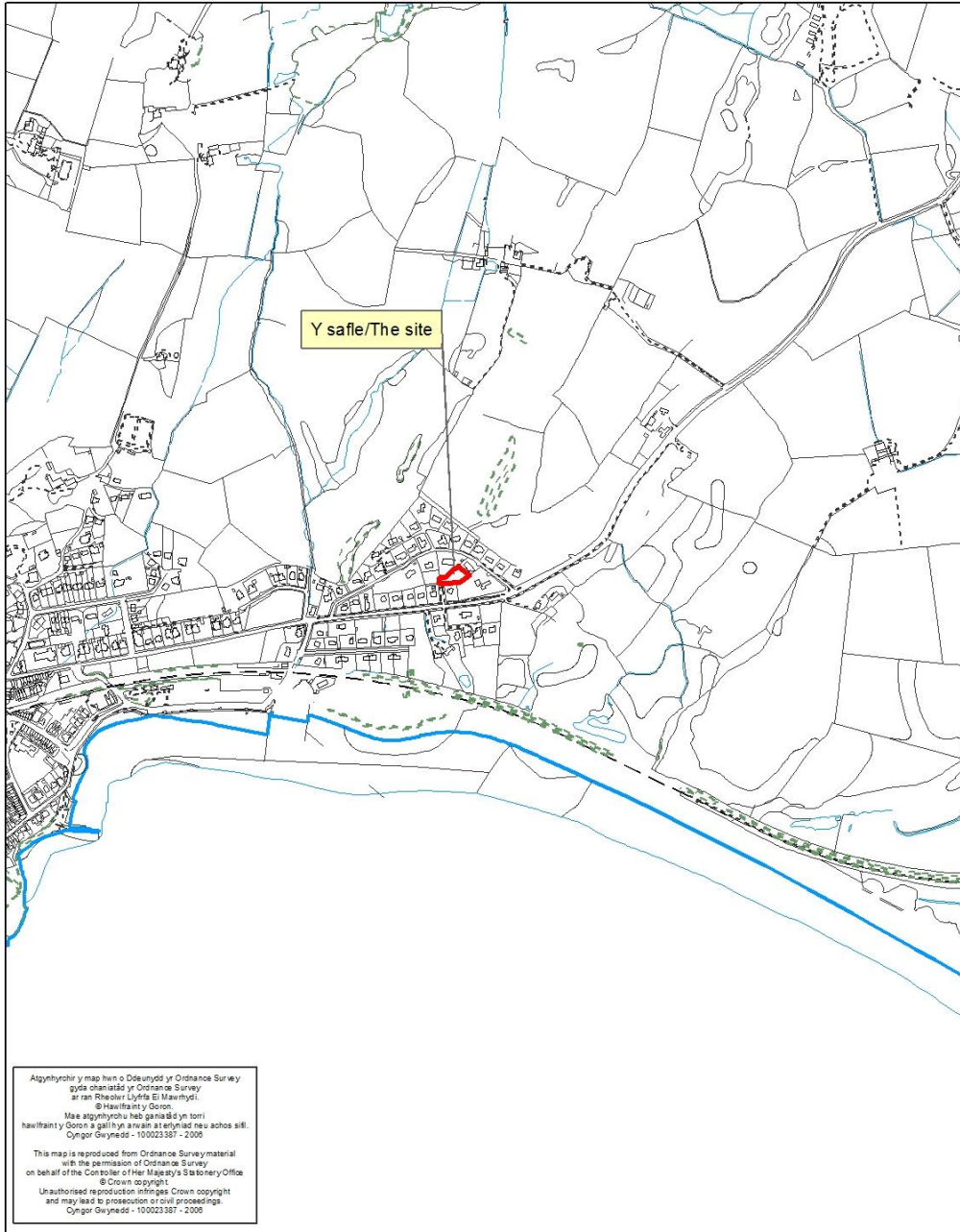


Number: 3



Rhif y Cais / Application Number : C16/0941/35/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: 28/11/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C16/0292/35/LL
Date Registered: 05/09/2016
Application Type : Full - Planning
Community: Cricieth
Ward: Cricieth

Proposal: REVISION TO PLANNING PERMISSION C15/0711/35/LL FOR THE ERECTION OF A NEW DWELLING

Location: YNYS HIR, MORANNEDD, CRICIETH, GWYNEDD, LL52 0PP

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is an application to construct a two storey, four bedroom residential house on a parcel of land to the rear of Ynys Hir dwelling, which is located along the Morannedd unclassified road to the east of the coastal village of Cricieth. The parcel of land is uneven, and the level of the land rises from the far end of the site towards the Ynys Hir property.
- 1.2 The site has already been granted planning permission for the erection of a dwelling under references C14/0702/35/LL and C15/0711/35/LL. Both permissions involve a house of the same size and design; but the latest permission means that levels (floor and ridge) are approximately 2m lower than the previous permission.
- 1.3 The plans in question now involve the construction of a property of the same footprint (i.e. length and width) and briefly the same design as the previous permissions. The original plans submitted as part of the application involved providing a flat roof on the property, and also involved covering the front of the building with glass. Following a discussion with the applicant and his agent, amended plans were received which retained the same footprint and floor plan but now include a mansard-type pitched roof. These amended plans have also removed the glass frontage, and provide openings and windows and a balcony which are of the same location, size and type as the previous permissions.
- 1.4 The floor level of the dwelling in question is 1.35m lower than the original permission in 2014 and is 0.7m higher than the permission granted in 2015. The roof ridge level of the dwelling in question is 1.99m lower than the original permission in 2014 and is the same level as the 2015 permission. The levels around the site remain similar to the previous permissions and the proposal also includes stairs down to the front garden of the house.
- 1.5 The proposal involves gaining access to the site via a new access road between Ynys Hir and Wyvern which are served by the Morannedd unclassified road that also links to the A497 highway on each side of the estate. Parking spaces and a turning circle for a maximum of 2-3 cars will be located to the rear of the building with a substantially sized private garden to the front. This is in line with what has already been permitted.
- 1.6 Construction work has already commenced on the site.
- 1.7 The application is brought to the Planning Committee as more than three objections have been received to the application.

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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 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, 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 recommendation.

2.3 Gwynedd Unitary Development Plan 2009:

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.

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.

POLICY 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.

POLICY 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.

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 C1 - LOCATING NEW DEVELOPMENT

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 CH4 - NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES

Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

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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.

POLICY CH36 - PRIVATE CAR PARKING FACILITIES

Proposals for new developments, extensions to 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.

2.4 National Policies:

Planning Policy Wales, Edition 8, 2016.
TAN Design

3. Relevant Planning History:

- 3.1 9900171FUL15 – Erection of a two-storey dwelling house and formation of new vehicular entrance - APPROVED - 20.03.2000
- 3.2 C14/0702/35/LL - Construction of two-storey dwelling with attached garage - Approved - 17-Dec-2014
- 3.3 C15/0711/35/LL - Amend condition 12 of planning permission C14/0702/35/LL in order to approve alternative design in order to allow the lowering of the ground level of the proposed building - APPROVED - 21-Aug-2015

4. Consultations:

Community/Town Council: This development is located in the middle of dwellings which have more conventional aspects to their appearance, such as slate roofs and, consequently, members feel that this design is entirely out of character with what is already in that area.

Transportation Unit: I refer to the above application and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Natural Resources Wales: No observations to offer

Welsh Water: Standard conditions

Public Protection Unit: No response

Biodiversity Unit: No observations to offer

Archaeological Trust: No response

Land Drainage Unit: No response

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

- Site levels are different from the levels on the plan
- Overlooking
- Unusual floor plans
- An ordinary pitch roof would be a better design - possibilities to do so.
- The impact on the general and residential amenities of the neighbours

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 Cricieth, therefore the application complies with policy C1. 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.
- 5.2 Policy CH4 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 location of the site within an area of established dwellings substantial in scale and based on the previous permissions in 2014 and 2015 it is not essential for the dwelling to be affordable. This would be in accordance with Policy CH4, as the material considerations show that it would not be appropriate to provide an affordable house on the site. It is therefore considered that the proposal complies with policies C1 and CH4.

General and residential amenities

- 5.3 Policy B23 is relevant to this aspect and states that proposals which would cause significant harm to the amenities of the local neighbourhood should be refused. The site has already been granted planning permission for the erection of a dwelling and two plans have been approved (which involve building the same house in terms of size and design) (C14/0702/35/LL and C15/0711/35/LL): one which is approximately 2m lower than the other in terms of the finished ground levels and the level of the ridge of the roof.
- 5.4 These permissions are material planning consideration when assessing the impact of the proposal in the context of the amenities of nearby residents. The plans submitted follow the location, footprint, size and floor plan of the applications which have already been approved under references C14/0702/35/LL and C15/0711/35/LL. The proposal submitted is different to that which was approved previously in terms of the shape of the pitch roof (mansard roof rather than a traditional pitch roof) and in terms of the size and number of openings - the size of some openings is smaller than that which has already been approved and there are fewer skylights. The front balcony remains of the same size as that which has already been approved. The form of the

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proposed roof means that it is possible to keep the height of the ridge of the roof to the lowest level which has already been approved (C15/0711/35/LL) namely 51.1m OD compared with the 53.09m OD level which was approved under reference C14/0702/35/LL. It is noted that the applicant has confirmed that there is a covenant on the land which prevents the height of the ridge from being higher than 51.1m OD but it must be noted that this is not a planning matter. Indeed, the fact that a much higher level has already been approved (53.09m OD) on a previous application must be considered and there is no planning reason why this permission cannot be implemented.

- 5.5 The finished ground level of the application submitted is approximately 0.7m higher than that which was approved under reference C15/0711/35/LL and an objection has been received which notes that this means that ground floor windows would consequently be higher, and would cause additional overlooking to the property located directly in front of the site. It must be borne in mind that the finished ground level submitted is also approximately 1.3m lower than that approved originally under reference C14/0702/35/LL and as this is a material planning consideration, it would be entirely unreasonable to consider that the plan submitted would cause unacceptable overlooking to the houses which are located directly in front of the application site.
- 5.6 Objections have also been received as a result of ground levels in front of the property which is the subject of this application, which will be used as a residential garden. Work has commenced on the site and site is currently a 'construction site'. The objections note that the ground levels in front of the house are higher than that shown on the plans submitted. It is noted that, although the project has commenced, it has not been finished and, therefore, it is possible to ensure acceptable levels for this land. The levels shown on the plan submitted as part of this application are in line with that which has already been approved. There are additional stairs from the area in front of the house down to the garden area in front of the house, but it is not considered that this in itself would likely have an impact on the privacy of any neighbouring residents.
- 5.7 A planning condition was imposed on the original application to ensure a suitable method of enclosing the site (i.e. fence or hedge) was agreed. No details were submitted as a result of this condition, and the plans submitted show a 1m high stock fence along the front of the site and a 1.3m high timber fence along the side. Given that the site was a residential garden for the Ynys Hir property before receiving any planning permission and that the boundary around the garden at the time was a stock fence with growth of approximately 1-1.3m high behind it, it is not considered that it would be reasonable to ask for landscaping or fence higher than that proposed. It would be possible to use the garden in the same way as Ynys Hir did in the past, and the level and distance and location of the windows and the proposed house mean that it would be difficult to landscape to conceal these windows. In addition, and as explained above, it is not considered that the plan submitted causes unacceptable overlooking to the houses which are located directly in front of the application site.
- 5.8 Therefore, given the above and given previous permissions, it is not considered that the proposal would cause significant harm in terms of loss of privacy, light or shadow. The concerns of the objectors have been acknowledged and have been given full consideration; however, this most recent development, as the previous ones, is considered acceptable and complies with policy B23.

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Visual amenities

- 5.9 Policies B22, B23 and B25 relate to protecting the character of the site through facilitating developments that have been designed effectively. Based on the existing permissions on the site, and the similarity of the plans submitted in terms of footprint, size and design, it is considered that the development would be acceptable in terms of scale and size. The design of the roof is different from that which has already been approved, but there are very varied roofs to be seen within the Morannedd estate, and it is considered that the external appearance and design of the proposal are in keeping with the character of the existing houses within the estate. The development makes effective use of quality materials such as a natural slate roof and a cream render finish to the external walls. This would enable the proposal to blend in effectively with the site and to retain the character of the estate.
- 5.10 In considering its size, design and proposed materials, it would not be likely to have a substantial detrimental impact on the visual amenities of the local area. Therefore, it is considered that the proposal as it stands complies with the requirements of policies B22, B23 and B25 of the GUDP.

Transport and access matters

- 5.11 Policies CH33 and CH36 relate to the provision of access and the proposed parking on the site. The proposal will use the existing Ynys Hir access, and will create an access lane alongside Ynys Hir. This is in line with what has already been permitted previously. This access is deemed acceptable as it is already on the site and is unlikely to give rise to any other specific concerns.
- 5.12 The proposal also includes a parking provision to the rear of the proposed dwelling. This provision would be large enough to accommodate 2-3 private cars, which is acceptable for this type of development. The Council's Highways Officer has been consulted, and he confirmed that he had no objection to the proposal on the grounds of transport matters. Therefore, the proposal complies with the requirements of the criteria of policies CH33 and CH36.

Ecology and biodiversity matters

- 5.13 Policy B20 of the Unitary Development Plan involves protecting species and their habitats that are internationally and nationally important. Neither Natural Resources Wales nor the Council's Biodiversity Team had any objection to the proposal. Therefore, it is considered that the proposal complies with the requirements of Policy B20 above.

Response to the public consultation

- 5.14 Objections were received to the proposal which included matters in relation to levels, overlooking, design/layout and impact on the general and residential amenities of the neighbours. It is considered that these matters have been considered thoroughly in the assessment noted above.

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 – conditions

1. In accordance with the submitted plans
2. Slates on the roof
3. Withdrawal of permitted rights including windows
4. Welsh Water conditions