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| PLANNING COMMITTEE | DATE: 06/09/2021 |
| REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER | |

Number: 5

Application Number: C21/0495/34/LL

Date Registered: 07/06/2021

Application Type: Full

Community: Clynnog

Ward: Clynnog

Proposal: Construction of a new house

Location: Penlon, Clynnog Fawr, Caernarfon, Gwynedd, LL54 5PE

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is a full application to construct a two-storey house on a plot of land near Pen Lôn, within the development boundary of Clynnog Fawr. Internally, on the ground floor, the house would provide two bedrooms, one with an en-suite, a bathroom and two storage rooms, with a lounge, dining room, kitchen including two storage rooms along with a storage room and landing on the first floor. Externally, the roof would be of natural blue slate, rendered walls with timber doors and aluminium windows. At the front of the site two parking spaces will be provided with a new access to the rear service road that leads to a class III County Highway. Currently, the site consists of mature vegetation along the North and Western boundaries as well as a number of mature trees and these trees would have to be felled to situate a new house within the site itself. The width of the house would be approximately 7.5m, and 10.6m long with a height to the ridge of approximately 7.5m. Although the application form states that trees will not be felled as part of the proposal, it is assumed that it would be inevitable for the trees and vegetation on the site to be replaced by the new house. It is proposed to retain the hedge along the Western boundary of the site.
- 1.2 The site stands on a plot of land in front of dwellings known as Y Ficerdy and Clynnog House and the residential dwellings of Tŷ Isaf and Court Cottages are located towards the rear of the site. At the end of the road where the site is located there is also a back entrance to St Beuno's Church. The site is located within a residential area with a bus stop above the site to the right of the access along the class III County Highway. The rear service road is used by the existing nearby five houses and is also used by the St Beuno's Church. It is also noted that the site is located directly near Listed Buildings, and is within the AONB and is also in a Conservation Area.

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 (Wales) Act 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**
- PCYFF 1: Development boundaries
- PCYFF 2: Development criteria
- PCYFF 3 : Design and place shaping
- PCYFF 4 : Design and Landscaping
- PS 5: Sustainable development

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PS 19: Conserving and where Appropriate Enhancing the Natural Environment

PS 20: Protecting and where appropriate enhancing heritage assets

AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

TRA 2: Parking standards

TRA 4 : Managing transport impacts

TAI 4: Housing in Local, Rural and Coastal Villages

AMG 1: Areas of Outstanding Natural Beauty Management Plans

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

TAN 12 Design (2016).

TAN 24: The Historic Environment

Gwynedd Design Guidance (2003)

3. **Relevant Planning History:**

3.1 C03D/0217/34/LL - Construction of two-storey Dwellinghouse with a garage beneath - Withdrawn.

C04D/0175/34/LL - Construction of dwellinghouse - Refused - 17-08-2004.

Pre-application enquiry number Y21_0049 - erecting one house with the LPA responding by referring to the relevant planning policies. The site is within the development boundary, however, the application subject is referred to as small and on a slope that is a cause of concern to the LPA. The need for statutory consultations was also noted as the site is located within the AONB, Clynnog Conservation Area, proximity to a bus stop and close to a number of Grade II Listed Buildings. It was advised to submit a Heritage Assessment referring to the AONB and the Conservation Area and the Listed Building. A report was received as part of this current application.

4. **Consultations:**

Community/Town Council: Clynnog Community Council has no objection to the application but are rather concerned about the size of the house on a fairly limited site.

Transportation Unit: The main concern in terms of transportation matters was the limited turning space in the vicinity of the site. The agent has included a site plan that indicates the required area for vehicle turning within the

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road space and nearby parking spaces. I believe that this space provides a sufficient area for the vehicle that is situated closer to the wall to turn around and exit in forward gear, however, it is likely to be tight for the second vehicle. It is not impossible; however, if it is tight then the residents are likely to choose to reverse in and out rather than to turn around on the site.

I attach an amended plan that would overcome this problem by repositioning the parking area. It may be possible to park in this manner within the proposed space to be provided; however, there would be a need to adapt the access path / ramp to the front door.

The nearby road is of course private and therefore its use as a turning area would not impair on the local adopted roads network, and it appears that some of the other houses also do something similar as a result of the lack of a turning area within their curtilage.

The other element for consideration is the need to excavate down near the road's retaining wall. The plans indicate the differences in levels of approximately 2m and therefore the space between the building and the wall needs to be retained in order to undertake inspections and repairs as required, and to ensure that the building remains totally separate to the highways department structure. On top of this, a condition needs to be included to ensure that the applicant submits design calculations and a construction method statement for approval, to protect the retaining wall during the construction phase.

Natural Resources Wales: We do not believe the proposed development would affect a matter listed on our Consultation Topics, *Advice Service on Development Plans: Consultation Topics* (September 2018). Therefore, we have no observations to make on the proposed development

Welsh Water: Condition regarding the disposal of surface water from the site to the public system.

Public Protection Unit: No observations received

AONB Unit As the site is near a road in the centre of the village it is very prominent. In addition to being within the AONB, the site is within a Conservation Area and there are a number of historic buildings in the vicinity, some are listed. It is proposed to erect a two-storey house that appears to be of a reasonable size for the site with some traditional features and others that are more modern. The materials

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match other houses in the vicinity. More traditional ridge roof dormer windows are suggested on the western elevation, there are no other concerns in terms of the AONB. It is also suggested that the advice of the Conservation Officer should be sought on the application.

Water and Environment Unit

Our maps show that a watercourse runs along the development site. The developer is advised to avoid installing / constructing any structures within 3 metres to the course of the river as this could impede future maintenance. Additionally, an Ordinary Watercourse Consent will be required for any work that could affect the watercourse flow, including new connections to it, and FCRMU@gwynedd.llyw.cymru should be contacted for further advice.

Biodiversity Unit

From the photographs of the site it appears that there are a few small/low trees and perhaps a hedge exist on the site. If any work is done that has an impact on these trees then it should be undertaken outside the nesting season (March-August).

A condition will be required to improve biodiversity. I would suggest installing a sparrow box on the new building and the planting of native hedgerows.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertisement period expires on 9/7/2021 and four letters / pieces of correspondence were received objecting to the application on the following grounds:

- The proposal will be oppressive on a small site
- The proposal will affect other members in the community.
- Overlooking of adjacent dwellings.
- Insufficient space for parking
- Insufficient space for turning
- Concerns regarding the impact of the proposal on road safety.
- The possibility the site may be a haven for wildlife
- Safeguarding a sycamore tree.

5. Assessment of the material planning considerations:

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The principle of the development

- 5.1 The principle of locating new developments are entrenched in Policy PCYFF1 of the LDP which states that proposals located within development boundaries in accordance with other policies and proposals within the LDP, national planning policies and other planning considerations will be approved. Policy TAI 4 states that in Local Villages (such as Clynnog Fawr) proposals for open market housing will be approved if the size, scale, type and design of the development is in keeping with the character of the settlement and that the site is located within the settlement's development boundary.
- 5.2 The indicative supply level of housing for Clynnog Fawr over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 10 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period 2011-2020, five units were completed in Clynnog Fawr. In April 2020 the land bank, i.e. sites with extant planning permission, was one unit. Taking into consideration all the above information collectively, 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.
- 5.3 Taking this into consideration, the principle to erect a new house on the site may be acceptable in principle, but the proposal is required to comply with policy TAI 4 criteria and other relevant policies as discussed below.

Design and visual amenities.

- 5.4 The requirements of Policy PCYFF 3 (reflected generally in the TAN 12 document) state that every proposal is expected to demonstrate high quality design that gives full consideration to the natural, historic and built environment and that they contribute to creating attractive and sustainable places. This policy only approves proposals that comply with a number of criteria that include:-
- That the development must add to and enhance the character and appearance of the site in terms of setting, appearance, scale, height, mass and elevation treatment.
 - That the development respects the context of the site and its place in the local landscape, its impact on the street scene and the local historic and cultural heritage
- 5.5 The site is located within an Area of Outstanding Natural Beauty, therefore policy AMG 1 of the LDP is a consideration here. As well as being located within the AONB, the site is also within the Clynnog Fawr Conservation Area and the document Managing Conservation Areas in Wales, 2017 (that supports the advice included in Planning Policy Wales and TAN 24) notes that there is a strong presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting, and indeed, it is a requirement for Local Planning Authorities to seek these aims as one of their statutory responsibilities.
- 5.6 TAN 24 The Historic Landscape, states that local planning authorities should carefully and thoroughly consider the impact of proposed developments within the locations of historic assets (e.g. conservation areas) - *The setting of an historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape. Elements of a setting may make a positive or negative contribution to the*

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significance of an asset and may affect the ability to appreciate that significance or may be neutral. Policy PS20 of the LDP states that only proposals that will preserve and where appropriate enhance the heritage assets, their setting and significant views into and out of the building/area will be granted.

- 5.7 The proposal involves erecting a fairly traditional looking two-storey house within an empty space between buildings. The site may be described as an infill site. The site is located on a plot of land between an unclassified road that serves five existing dwellings and St Beuno's Church and the class III County Highway situated south of the site. The site is on a piece of open limited land with the western boundary measuring approximately 16.5m and the southern boundary along the A499 measuring approximately 14.5m, while the eastern boundary of the proposed site is in an arch shape. The proposed house due to its design and size fills the majority of the site and this means that there is not much open/amenity area around the house and also there is a lack of parking and turning area provision within the site.
- 5.8 It is noted that Clynnog Fawr varies in terms of the relationship of buildings and gardens and space, and the village is mainly defined by the balance between the built form and green open areas. The built forms surrounding the site vary from small terraced housing, larger detached and semi-detached houses with extensive gardens and larger sized buildings including St Beuno's Church and the former Beuno public house which are also listed buildings. There are several listed properties close to the site which contribute to the area's character and sensitivity.
- 5.9 The space around the buildings form an important part of the character and setting of the conservation area and the listed buildings. An additional dwelling on this site will change this important balance and will lead to the loss of the open character and create a development that would look as if it had been squeezed into the space available and would not reflect the surrounding development pattern.
- 5.10 Observations were received from the AONB Unit raising concern about the western elevation and the need for more traditional feature/s such as dormer windows in order to soften the visual impact. Erecting a house on the site would have a detrimental impact on views in and out, not only from the site itself, but also in and out of this part of the conservation area. It would not add to or improve the appearance and setting of the conservation area.
- 5.11 Having considered the above, it is believed that the proposal as submitted will create an incongruous and oppressive structure in the streetscape and will undermine visual amenities as well as the character of this part of the Clynnog Fawr conservation area. Therefore, the proposal does not comply with the requirements of policies PCYFF 3, TAI 4, PS 19, PS 20, AMG 1 and AT 1 of the LDP or with the advice in Policy Planning Wales, TAN 12 and TAN 24.

General and residential amenities

- 5.12 Residential dwellings are located to the North and South West of the application site. Correspondence was received from neighbours objecting to the application and drawing attention to over-looking issues if the development is approved. A dwellinghouse (Tŷ Isaf) is situated approximately 20m behind the site with a green plot currently used as a vineyard. Although the house is quite a substantial two-storey dwelling with a lounge and doors opening outwards with a juliet balcony on the northern elevation and windows on the western elevation serving the diner and kitchen on the first floor, it is not considered that the proposal would detrimentally impair the

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residential or general amenities of nearby occupiers on the grounds of overlooking and loss of privacy and therefore is in compliance with Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.13 Policy TRA 4 of the LDP states that proposals which would amongst other matters cause unacceptable harm to the safe and efficient operation of the highway, will be refused. The proposal involves creating parking spaces and a new vehicular access in the front of the site to enable access to the adjacent rear service road. Based on the site plan submitted with this application, it appears that the parking space and the turning space are limited based on the area and plan. The size of the parking space would not allow vehicles to join the rear service road in forward gear and would therefore impair the safety of users of the nearby road.
- 5.14 Following a period of consultation, it is also noted that the Transportation Unit raises concern regarding the limited turning space available in the vicinity of the site. However, they note that it is possible to overcome the issue by submitting an amended plan. From this perspective, the LPA is doubtful if the turning requirement can be achieved within the site based on the plan submitted with the application without amending the plan significantly (by re-designing the house size and setting).
- 5.15 In this case it is believed that the proposal would detrimentally impact the users of the back service road on the basis that there is insufficient space to park or to turn within the site and as a result, it is considered that the proposal as submitted is contrary to policy TRA 4 of the LDP.

Relevant Planning History

- 5.16 In 2003 an application was withdrawn for this site to build a two-storey house with a garage underneath (C03D/0217/34/LL) and then an application was refused on this site to build a dwellinghouse in 2004 (C04D/0175/34/LL) based on an over-development of the site together with the lack of parking and turning provision.
- 5.17 As referred to above, the proposal is very similar in terms of setting, form/design and scale to the structure refused in 2004. Although policies have changed since then with the LDP adopted in 2017, given the similarity between the plans and the matters refused in 2004 and this application, it is not believed that the proposal satisfies current policies due to the reasons discussed in the above assessment.

Response to the public consultation

- 5.18 As referred to above, a number of objections were submitted on the grounds of an overbearing proposal on a small site, impact on the amenities of nearby neighbours, road safety and parking space. These matters have been considered in the above assessment.

6. Conclusions:

- 6.1 Following the above discussion, and having considered all relevant matters including local and national policies and guidance, as well as the observations received, we cannot recommend the approval of the application due to the failure to satisfy the LDP's housing policies requirements and the impact on the parking and turning standards on the rear service road and therefore on the amenities of surrounding residents.

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7. Recommendation:

To refuse – reasons

1. The proposal, due to its site and setting is contrary to the requirements of policies PCYFF 3 and TAI 4 of the LDP. It is considered that the proposal would be contrary to the development pattern due to the lack of curtilage /open area around the house and also that it would not create a safe space due to the lack of parking and turning provision. It is not considered that the proposal will add to or improve the character and appearance of the site and there would be a loss of an open space between existing dwellings that will damage the appearance and character of the streetscape and the conservation area.
2. It is considered that the proposal is contrary to the requirements of policies PS19, PS20, AT 1 and AMG 1 of the LDP as the proposal would not, due to the loss of an open space as well as the size and appearance of the house, safeguard or improve the setting and appearance of the conservation area or the Area of Outstanding Natural Beauty and the importance views in and out of the area.
3. The proposal is considered to be contrary to the requirements of Policy TRA 4 of the Anglesey and Gwynedd Joint Local Development Plan (2017) regarding the need to ensure that proposals do not cause unacceptable harm to the safe and efficient operation of the nearby road. The proposal does not meet this aim as the limited size of the parking area and the lack of a turning area within the site.