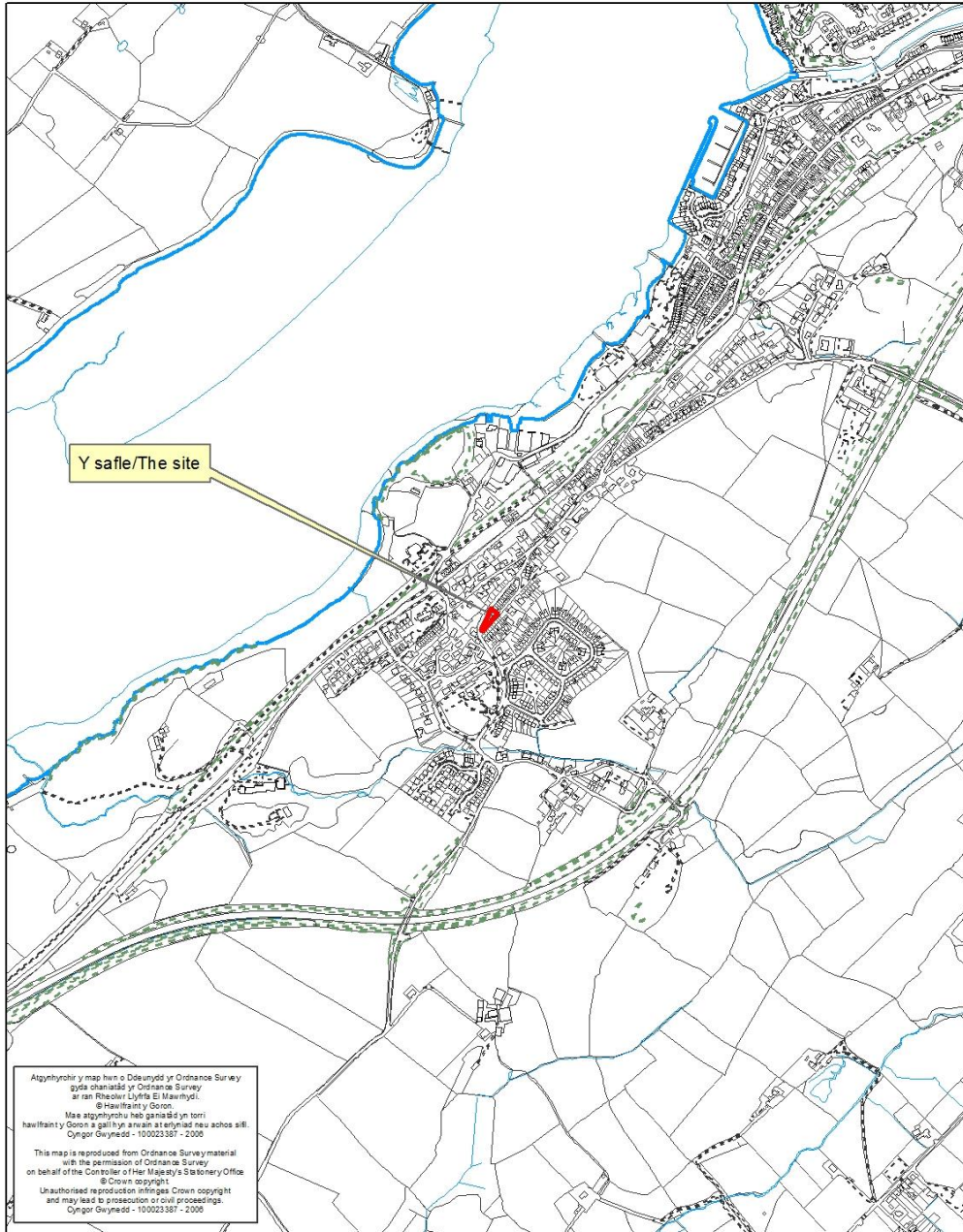


Number: 7



Rhif y Cais / Application Number : C15-0435-20-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: 07/09/2015
REPORT OF THE SENIOR MANAGER PLANNING AND ENVIRONMENT SERVICE	CAERNARFON

Application Number: C15/0435/20/LL
Date Registered: 20/07/2015
Application Type: Full - Planning
Community: Y Felinheli
Ward: Y Felinheli

Proposal: AN APPLICATION TO CHANGE THE USE OF A THREE BEDROOM HOUSE TO TWO TWO BEDROOM FLATS, TOGETHER WITH DEMOLISHING A GARAGE AND CREATING THREE PARKING SPACES AND RETAINING PLANNING APPLICATION NO. C08A/0420/20/LL FOR THE CONSTRUCTION OF AN ADDITIONAL HOUSE ON THE SITE

Location: BRON MENAI, HELEN TERRACE, Y FELINHELI, GWYNEDD, LL56 4SZ

Summary of the Recommendation:

TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is a full application to change the use of a three bedroom house into two two-bedroom flats along with demolishing an existing garage and creating three additional parking spaces. In addition, and within the same site, it is proposed to construct an additional house which was approved under reference no. C08A/0420/20/LL.
- 1.2 The site is located in the centre of the village of Felinheli in a residential area which has various houses located on a slope facing the coast. The existing site includes a property with an associated garage together with a triangular shaped curtilage. A highway runs directly to the rear and to the front of the site. The land rises towards the rear of the site where there are houses at a higher level. There is a vehicular entrance at the front of the site and a pedestrian access from the rear.
- 1.3 Planning permission has already been approved under reference no. C12/0907/20/LL to change the use of the existing property to two separate self-contained living units. These units include one bedroom in each one and the permission also includes a side extension to provide access stairs to the first floor flat, along with providing a first floor extension to the front of the property in the form of an enclosed balcony. This permission permits the retention of the existing garage associated with the property to provide parking for the units. This permission has been commenced and the extensions have been constructed on the building.
- 1.4 Another planning permission exists on a section of the site which was approved on appeal under reference no. C08A/0420/20/LL to construct an additional house next-door to the existing house. This proposal involves demolishing the existing garage which is associated with the property and which is to be retained in a section of the permission mentioned above. The proposed house is two-storey with a section of it being single-storey. The proposal also provides three parking spaces which includes one for the new house (directly in front of the new house) and two for the existing property which are located near the apex of the triangle and which are separated from the property by the new house. This permission also included modifications to the existing three bedroom house. This permission has been safeguarded because a material start was made within five years of approving the proposal.
- 1.5 The proposal before the committee involves developing a combination of the permissions already granted to enable the conversion of the existing property to two

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two-bedroom flats and in order to develop a new three bedroom house and associated parking for the three units all within the same site.

- 1.6 The proposal involves dividing the existing property into two units with two bedrooms, including a ground floor unit and a first floor unit. The proposal also includes modifications to the property as it was originally (i.e. work not commenced on work approved under reference no. C12/0907/20/LL), which includes a side extension which provides a staircase access to the first floor flat and a first floor extension at the front of the property. The openings on the front elevations of the property will be changed completely and it is proposed to provide double doors and windows on either side of the ground floor which open out onto decking, along with a glass wall on the first floor. The openings on the rear elevation will remain as they are and a staircase extension on one of the side elevations will replace first and ground floor windows and it is proposed to change a door to a window on the other elevation. It is proposed to close the opening from the existing property to the garage and the utility room after they are demolished. It is proposed to provide parking spaces for the flats (one for each flat) on a plot of land at the far end of the site near the junction.
- 1.7 The proposal also includes the construction of a new house in accordance with what was approved on appeal under reference no. C08A/0420/20/LL and this is possible by demolishing the existing garage on the site. The proposed property measures 13m by 7.5m and 6.2m high at its maximum to the ridge. It includes two bedrooms on the ground floor and an open-plan kitchen/lounge/dining room on the first floor. It is proposed to provide a parking space for this property with the parking spaces for the flats at the far end of the site, rather than locating them directly in front of the site as was approved on appeal.
- 1.8 A Design and Access Statement has been submitted as part of the application and the levels of the slabs have been confirmed.

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 planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

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 B24 – ALTERATIONS AND BUILDING EXTENSIONS 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.

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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.

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.

2.3 National Policies:

Planning Policy Wales, Version 7, 2014

TAN 12: Design

3. Relevant Planning History:

- 3.1 Application No. C12/907/20/LL - change of use of existing dwelling into two separate self-contained living units – approved – 31.07.2012
- 3.2 Application No. C08A/0420/20/LL – construction of additional house on the site – approved on appeal after it was refused originally because of overdevelopment of the site – 17.09.09
- 3.3 Application No. C00A/0276/20/LL – demolish existing shop and construct a house and garage – approved 06.07.00
- 3.4 Application No. 97A/0636/20/LL – demolish existing shop and construct a house and garage – refused 09.04/98

4. Consultations:

Community/Town Council: No observations to offer.

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Transportation Unit: It is not intended to make a recommendation as it is supposed that the proposed development would not have a detrimental impact on any road or proposed road.

Welsh Water: No observations to offer.

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

- Loss of privacy and light
- Transportation and parking considerations.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy C1 of the GUDP ensures that 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. This site is located within the development boundaries of the village of Felinheli and, therefore, it complies with this policy.
- 5.2 Policy CH4 of the Unitary Development Plan deals with new dwellings on unallocated sites within the development boundaries of local centres and villages and approves 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.
- 5.3 This proposal combines developments that have already received planning permission under reference nos. C08A/0420/20/LL and C12/0907/20/LL to convert a building into two properties along with constructing a new house. The two flats under consideration in this application are two-bedroom rather than one-bedroom as approved under permission no. C12/0907/20/LL and it is not proposed to make alterations to the existing property as approved in permission no. C08A/0420/20/LL. It is not possible to develop both permissions on the site simultaneously because of the parking arrangements which involves retaining the existing garage on the site which, as part of this application, is to be demolished.
- 5.4 Therefore, the proposal provides two additional units on the site compared with what originally existed and given the nature of two of the units and the nature of the site, this is not considered a sufficient number for requesting a percentage of affordable housing in this case, as the percentage would be 50%. Therefore, it is considered that the proposal complies with the requirements of Policy CH4 of the UDP.

Visual amenities

- 5.5 The changes recommended to the original building include constructing a building to create an enclosed access stairway to the first floor and to extend the front of the first floor of the building by constructing a 2m extension outwards from the existing wall of the building on steel columns. The proposal also involves exchanging the existing windows on the front of the ground floor of the building for double doors and a window on either side and to provide a decking on the front and to close the existing

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opening from the property to the utility room and the garage which is to be demolished and to exchange a window for a door on the side. The stairway extensions and the front first floor extension have already received permission and have been constructed on the site. It is proposed to finish this building with cedar wood cladding and smooth rendered panels and painted pebble-dash render. It is not considered that these modifications, if approved, would be likely to have a detrimental effect on the visual amenities of the area as there is a variety to the elevations and building design in the locality and, therefore, they would not be a completely alien element in the local area in terms of design, appearance and materials.

- 5.6 The new house is the same size as the design approved on appeal and, therefore, it is considered that this proposal continues to be appropriate for the site. Although the original house on the site is being extended, these extensions do not have an impact on the location of the new house.
- 5.7 It is therefore considered that the proposal complies with the requirements of policies B22, B24 and B25 of the GUDP.

General and residential amenities

- 5.8 Except for the noticeable modifications on the front of the existing property and the extension to create a side staircase to the existing property, it is not considered that the modifications are of a pronounced visual scale and these elements have already been constructed on the site. This proposal includes installing a window from the ground to the eaves on the first floor front elevation which faces the gable end of an end-of-terrace property directly next door. The footpath to the rear of the end-of-terrace property runs along its gable end and there are no openings on the gable end of the end-of-terrace property. Therefore, it is not considered that this window is likely to have any overlooking effect onto a private space.
- 5.9 In terms of the new house, again, the situation has not changed since permitting the appeal and the building is no more in size than what was approved on appeal.
- 5.10 Objections have been received on the grounds of impact on privacy and light because of the proposal to construct a new two-storey house on the site. These issues are discussed in the appeal decision and it states that the character of the area, including the buildings that are close to each other in the form of terraces have been intermingled more recently with properties of various styles, sizes and plans and there is a substantial variety in the spatial arrangement of the buildings and the space surrounding them. The appeal noted that the new house would mean that the open aspect of the site would change, but the plan is graduated and steps down and the ground levels would become lower across the site. A gap would be formed between the existing building and the proposed dwelling. The proposed dwelling would protrude approximately 1.5m above the existing garage but it would dip down to the eaves. Although the gable end of the proposed house would extend beyond the existing garage, the wide gap between the houses would be a great advantage in terms of creating an open aspect. The proposed roof of the single-storey wing would not protrude substantially above the adjacent road. It would still be possible to see over this section of the building from the garden and front rooms of Sea View Terrace because of the variation in ground levels.
- 5.11 The new house contains much fenestration on the front of the building which looks over the highway and towards the coast, and it is proposed to provide two small windows on the first floor (in the kitchen/lounge/dining room), and although these

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windows face Sea View Terrace, there is a party wall and a highway between the site and this terrace and, therefore, it is considered that any overlooking would be minimal and it would certainly not be substantial.

- 5.12 On the basis of the above and what has already been permitted on the site, it is not considered that the proposal is likely to have a detrimental impact on any neighbouring resident any more than what has already received planning permission and, therefore, the proposal complies with the requirements of policy B23 of the GUDP.

Transport and access matters

- 5.13 The proposal means providing the same amount of parking spaces as approved for the site under appeal CO8A/0420/20LL and although the proposal now involves modifying the three bedroom house to two flats with two bedrooms, the parking requirements remain the same. It is proposed to provide the three parking spaces for the three units near the apex of the triangle near the junction, which was the location approved for two of the spaces under permission no. CO8A/0420/20/L (at that time the third parking space was to be located directly in front of the new house). Although objections have been received on the grounds of the number of parking spaces and their location and the impact on road safety, these matters have been dealt with at the time of the appeal where it was one of the main concerns during the appeal hearing (and it is reiterated in the objections to this current application), namely, the lack of visibility to the front for drivers approaching the site when vehicles are reversing out of the proposed parking spaces.
- 5.14 The proposed parking area would be located nearer to the junction and the concern is that these spaces would be concealed by a small wall and the vertical alignment of the road from the bend adjacent to the junction of Sea View Terrace. From the inspector's inspection at the time of the appeal, the minimum stopping distance after seeing was around 30m which compared to a vehicle travelling at 25mph. Within a residential area and as a result of the narrow width of the road and the bend in the road, this speed would be consistent with the maximum speed limit in this location. Despite this, even at this higher speed, it would give plenty of room for a vehicle to stop.
- 5.15 The appeal inspector had also considered the safety of pedestrians and safe routes to school, but there was no overriding evidence which showed that the proposal would lead to an increased risk to safety. The inspector also considered the junction in Sea View Terrace but he noted that this was a historical situation that will not be exacerbated as a result of the proposal because the junction is higher than the site and it was possible to see over it.
- 5.16 It is not considered that the traffic situation has changed since the period of the appeal and the Highways Unit has confirmed the situation in relation to this application and confirmed that there is no objection to the proposal. Therefore, it is considered that the proposal complies with the requirements of policies CH33 and CH36 of the GUDP.

Response to the public consultation

- 5.17 Observations have been received from neighbours to the site involving the loss of light and privacy and the impact on traffic and the parking situation. It is considered that these issues have received due consideration as part of the above report and the

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observations received do not change the recommendation proposed for the application.

6. Conclusions:

- 6.1 Having considered the above and all relevant considerations, including local and national policies and all the observations received on the application, including the objections, it is not considered that this proposal to change the use of a three bedroom house to two flats with two bedrooms, along with demolishing the existing garage and creating three additional parking spaces and retaining planning permission reference no. C08A/0420/20/LL to construct an additional house on the site is unacceptable and consequently the proposal satisfies the requirements of the policies as noted above.

7. Recommendation:

- 7.1 To approve – conditions

1. Time
2. Comply with plans
3. Materials
4. Welsh Water conditions
5. Withdrawal of permitted rights
6. None of the approved dwellings must be occupied until the parking arrangement shown on the proposed block plan, dated 20.07.2015, is operational, and this area will not be permitted to be used for any other purpose in future except for parking.

Note on requirements for party wall.