

PLANNING COMMITTEE	DATE: 13/02/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Number: 8

Application Number: C16/1380/46/LL

Date Registered: 02/11/2016

Application Type: Full - Planning

Community: Tudweiliog

Ward: Tudweiliog

Proposal: Erection of a garage

Location: Bryn Eithin, Llangwnnadr, Pwllheli, Gwynedd, LL53 8NT

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is an application for the construction of a garage. The garage would measure 8 metres by 6.6 metres; the height to the eaves would be 2.8 metres; and the height to the ridge would be 4 metres. It is intended for the roof and walls to be of profile box sheets with the colour yet to be agreed. The intention is to locate the garage within the curtilage of the property. The garage would be located one metre from the curtilage boundary with Tan y Graig, located to the north east of the site.
- 1.2 The site is located within the Landscape Conservation Area and the Landscape of Outstanding Historical Interest. The Llŷn Area of Outstanding Natural Beauty is located around 46 metres to the north west and 32 metres to the north east. The site is served by class three road. Residential dwellings are situated near the site, including one dwelling to the north east on a lower level than that of the application site.
- 1.3 The application is being submitted to Committee following receipt of more than three objections to the proposal.

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 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.

2.2 Gwynedd Unitary Development Plan 2009:

POLICY B8 - THE LLŷN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site in accordance with the statutory requirements of the Countryside and Rights of Way Act 2000.

POLICY B10 – PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS – Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant damage to recognised features.

POLICY B12 – PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in

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Wales from developments which would cause significant damage to their character, their appearance or their setting.

POLICY B22 – BUILDING DESIGN – Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

POLICY B23 - AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B24 - ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE - Ensure that proposals for alterations or extensions to buildings conform to a series of criteria aimed at protecting the character and amenity value of the local area.

POLICY B25 - BUILDING MATERIALS - 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.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they conform to specific criteria relating to the vehicular access, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council’s current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

The Gwynedd and Anglesey Joint Local Development Plan, which is currently being prepared, is subject to an ongoing Public Inquiry. At present, it is not a relevant planning consideration for making decisions on planning applications.

2.3 National Policies:

Planning Policy Wales, (Edition 9, November 2016).
TAN 12 Design (2016).

3. Relevant Planning History:

3.1 C05D/0346/46/LL - Construction of a single-storey house and garage - Approved 29 January 2007.

4. Consultations:

Community/Town Council: Support

Welsh Water: Reference to the fact that not every public sewer and drain is shown on their records.

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Public Consultation: A notice was posted on the site. The advertising period has ended and a number of letters / correspondences were received objecting on the following grounds:

- Overbearing / towering over a nearby house.
- Garage of a similar appearance to an agricultural building.
- Large building and close to a boundary wall.
- Scale, setting, design, materials and landscaping of concern, especially within the AONB.
- Reference made to permitted development rights for curtilage buildings.
- Overlooking.
- Loss of light.
- Noise and fumes from the garage.
- Impact on drains.
- Question as to where rain water from the garage would go.
- Affect the solar panels on the roof of Tan y Graig.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 General planning policies within the Gwynedd Unitary Development Plan support applications for the erection of extensions and curtilage buildings on residential houses provided they are appropriately assessed.
- 5.2 Policy B24 of the Gwynedd Unitary Development Plan relates to alterations to buildings. The proposal is for the erection of a separate garage within the curtilage. It is considered that the scale and type of the proposal for the garage is usual for the type of existing residential property. Although the garage would take up part of the property's curtilage, it is considered that the property would have plenty of curtilage remaining. Therefore, it is considered that the proposal complies with policy B24.

Visual amenities

- 5.3 Policies B22 and B25 of the Gwynedd Unitary Development Plan relate to assessing the design and external materials of the proposal.
- 5.4 The original approval for erecting a house on the site includes the construction of a garage. Because the house has been built, permission for the garage is extant and the garage, approved in the C05D/0346/46/LL planning application, can be constructed at any time. That approval was for a garage that measured five metres by six metres in width; 2.2 metres to the eaves, and four metres to the ridge of the garage. That garage would have been finished with a slate roof with pebble dashing on the external walls. It would have been located on the same site as the current application. From this, it can be seen that the proposed garage would be three metres longer and 0.6 metres wider. The height of the garage's ridge, which is the subject of this current application, would be four metres, as in the 2005 application, but the height up to the eaves would be greater by 0.6 metres.

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- 5.5 Although the proposed garage would be larger in size than the garage that has already been approved, the length and breadth of the proposed garage are not considered unusual. The height of the garage is also considered to be reasonable and acceptable for a single-storey garage. Although the proposed garage would, therefore, be larger in size than the garage that has already been approved, it is considered that this proposed garage would not appear overbearing in any way compared with the existing residential property on the site. The plans show that the intention would be for the building to have a profile box sheet finish, with the applicant stating that he would be willing to agree on a colour. Although it is possible that materials similar to those for the previously approved garage would be better, namely slate and pebble dashing, using box profile sheets as a finish for the garage would not be considered unusual. The proposal is therefore considered to be acceptable in respect of Policies B22 and B25 of the GUDP.
- 5.6 The site is located within a Landscape Conservation Area. The AONB boundary is close to the site. The garage would be located among other buildings and would not, therefore, stand out prominently in the landscape. Though visible when travelling along the nearby roads, this would be in the context of the built form of Llangwnadl and it is not considered that the proposal would stand out prominently in the landscape designated as a Landscape Conservation Area. Furthermore, it is not considered, despite its location, that it would impair the views in and out of the AONB. The proposal is considered to be acceptable in respect of Policies B8 and B10 of the GUDP.
- 5.7 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is on such a large scale that it would be greater than merely a local impact. The proposal is not considered to be on a large scale and the impact would be limited to being merely local and the proposal would not, therefore, have a wider impact on the historical landscape. Therefore, the proposal is not considered to be contrary to Policy B12 of the GUDP.

General and residential amenities

- 5.8 The proposal is for the erection of a separate garage within the curtilage. The garage would be located one metre from the curtilage boundary with Tan y Graig, located to the north east of the site. That property is on a lower level than the application site and a fairly high fence is currently located at the boundary. From letters of objection, it is understood that the rooms closest to the site of the application are bedrooms. However, the plans approved for Tan y Graig show that the south eastern side of the property should be reserved for a garage and that a condition exists on planning permission C05D/0551/46/MG stating that the garage will not be used for any purpose other than as a garage for the house. It, therefore, appears that the garage having been modified into rooms for the house contravenes the planning condition. The distance between the garage and the boundary with Tan y Graig is the same as it was for the garage approved in application C05D/0346/46/LL. The height of the ridge of the proposed garage is also the same as it was in that application. Considering that permission already exists for a garage on this site, it is not considered that extending the length by three metres would have a significantly detrimental impact on the amenities of the nearby property. No windows would be set into the wall facing the north east; it is not, therefore, considered that there would be any negative effects from overlooking.

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- 5.9 Additionally, in recognising that there would be noise and disturbance concerns for nearby properties should a business use be made of the site, it is considered that this is a matter that can be controlled with a condition to restrict the use to domestic use only. General domestic use is not considered likely to interfere with the area's amenities, and therefore it is considered, with appropriate conditions, that the development would be acceptable under policy B23 of the Gwynedd UDP.
- 5.10 Therefore, from assessing the proposed garage in relation to its setting within a curtilage, and in relation to the existing residential dwelling, and with regard to the garage that has already been approved, it is not considered that the proposed garage would cause significant harm to the amenities of the local neighbourhood, and it is considered acceptable in terms of Policy B23 of the GUDP.

Highways Matters

- 5.11 Policy CH33 of the UDP ensures safety on roads and streets and policy CH36 deals with providing adequate parking facilities. It is not considered that the proposal would any impact on road safety or on parking spaces within the curtilage. It is therefore considered that the proposal complies with the requirements of policies CH33 and CH36.

Response to the public consultation

- 5.12 Concerns have been raised with regard to the effect on the existing drainage system and also with regard to rain water. Considering that the right to erect a garage on the site exists, it is considered that the situation would be similar if the current application were to be approved and be constructed instead of the garage that has already been approved.

6. Conclusions:

- 6.1 The proposal is unlikely to have a detrimental effect on the amenities of the local area or the amenities of the local neighbourhood. As a result, it is not considered that the proposal is contrary to any relevant policy noted above and, having considered all the objections, it is not considered that any relevant planning consideration states otherwise.

7. Recommendation:

7.1 To approve – conditions

1. Five years
2. Ensure that the development is completed in accordance with the plans submitted.
3. Agree on the colour of the garage.
4. Use as a domestic garage only/and not for running a business.

Welsh Water Note