

Number: 5



Rhif y Cais / Application Number : C16/0590/42/AM

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



PLANNING COMMITTEE	DATE: 26/09/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C16/0590/42/AM
Date Registered: 08/07/2016
Application Type:: Outline
Community:: Nefyn
Ward:

Proposal: CONSTRUCTION OF A DWELLING AND CREATION OF PARKING SPACES
Location: LAND NEAR 10 PENRHOS, MORFA NEFYN, PWLLHELI, LL536BH

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 The application was deferred at the Planning Committee on 5 September 2016 in order to assess the amended details and the responses to the second consultation. This is an outline application to erect a residential dwelling on a plot of land that forms part of the garden of 10 Penrhos, Morfa Nefyn which is located off a 2nd class road. The site is relatively level and uniform in terms of its shape and is located within the development boundary of the village. Dwelling houses surround the site.
- 1.2 As this is an outline application, the only matter that requires consideration is the principle of developing the site. All other matters are reserved, and these include access, the location of the house within the site, appearance, scale and landscaping. Nevertheless, all outline applications are required to show an indicative location plan for the houses, together with the maximum and minimum size/height of the dwelling.
- 1.3 The plan and information refer to a house measuring 10.4m by 9.4m and approximately 6 metres high. The amended plans note the potential maximum and minimum size of the proposed property as between 9.4 metres and 10.4 metres long, 8.4 and 9.4 metres wide and a height of between 6 metres and 6.5 metres. It is intended to provide a rear and front garden for the proposed house and two parking spaces would be located within the curtilage of the property. The application also shows an intention to retain two existing parking spaces for the use of 10 Penrhos, so that an off-street parking facility remains associated with that property. The original plans showed the intention to remove a hedge which abuts Lôn Penrhos in order to create a new pavement and to adapt the existing entrance a little. This does not now form part of the application with the existing entrance remaining as it is, but it is intended to cut down the hedge to be no higher than 1 metre.
- 1.4 The application is submitted to Committee as three or more observations have been received contrary to the officers' recommendation.

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 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; in making the

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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:**

POLICY B12 – PROTECTING HISTORICAL 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.

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 conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY 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.

POLICY B27 – LANDSCAPING PLANS - Ensuring that permitted proposals incorporate soft/hard landscaping of high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY C1 – LOCATING NEW DEVELOPMENT - Land within town and village development boundaries 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 CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES – Approve proposals for the construction of new dwellings on unallocated sites within the development boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

POLICY CH18 – AVAILABILITY OF INFRASTRUCTURE - Development proposals will be refused unless there is an adequate provision of necessary infrastructure for the development, unless one of two specific criteria can be satisfied which require that appropriate arrangements are made in order to ensure an adequate provision, or that the development is carried out in phases in order to conform to any proposed scheme for providing infrastructure.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they conform to specific criteria relating to the vehicular entrance, 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,

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the possibility of walking or cycling from the site and the proximity of the site to a public car park.

Gwynedd Design Guidelines

2.4 National Policies:

Planning Policy Wales, Edition 8
Technical Advice Note 12: Design

3. Relevant Planning History:

3.1 2/22/21 - Construction of summer house in the garden - Approved 24 July 1974.

3.2 34/65/855A - Construction of a dwelling and garage (outline application) - Approved 6 October 1972.

3.3 3/4/855 - Outline application for a dwelling - Approved 14 September 1965.

4. Consultations:

Community/Town Council: Object to the aforementioned application because they feel that the application is an over-development of the location and also because access is via a very narrow lane. There are no passing places along this lane and consequently cars would have to reverse to the county road which would result in highway safety problems.

Transportation Unit: No objection to the proposal. It is recommended that appropriate conditions are included in order to ensure that the hedge / wall to the north of the entrance are reduced in height and maintained at a height of no higher than 1 metre in order to safeguard the necessary visibility splay from the entrance.

Welsh Water: Propose a condition to be included on the consent regarding surface water and land drainage.

Biodiversity Unit: No objection to the proposal.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and three letters were received objecting on the following grounds:

- Increasing traffic on the road which is extremely busy during the holiday season.
- Increasing traffic which would use the private narrow road which doesn't have passing places which would mean that the cars would have to reverse to the county road.
- The maximum height, width and length of the dwelling have not been provided in accordance with the requirements of Article 3 of the Town and Country Planning (Development Control Procedure) (Wales) Order 2016.
- The building is too big for the area - a row of cottages and bungalows nearby.

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- The building is not in-keeping with neighbouring buildings.
- Loss of hedge which has several species in it.
- The track which leads to Rhos Bridin and the hedge which abuts the site is in the ownership of the owner of Rhos Bridin and notes that the required notice had not been submitted to him notifying him of the application. Also note that, consequently, it is not possible for the proposed improvements to the visibility splays to be provided.

5. Assessment of the relevant planning considerations:

The principle of the development

5.1 Policies C1 and CH4 are relevant to this application. Policy C1 relates to locating new developments and the main focus of the policy is to support developments within the development boundaries of towns and villages. The application site is within the development boundary of Morfa Nefyn, therefore the application complies with policy C1.

5.2 Policy CH4 permits constructing new housing on unallocated sites within the development boundaries of local centres and villages, provided the proposal satisfies the criteria in the policy. The policy seeks for sites to provide a percentage of affordable units unless, having considered all the relevant factors, that it would not be appropriate to provide affordable housing on the site. Taking into account the scale of the application (a single dwelling only) and the fact that it would contribute positively towards the area's housing stock, it is not essential for it to be an affordable dwelling. It is therefore considered that the application is in accordance with policies C1 and CH4 and is acceptable in principle.

Transport and access matters Policy CH33 and CH36 are relevant to this element of the application. The policies ensure safety on roads and streets and the provision of private parking facilities. The indicative plans show an intention to provide two parking spaces for the new house and two parking spaces for the use of the occupiers of 10 Penrhos. The original proposal was to create a new pavement on the boundary with Lôn Penrhos. This has now been amended with the entrance now kept as it currently is. The hedge which abuts the county road would be cut down to be no higher than 1 metre. Reducing the height of the hedge would improve visibility from the entrance with the county road towards the north-west. In order to gain access from the county road to the site there is a need to use a private track for approximately 26 metres. The Transportation Unit has no objection to the proposal and was satisfied that the parking and turning provision as shown within the curtilage is acceptable. Objections were received to the proposal on road safety grounds. However, it should be realised that this is a proposal to construct one additional dwelling house and it is not considered that the traffic associated with the use of the single additional property would cause significant harm in terms of road safety. It is considered that the application can meet the requirements of policies CH33 and CH36 of the UDP which relate to road safety and the provision of private parking with appropriate conditions.

5.4 When dealing with the application, it became apparent that some issues arose in terms of the ownership of the private track which leads from the county road to the site and that there could be issues involving the applicant's ability to deliver some of the changes associated with the entrance and also in terms of using the access track.

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Since the application was submitted, the applicant has issued a notice on the alternative landowner notifying him of the application. Issues in terms of land ownership associated with the track are issues to be resolved between the applicant and the alternative landowner.

General and residential amenities

5.5 The site is relatively level and uniform in terms of its shape. The site is surrounded by dwelling houses. Due to the residential nature of the area, it is not considered that the development would be out of character nor would it have a detrimental impact on the area's visual or residential amenities.

5.6 As this is an outline application no details were received about the design of the proposed house, apart from its indicative size and height. These show that it is proposed to construct a house that would measure approximately 10.4 metres by 9.4 metres and would reach a height of 6 metres. Details were also received in terms of the potential maximum and minimum size of the dwelling as between 9.4 metres and 10.4 metres long, 8.4 and 9.4 metres wide and a height of between 6 metres and 6.5 metres. A plan and details were received which showed the layout of the site, including the location of the house. It is noted that the objections were concerned that the building is too big. When looking around the site, there is a mix of buildings in terms of size and these include single-storey, two-storey dormer and two-storey dwellings. It is considered that the measurements in terms of the height of the proposed property are acceptable given the variety of houses available in the vicinity. The proposed development will be considered on its own merits, and it is considered that the general layout of the site is acceptable, that the density of the development is acceptable (1 dwelling) and suitable in terms of maximum scale, and that it is possible, through conditions and by considering an application for reserved matters, to manage the remaining details of the development. It is therefore considered that the application satisfies the requirements of policies B22, B23 and B25 of the UDP and it will not have a detrimental effect on the area's visual or residential amenities.

Biodiversity matters

5.7 When the application was submitted originally it was intended to lose the hedge near the boundary with the county road. Objections were received which voiced concerns about the loss of the hedge. The Biodiversity Unit was consulted as a result of this. The Biodiversity Unit's observations notes that it has no objection to the proposal. It is not considered that significant biodiversity matters derive from the proposal.

6. Conclusions:

6.1 The objections from local residents have received full consideration as noted above. Based on the above assessment, and having considered all the relevant matters, including the objections, it is not considered that the proposal is contrary to the local and national policies and guidelines noted in the assessment, nor are there any other material planning considerations that state otherwise. Based on the above, it is considered that the proposal is acceptable subject to relevant conditions.

7. Recommendation:

7.1 To approve the application subject to relevant planning conditions relating to:

1. The commencement of the development and submitting reserved matters
2. Materials and finishes.
3. Access and parking.
4. Landscaping.
5. Welsh Water - surface water
6. Development to comply with the approved plans.