

PLANNING COMMITTEE	DATE: 16/01/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

**Number: 6**

**Application Number: C16/1348/35/LL**

**Date Registered: 28/10/2016**

**Application Type: Full - Planning**

**Community: Cricieth**

**Ward: Cricieth**

**Proposal: Re-submission of an application refused under C16/0711/35/LL for change of use into accommodation in multiple occupation /**

**Location: Min y Gaer, Cricieth, Gwynedd, LL52 0HP**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1.1 This application involves the change of use of an existing guest house into a ten bedroom accommodation in multiple occupation.
- 1.2 The property is a semi-detached building located within the boundaries of Cricieth, and has been used until recently as a 10 bedroom guest house. A self-contained flat is also located on the basement floor and it is currently being used by the owners of the guest house.
- 1.3 The proposal involves the change of use of the building into a ten bedroom accommodation in multiple occupation. The basement flat is not being included as part of the application, therefore, it will continue separately.
- 1.4 It is not intended to make any external alternations.
- 1.5 The previous application submitted under C16/0711/35/L1 was refused as no evidence had been submitted as part of the application that showed that the property had been marketed unsuccessfully for a reasonable and fair price as holiday accommodation for a continuous period of 12 months.
- 1.6 Copies of the online sale advertisement have been submitted as part of the application, along with confirmation from Beresford Adams Estate Agents that the property was on the market for a period between February 2012 and June 2016 for a price of £550,000, and that no interest had been shown in the property during that period.

## 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:

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 determining planning applications.

POLICY B4 – DEVELOPMENTS IN OR AFFECTING THE SETTING OF CONSERVATION AREAS

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Ensure that proposals within conservation areas, or proposals that affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

#### 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 CH11 – CONVERSION OF BUILDINGS WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES FOR RESIDENTIAL USE

Proposals to convert buildings for residential use within the development boundaries of villages and local centres will be approved provided they can conform to criteria relating to local need, impact on holiday accommodation and community services and occupancy of the dwelling.

#### 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 9 (2016)

#### 3. Relevant Planning History:

C16/0711/35/LL - Change of use into accommodation in multiple occupation - REFUSED - 23.09.2016

#### 4. Consultations:

Community/Town Council: No objection provided that the accommodation is for staff only.

Transportation Unit: It is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Welsh Water: General observations

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

- Not in keeping with the area - high density of people aged 20+
- Would result in the loss of serviced holiday accommodation which is contrary to the requirements of CH11.
- Impact on amenities.
- No need for this type of accommodation.
- Increase in traffic
- Increase in single units within the building.
- Health and Safety issues.

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- Parking
- Work has already commenced.

As well as the objections noted above, objections were received which were not valid planning objections. These included:

- Land ownership

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 Policy CH11 of the Gwynedd Unitary Development Plan relates to the conversion of buildings within the development boundaries of villages and local centres for residential use; and it approves proposals if they can conform to criteria relating to local need, the impact on holiday accommodation businesses and community services and the occupancy of the house.
- 5.2 Criterion 1 of the policy refers to the need for a proportion of the proposed units to be ones to meet local general need determined for affordable housing, unless the Planning Authority can be satisfied, having considered all the relevant factors, that it would be inappropriate to provide affordable housing on the site. The proposal submitted is to convert the building into a house in multiple occupation, which would offer accommodation in the form of a bedroom with communal kitchen/bathroom facilities. The proposal does not equate to an open market house or affordable house; it is rather bespoke accommodation for individuals who share facilities; and in this case, it is considered that the proposal complies with criterion 1 and that no affordable units need to be provided in this case.
- 5.3 Criterion 2 of the policy protects serviced holiday accommodation in the main holiday centres (Aberdaron, Barmouth, Abersoch, Cricieth, Llanberis and Tywyn), and it does not approve proposals to change their use unless firm evidence has been submitted to the Council to demonstrate that the property has been marketed unsuccessfully at a fair and reasonable price, as holiday accommodation, for a continuous period of 12 months.
- 5.4 The current building has been used as an operational guest house until recently, and by now, evidence has been submitted as part of the application that confirms that the building has been marketed unsuccessfully for a reasonable and fair price as holiday accommodation for a continuous period of 12 months. By now, the proposal complies with the requirements of criterion 2.
- 5.5 Criterion 3 states that the proposal should not lead to the loss of resource or community services unless strong and relevant evidence has been submitted to the Council that the property has been marketed unsuccessfully as a business for sale for a reasonable and fair price for a continuous period of 12 months. This criterion is not relevant in this case due to the current use of the building as a guest house.
- 5.6 Based on the above, it is considered that the proposal conforms to the requirements of policy CH11 above.
- 5.7 The proposal does not involve any external changes; therefore, it is not considered that the proposal is unlikely to have any impact on the setting of the Conservation Area.

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Therefore, the proposal complies with the requirements of policy B4 of the Gwynedd Unitary Development Plan.

### General and residential amenities

- 5.8 Policy B23 of the Gwynedd Unitary Development Plan relates to safeguarding 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.
- 5.9 Objections have been received which refer to the impact of the change of use on the amenities of the area and nearby residents in comparison with the current use.
- 5.10 From the floor plans submitted, it appears that the guest house offers 10 en-suite bedrooms as accommodation, and the guest house also includes dining rooms and a lounge for guest use; along with a kitchen, store, reception room and a utility room.
- 5.11 There is a separate additional living unit on the basement floor (which includes three bedrooms); it appears that this is used as a private house for the owners. This unit does not form a part of the application; therefore this unit will continue as a separate three bedroom living unit.
- 5.12 According to the floor plans, the proposal does not involve making any internal or external changes; and the number of rooms and their use (e.g. kitchen, bedroom, lounge, etc.) continues to be the same. It is noted that the proposal does not lead to the provision of 10 self-contained living units - the proposal involves shared kitchen/lounge facilities etc.
- 5.13 Although the nature of the building's use would be different (as full-time permanent use rather than holiday use); it is considered that the proposed use as accommodation in multiple occupation would be unlikely to lead to more intensive use than the holiday use; as there is current potential for every room to be occupied at all times from people on their holidays.
- 5.14 It is considered that there is potential for the current holiday use to cause more disturbance due to the nature of people on their holidays and the coming and going and room exchanges that is a natural part of that. Making permanent residential use of the building would mean that the people residing in the building would be likely to have a more defined routine.
- 5.15 Therefore, it is not considered that the proposal is likely to be an over-development of the site as it does not involve an increase in the number of bedrooms.
- 5.16 It is not considered that the proposal would be likely to cause additional overlooking or unacceptable overlooking, as there is no proposal to change the building's floor plan or to add new windows.
- 5.17 It is not considered that the proposal would be likely to add to traffic or traffic-related noise in a way that causes significant harm to local amenities; as there would be no increase in the number of bedrooms; and it is likely that there would be fewer movements as a result of a permanent residential use in comparison with holiday use.
- 5.18 It is not considered that the site plan would give opportunities for individuals to behave antisocially as the front door will continue to serve as the main entrance; there will be

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no external separate access to the individual rooms and the surrounding land would be private.

- 5.19 Based on the above, it is not considered that the proposed development would cause a substantial or additional detrimental impact to what is currently experienced with the current use, and that the proposal complies with the requirements of policy B23.

### **Transport and access matters**

- 5.20 Policy CH36 of the Unitary Development Plan refuses proposals for new developments, extension of existing developments or change of use 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 distance from the site to a public car park.
- 5.21 Originally, the application included a parcel of land to the rear of the building, which is currently being used for parking by visitors to the guest house. It was discovered that this land was not within the same ownership as that of the guest house; therefore, the location plan was amended to withdraw this land from the application.
- 5.22 There are 6 current parking spaces in front of the building; and it is considered due to the nature of the multiple-occupation accommodation that is the subject of the application; the proximity of the site to the centre of the village and public car parks; that this provision is sufficient.
- 5.23 Therefore, it is considered that the proposal complies with the requirements of Policy CH36 of the Gwynedd Unitary Development Plan.

### **Response to the public consultation**

- 5.24 Observations objecting to the proposal were received and it is considered that they have been addressed in the above assessment. It is noted that an objection had been received that the work has already commenced, and it is noted that the interior work is needed in order to comply with licensing rules for houses in multiple occupation. It is noted that planning permission is not required for internal upgrading work and the subject of this application is the change of use only.

### **6. Conclusions:**

- 6.1 It is not considered that the proposal is contrary to any relevant policy, and it is considered that this new application does not present sufficient information to show that the property has been advertised for sale for a sufficient period to comply with the requirements of policy CH11 of the GUDP. The proposal is unlikely to have a detrimental or unacceptable impact on the amenities of the local area or any nearby properties.

### **7. Recommendation:**

- 7.1 To approve – conditions

1. 5 years

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2. In accordance with the plans

Welsh Water Note