and form part of the considerations for refusing the application.
- 6.2 Based on the above and having considered all the relevant Planning matters, including local and national policies and guidelines, this proposal is considered to be unacceptable for this site in terms of its scale, design, location and land/ground levels. Although the site is located within the development boundary, and planning history shows that a residential dwelling has been approved on this site in the past, it is not considered that the proposal is suitable to justify approving the development in its submitted form.

7 Recommendation:

To refuse – reasons

1. The proposed house is contrary to criterion 13 of policy PS5, criterion 1 of policy PCYFF2 and criteria 1 and 10 of Policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan 2017 due to the size and scale and design of the new dwelling and specifically its height, bulk,

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land and ground levels which means that the proposal is not in keeping with the area's building pattern.

2. The proposed house is contrary to criterion 13 of policy PS5, criterion 1 of policy PCYFF2 and criterion 10 of policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan 2017 due to the size and scale and design of the new dwelling specifically its height, bulk, land and ground levels and the location of the windows on the northern elevation which means that the proposal causes a significantly detrimental impact on the amenities and privacy of the residents of the property situated adjacent to the site.