

<b>PLANNING COMMITTEE</b>	<b>DATE: 21/03/2022</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

**Number: 2**

**Application Number: C22/0032/32/DT**

**Date Registered: 12/01/2022**

**Application Type: Householder**

**Community: Botwnnog**

**Ward: Botwnnog**

**Proposal: Creation of vehicular access to road**

**Location: Efail Glandŵr, Sarn Mellteyrn, Pwllheli, Gwynedd, LL53  
8DY**

**Summary of the  
Recommendation: TO REFUSE**

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## **1. Description:**

- 1.1 This is an application to create a new vehicular access to an existing residential site from a class 3 road that runs south from Sarn Mellteyrn, from Tanrallt to Tŷ Fair. The access is located 7.8m south of an existing outbuilding and the gate would be set back 5m from the road with an earth / stone bank 1m high on both sides to the bell shape of the access. It is intended to create a road to connect the existing parking space at the back of the property of Efail Glandŵr.
- 1.2 The site lies within the development boundary of the Rural Village of Sarn Mellteyrn as defined by the Anglesey and Gwynedd Joint Local Development Plan and is also within a designated Special Landscape Area.
- 1.3 This application is submitted before 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 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 2: Development criteria  
PCYFF 3: Design and place shaping  
AMG 2: Special landscape areas  
TRA 4: Managing transport impacts
- 2.4 **National Policies:**  
Future Wales: The National Plan 2040  
Planning Policy Wales (Edition 11 - February 2021)  
Technical Advice Note 18: Transportation

## **3. Relevant Planning History:**

- C21/0610/32/DT: Create a vehicular access to the road: The application was withdrawn 14/09/21
- C20/0698/32/DT - Open a new vehicular access, extend domestic garden and engineering works to change ground levels including creating a new parking space: Refused 06/01/21 (An appeal was made against the decision (ref. APP/Q6810/A/21/3272047) and this appeal was refused)
- C20/0446/32/DT - Open a new vehicular access to the highway: Refused 10/08/20
- C03D/0519/32/LL - Conversion of outbuilding into a dwelling house: Approved 14/12/03

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#### 4. Consultations:

Community/Town Council:	It was decided to support the above noted application on the grounds of: a) that the whole community supported the said application; b) that the proposed access is much better than what is currently on the site and the visibility is much clearer; c) that the proposed access is located in a 30mph speed zone and therefore there should be no speeding on this narrow road.
Transportation Unit:	Not received.
Biodiversity Unit:	Any development should be undertaken outside the bird nesting season.
Welsh Water:	Standard guidelines for the applicant.
Public Consultation:	A notice was posted on the site and the neighbours were consulted. The advertising period has expired and correspondence was received supporting the proposed development on the grounds that it would be an improvement in highway safety and the applicant has amended the plan to take previous concerns into consideration.

#### 5. Material Planning Considerations:

##### Location, Design and Visual Impact

- 5.1 Generally, policies PCYFF 2 and PCYFF 3 of the LDP approve proposals for minor developments to existing property, provided they do not have a detrimental impact on the health, safety or the amenities of the residents of local properties or on the area in general. In addition, developments of this type are required to:
- Contribute to, and enhance, the character and appearance of the site, and
  - Respect the site and surroundings in terms of its location in the local landscape.
- 5.2 Although this site is within the development boundary, the site has a rural, agricultural nature and the development in the main would extend the developed area of the village into the countryside and would change the nature of the landscape in a significant way. It is recognised that it is proposed to erect new earth-banks in place of the earth-bank that will be lost, however, it is not believed that this is sufficient to compensate the visual change to the landscape caused by significant engineering work that will be essential to create the new access, especially when considering the change in land levels that are associated with the work of linking the site with the back garden of Efail Glandŵr.
- 5.3 This site has already been the subject of three unsuccessful planning applications for similar developments including one application that was refused on appeal with the Inspector noting;

*"Policy PCYFF3 expects high quality design and that development contributes to the creation of attractive sustainable places that complements and enhances the character and appearance of the site, the building or area, and respects the context of the site and its place within the local landscape. Policy AMG 2: Special Landscape Areas (SLA) seeks to ensure that there is no significant adverse detrimental impact on the landscape and that development should aim to maintain, enhance, or restore the recognised character and qualities of the SLA. I consider that the proposal would conflict with these forementioned policies."*

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- 5.4 Although the proposal in question entails taking less land than previously intended, the principle of the plan has not changed significantly and would continue to need to remove the existing boundary with the highway, clearance of vegetation and infill of land to ensure a vehicular connection between the garden and the new access. All this would occur in a rural site beyond any existing development and would mean that the urban aspect would extend into the Special Landscape Area.
- 5.5 It is not believed that this development would respect the context of the site and its place in the local landscape and, as a result, the development would be harmful to the visual amenities when approaching the village of Sarn Mellteyrn from the south. Because of the above, the development would be contrary to the requirements of policies PCYFF 2 and PCYFF 3 of the LDP as they deal with protecting visual amenities.
- 5.6 In addition, the site is within the designated Special Landscape Area and Policy AMG 2 is therefore appropriate. That policy notes that wherever possible, development should contribute to maintaining, improving or restoring the recognised character of the SLA. In considering the detrimental impact on visual amenities, it is believed that the development is detrimental to the quality of the SLA and therefore the application is contrary to policy AMG 2.

#### **Transport and access matters**

- 5.7 Although no response has been received regarding the consultation on this application, the Transportation Unit have expressed their satisfaction with a similar plan that was part of a previous application and therefore we believe that the proposal meets with the requirements of Policy TRA 4 of the LDP.

#### **Biodiversity Matters**

- 5.8 The Biodiversity Unit did not have any objection to the proposal, although they note that cutting vegetation should be restricted to outside the bird nesting period and request wildlife improvements such as planting trees / hedgerows are part of any permission given. In doing this the development would be acceptable under policy PS19 of the LDP.

#### **6. Conclusions:**

- 6.1 Having assessed the current proposal against the relevant planning policies, it is considered that the development would cause an unacceptable change in the nature of the landscape that would be detrimental to the area's visual amenities when approaching the village of Sarn Mellteyrn and therefore there is no option but to refuse the application.

#### **7. Recommendation: To refuse**

The proposed development would cause an unacceptable change in the landscape in a prominent place, near a public highway, that would change the character of the site that is in a Special Landscape Area. The proposed development would not respect the context of the site and its place in the local landscape and, as a result, the development would be harmful to the area's visual amenities. The application is therefore contrary to the requirements of policies PCYFF 2, PCYFF 3 and AMG 2 of the Anglesey and Gwynedd Joint Local Development Plan involving safeguarding local visual amenities.