

PLANNING COMMITTEE	DATE: 13/02/17
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

**Number: 9**

**Application Number: C16/1575/08/LL**

**Date Registered: 05/12/2016**

**Application Type: Full - Planning**

**Community: Penrhyndeudraeth**

**Ward: Penrhyndeudraeth**

**Proposal: A retrospective planning application to retain a chess board on the lawn of Portmeirion Village.**

**Location: The Fountain, Portmeirion, Gwynedd, LL48 6ER**

**Summary of the Recommendation: TO APPROVE UNCONDITIONALLY**

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## 1. Description:

- 1.1 This is a retrospective planning application to retain a chess board on the lawn of Portmeirion village. The work, which has already been completed, included some mechanical excavation work to install the board, which is comprised of black and white tiles measuring 1.2m by 1.2m. The chess board measures 9.6m square and has been inset so that it is flush with the lawn.
- 1.2 The site is located within the village of Portmeirion which is also a Conservation Area. The site is also included on the Register of Historic Landscapes, Parks and Gardens (grade II\*), and there are several listed buildings nearby. The site also lies within a Landscape of Outstanding Historic Interest.

## 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.

### 2.3 Gwynedd Unitary Development Plan 2009:

B2 – ALTERATIONS TO LISTED BUILDINGS OR BUILDINGS IN THEIR CURTILAGES - Ensure that proposals do not cause substantial damage to the special architectural or historical character of Listed Buildings.

B3 – DEVELOPMENTS AFFECTING THE SETTING OF A LISTED BUILDING - Ensure that proposals have no adverse effect on the setting of Listed Buildings and that they conform to a number of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

B4 – DEVELOPMENT WITHIN OR THAT AFFECTS THE SETTING OF CONSERVATION AREAS - Ensure that proposals within conservation areas, or which affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

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.

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

B24 – ALTERING AND EXTENDING BUILDINGS 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.

B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and are in-keeping with the character and appearance of the local area.

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

#### 2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016)  
 Technical Advice Note 12: Design 2016  
 The Welsh Office Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

### 3. Relevant Planning History:

3.1 No relevant planning history

### 4. Consultations:

Community/Town Council: No objection

Cadw: Not received

Welsh Historic Gardens Trust: Not received

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and a number of objections were received based on material planning matters:

- The design of the chess board is out of character with the area
- Out of character with the area and the listed buildings
- The material of the tiles is unacceptable

A number of objections were received for reasons that were not planning considerations, and which related to “The Prisoner” television programme.

Several items of correspondence were also received in support of the application.

### 5. Assessment of the material planning considerations:

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## **The principle of the development**

- 5.1 The application is a retrospective planning application to retain a chess board on the lawn of Portmeirion Village. Justification has been provided for the work, in relation to the condition of the land which often becomes wet and muddy, and therefore a decision was made to re-locate the chess board to the exact site where the historic chess board was located. It is also in keeping with the materials and design of other flooring within the site, and it is therefore considered that the proposal is acceptable in principle.

## **Visual amenities**

- 5.2 The site is located in the middle of the village of Portmeirion, which is in a Conservation Area in addition to being a Historic Park and Garden, and there are a number of listed buildings opposite. The development is based on a historic chess board which used to be on this site, including its size, location and design. It is not considered that the development will have any detrimental impact on the area's amenities in relation to its location or design. There is similar black and white tiled flooring in other parts of the site, and therefore the development is not totally alien to the area. It is also a type of development that could be taken off-site and the lawn could be reinstated without permanently harming the site. It is therefore considered that the proposal complies with the requirements of policies B4, B12, B22, B23, B24 and B25 of the GUDP.

## **The impact of the development on the setting and character of the Listed Building**

- 5.3 The main consideration with this application is the nature and design of the development and its impact on the site in its entirety. This part of the lawn is located at the centre of the village, with a number of listed buildings nearby. It is not considered that the proposal would affect the setting of the nearby listed buildings as it is set into the lawn, and it does not detract from the character of the listed buildings nearby the site due to the nature of the area and the land use. It is not considered that approving this application would have a detrimental impact on the architectural or historical character of the listed buildings or the Conservation Area. Therefore, it is considered that the proposal complies with the Policies B2, B3 and B4 of the GUDP.

## **Response to the public consultation**

- 5.4 A number of objections to the proposal were received, stating that the development is not suitable and is not in keeping with the site. As explained above, there is historical evidence to support the proposal, and also in relation to the design and materials which can be seen in other parts of the site. It is considered that the objections have received full consideration in the above assessment. A number of objections were also received in relation to the television programme "The Prisoner" and due to the fact that the chess board was part of the programme there is no justification for it. These objections are not planning matters and therefore they are not material planning considerations when considering this application.

## **6. Conclusions:**

- 6.1 Based on the above assessment, it is not considered that the proposal is contrary to the relevant local or national policies, and that it is appropriate to be approved unconditionally.

## **7. Recommendation:**

- 7.1 To approve