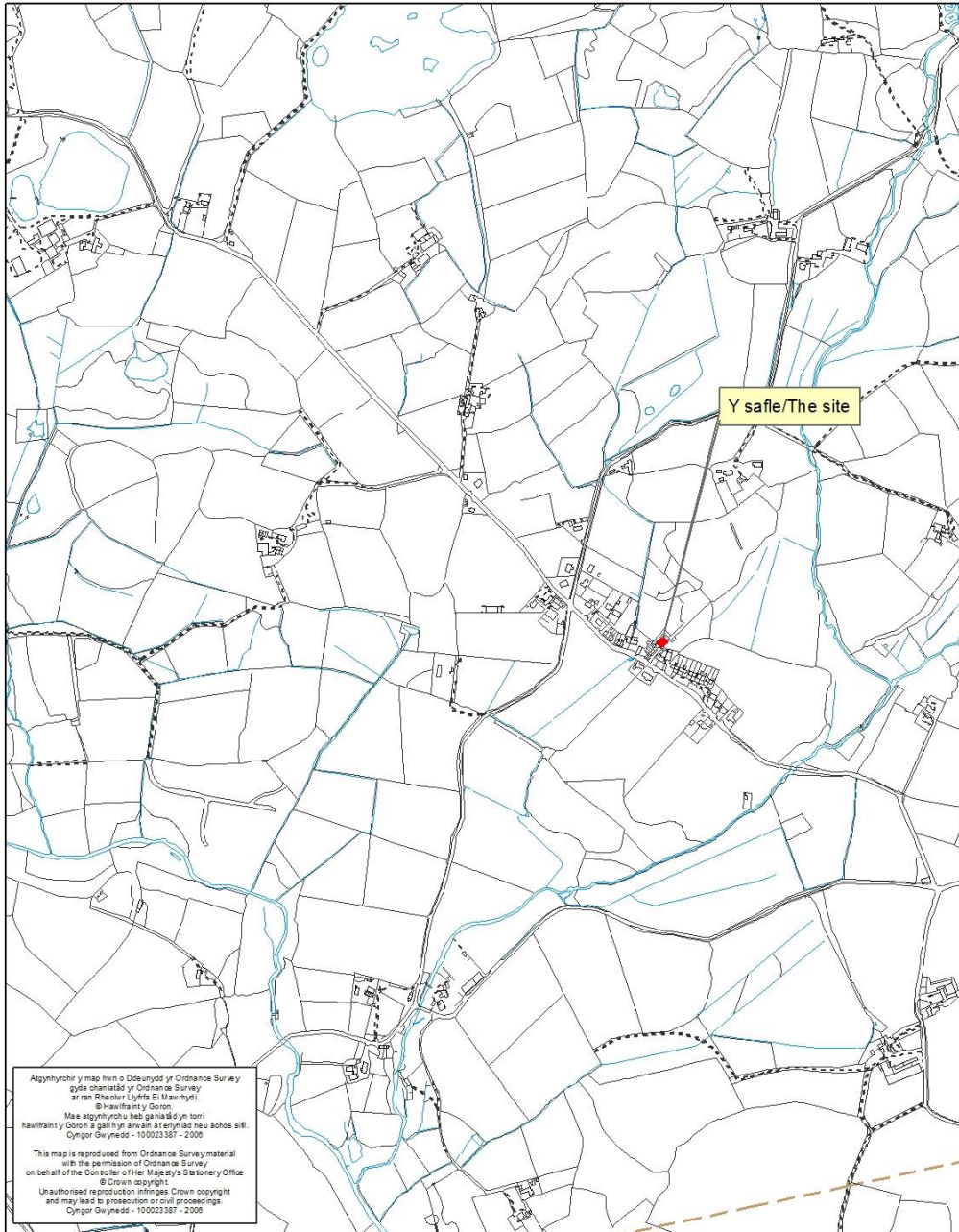


Number: 5



Rhif y Cais / Application Number : C16/0360/41/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



PLANNING COMMITTEE	DATE: 25/07/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C16/0360/41/LL
Date Registered: 08/04/2016
Application Type: Full - Planning
Community: Llanystumdwy
Ward: Llanystumdwy

Proposal: RE-SUBMISSION AND AMENDMENT OF AN APPLICATION REFUSED UNDER C16/0091/41/LL TO ERECT AN AFFORDABLE HOUSE ON A RURAL EXCEPTION SITE

Location: LAND ADJ. - Y DOLYDD, 4, GLASFRYN TERRACE, PENCAENEWYDD, PWLLHELLI, GWYNEDD, LL53 6RB

Summary of the Recommendation:

TO DELEGATE THE RIGHT TO THE SENIOR PLANNING MANAGER TO APPROVE THE APPLICATION SUBJECT TO SIGNING A SECTION 106 AGREEMENT TO ENSURE THAT THE HOUSE IS AN AFFORDABLE HOUSE FOR LOCAL NEED AND RELEVANT CONDITIONS.

1. Description:

1.1 This is a full application to erect a two-storey dwelling house (3 bedrooms) with a pitch roof on a rural exception site. It is intended to use slates on the roof of the development and the external walls rendered smoothly with a white colour.

1.2 This application is a re-submission and amendment of an application refused under C16/0091/41/LL to erect a property on the site. This previous application was refused because the house that was the subject of the application had not been submitted as an application for an affordable house, and as its size was larger than what is permitted as an affordable house.

1.3 According to the amended floor and block plans which are to scale, the property would measure approximately 9m by 9m and 4.2m to the eaves and 7.3m to the ridge.

Internally, the floor surface area would measure approximately 92m² and the attached garage would be 15m².

1.4 The site is located within the rural village of Pencaenewydd, on a strip of land which forms part of the garden of the property known as 4 Glasfryn Terrace, Pencaenewydd, and it is within a cluster of buildings that have been coloured red on the map and which include the rest of Glasfryn Terrace and two semi-detached properties and the Chapel House. The existing vehicular access runs past the front of Glasfryn Terrace towards the application site and it is proposed to open a new entrance off this track directly adjacent to the existing entrance to Number 4. This would allow for the creation of an entrance and provision of a parking and turning space immediately in front of this new property.

1.5 The proposal involves demolishing the existing slate-roofed outbuilding that is located on the site.

1.6 Attached to the application was a Planning, Design and Access statement, stating that the proposal was to erect a new affordable house on the site. The statement also confirms that this application is speculative, however, it would be available to sell to local families who are eligible for an affordable house.

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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 As a result of the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also 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, and in making 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. 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 decision.

2.3 Gwynedd Unitary Development Plan 2009:

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Refuse proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

B22 BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

B23 – AMENITIES

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities 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.

C1 LOCATING NEW DEVELOPMENTS

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY CH5 – NEW HOUSES IN RURAL VILLAGES

Approve a residential development that includes one or two units only in a Rural Village on specific sites provided it conforms to criteria relating to local need for the development, effect on the landscape and the specific features of the site.

POLICY CH33 - SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

CH36 – PRIVATE CAR PARKING FACILITIES

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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. Consideration will be given to the accessibility of public transport services, the possibility of walking or cycling from the site and the proximity of the site to a public car park. In circumstances where there is an assessed need for off-street parking and where the developer does not offer parking facilities on the site, or where it is not possible to take advantage of the existing parking provisions, proposals will be approved provided the developer contributes to the cost of improving the accessibility of the site or providing the number of necessary parking spaces on another site nearby.

Supplementary Planning Guidance: Affordable Housing 2009

Supplementary Planning Guidance: New dwellings in Rural Villages 2010

2.4 National Policies:

Planning Policy Wales, Edition 8 (2015)

Technical Advice Note (TAN 2) 'Planning and Affordable Homes' (June, 2006).

3. Relevant Planning History:

3.1 C16/0091/41/LL - An application to erect a house on a rural exception site - REFUSED 11.03.2016

4. Consultations:

Community/Town Council: Object as the road running past the houses is unsuitable and the land can flood and the impact of this on nearby houses; the proposed house is not in keeping with the existing terrace of stone houses.

Transportation Unit: No objection to the proposal.

It is recommended that conditions are imposed in relation to the provision of parking spaces and turning area within the curtilage, should the application be approved.

Natural Resources Wales: General observations

Welsh Water: No development shall commence until a drainage Scheme for the site has been submitted to and approved in writing by the local planning authority.

Biodiversity Unit: No concerns regarding biodiversity.

Footpaths Unit: The Countryside and Access Unit is keen to ensure that public footpath number 87 Llanystumdwy will be protected during and at the end of this development.

Affordable Housing: The proposal addresses a need for affordable housing in the area.

Tai Teg: No response

Land Drainage Unit: No response

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Public Consultation: A notice was posted on the site and neighbouring residents were informed. The advertising period has ended and correspondence was received objecting to the proposal on the following grounds:-

- Unsuitable access
- Flooding / Wet land
- The land has not been earmarked for development

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located within the vicinity of the rural village of Pencaenewydd. In rural villages, proposals for residential developments which include one or two units only will be approved under policy CH5 of the GUDP. The proposals will have to comply with all the criteria of the policy.
- 5.2 Rural Villages are characterised by a very sensitive social and environmental character along with a comparatively restricted level of services and facilities. They are usually small in size, the majority located in the countryside either in a close nucleus of houses or dispersed over a wider area. Each Rural Village is shown on an inset map in the UDP with the relevant buildings highlighted in red.
- 5.3 It is possible to locate new houses by infilling between the buildings highlighted or on a site immediately adjacent. An infill site is defined as a small gap in a continuous line of built development where it is possible to locate one or two houses. A site must be immediately adjacent to a property highlighted in red, and is required to be a site which overlaps with the curtilage of that property and the development must make the best use of the site and must not be contrary to the development pattern of the village.
- 5.4 In this case, the site is located within the curtilage of the garden of the existing end-of-terrace property which has been coloured in red within the village, and another property has been coloured red directly opposite. Agricultural fields overlap along two sides of the site, property number 4 on one side, and an agricultural access track (which is also a public footpath), runs along the other side. It is considered that the site is suitable in terms of its location and relationship with other houses and the general development pattern of the village. It is considered that the plot would leave plenty of garden left for property number 4 which is comparative to what the rest of the terrace has.
- 5.5 The dwellings built in Rural Villages must be affordable now and in the future, and to this end, it is mandatory to prove the need for an affordable unit in the village, that the size of property reflects the specific need for an affordable house from the perspective of the general size of the property and the number of bedrooms, and also that there are appropriate arrangements available to restrict the occupancy of the house in the first instance and in perpetuity for those in need of an affordable home.
- 5.6 On the contrary to the previous application, the proposal has been submitted this time as an affordable house of an affordable size for general affordable need. Although it is a speculative house, without a specific family in mind, a clear need exists for this type of property in this area. The total floor surface area of the property is less than the 100m² permitted for 3 bedroom houses, and the garage is also less than the 20m² permitted.

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- 5.7 Based on the above, it is considered that the proposal complies with all the criteria of policy CH5 and Supplementary Planning Guidance: Affordable Housing (2009) which ensures that houses for affordable community local need are permitted in suitable locations within rural villages.

Visual amenities

- 5.8 The proposed house is of a two-storey design with an ancillary garage and an additional floor in the garage's roof-space. It is not considered that the proposal in terms of its size and design will lead to an over-development of the site, and it is considered that it suits its location at the end of an existing terrace. The proposed property would be located approximately 5.5m away from the gable end of number 4, with a garden surrounding it, and it would be ensured that a parking area and garden continues to exist for number 4.
- 5.9 The roof of the development would be covered in slate and it is proposed to use smooth cream-coloured render on the exterior walls. It is considered that these materials are suitable and in keeping with the area. Therefore, it is considered that the proposal is acceptable in respect of Policies B22 and B25 of the GUDP.

General and residential amenities

- 5.10 The site is located within the existing curtilage of the applicant's property, and agricultural fields are located along two sides of the site and a track/public footpath are located on the other side. The site is located within the curtilage of the end-of-terrace house, and the location of the proposed property will more or less match the terrace's development line, and thus will be unlikely to have a substantial impact on any one of the terraced houses. Two semi-detached properties are located on the junction of the access track and highway, however, the houses themselves are located approximately 15m away from the site, and their rear gardens are located approximately 7m away. The proposed property will not directly face these houses or gardens, and it is not considered that it would cause any direct or substantial overlooking. The Chapel House is located approximately 7-10m away; however, similarly, the proposed property or the existing house do not face each other and it is unlikely that they would overlook each other.
- 5.11 Therefore, it is considered that the proposal complies with the requirements of policy B23 of the Gwynedd Unitary Development Plan that relates to ensuring reasonable privacy for users and nearby properties.

Transport and access matters

- 5.12 The proposal involves providing an entrance off an existing track which also serves as a public footpath that runs in front of the existing terrace, and providing parking and turning spaces for the proposed property, as well as retaining the existing parking spaces for number 4. This existing track is already used by vehicles. Observations were received from the Transportation Unit and they do not object to the proposal. The Footpaths Unit has confirmed that they do not object to the proposal on the grounds that the path is protected at all times. Based on this and the observations of the Transportation Unit, it is considered that the proposal complies with the

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requirements of policies CH33 and CH36 of the GUDP which relate to ensuring road safety and obtaining a sufficient number of parking spaces within the site.

Biodiversity Matters

- 5.13 The Biodiversity Unit was consulted on the proposal and they had no objection to the proposal. Therefore, it is considered that the proposal is acceptable in relation to Biodiversity and is not contrary to the requirements of policy B20 of the GUDP.

Response to the public consultation

- 5.14 Following a period of public consultation, objections were received regarding highways matters, flooding and in relation to the site's planning policy. It is considered that the above report deals with the highways issues and planning policy standpoint. It is noted that the site is not located within a flood zone and no concerns were raised regarding wet land or flooding by Natural Resources Wales in their response to the application. Welsh Water has requested a standard condition relating to the draining of the site, but has not raised any concerns regarding the site's suitability for development. The Planning Authority has consulted with the Council's Land Drainage Unit, but has not received a response thus far. Therefore, it is not considered that there is any evidence for officers to object to the application on these grounds.

6. Conclusions:

- 6.1 It is not considered that the proposal is contrary to any relevant policy noted in the report and the proposal is unlikely to have a significant detrimental effect on the amenities of the local area or any neighbouring property.

7. Recommendation:

- 7.1 To delegate the right to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 Agreement to ensure that one of the houses is an affordable house for general local need and to relevant conditions relating to:

1. 5 years
2. In accordance with the plans
- 3 Slates on the roof
- 4 Materials
- 5 Withdrawal of permitted rights
- 6 Drainage plan condition - Welsh Water
- 7 Provision of parking and turning spaces within the curtilage
- 8 Welsh Water Condition
- 9 Footpath protection condition