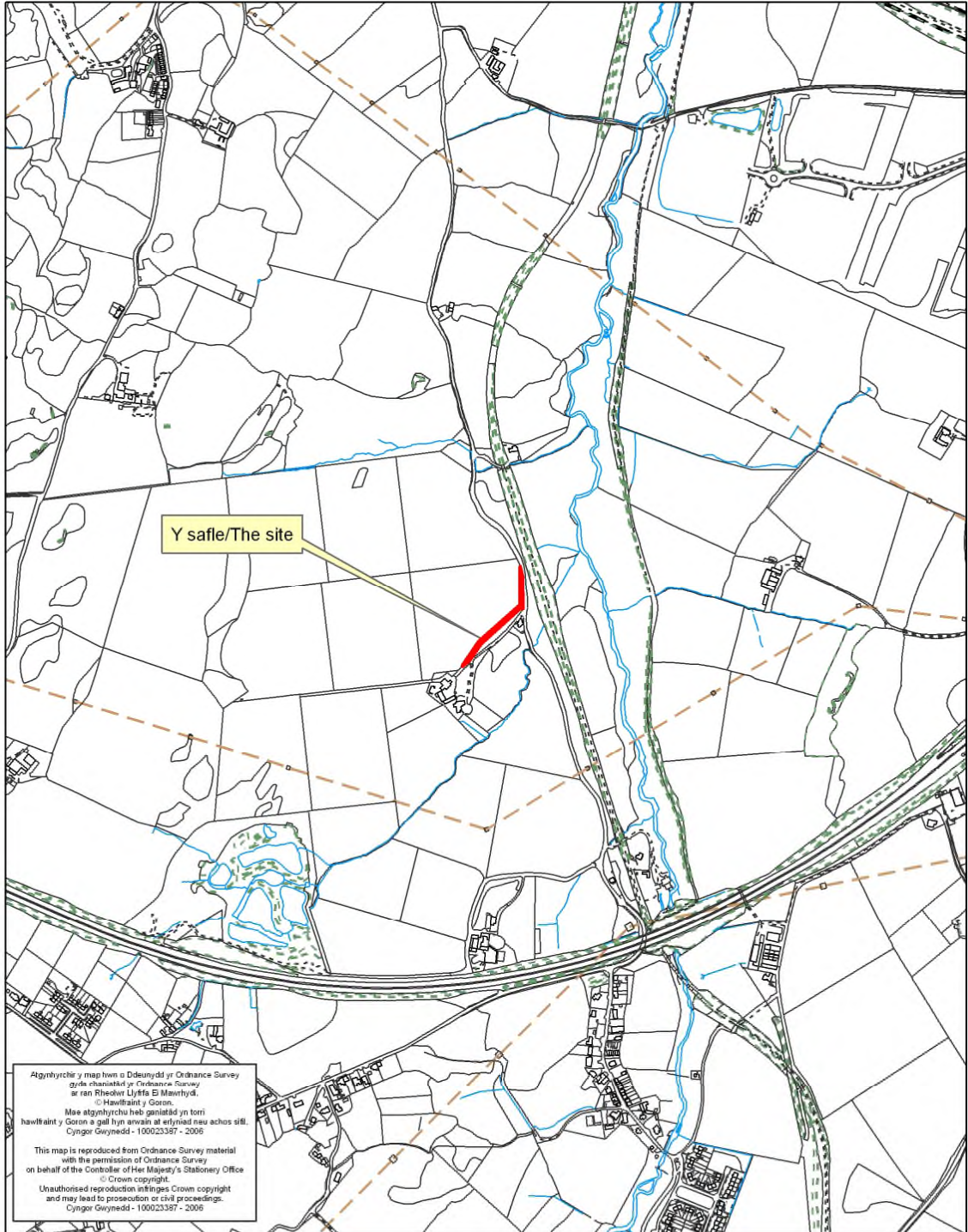


Number: 9



Rhif y Cais / Application Number : C14/0825/25/LL

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



PWYLLGOR CYNLLUNIO	DYDDIAD: 24/11/2014
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	PWLLHELI

Application Number: C14/0825/25/LL
Date Registered: 26/08/2014
Application Type: Full - Planning
Community: Pentir
Ward: Pentir

Proposal: PROVISION OF A NEW ACCESS TRACK
Location: Tŷ COCH, GLASINFRYN, BANGOR, GWYNEDD, LL57 4UB

Summary of the Recommendation:

TO APPROVE SUBJECT TO CONDITIONS

1. Description:

- 1.2 The application is for creating a new access track to a site that has already received planning permission for converting vacant outbuildings into four holiday units under reference number C13/0765/25/LL.
- 1.2 The proposed track leads to substantial outbuildings located in open countryside. There is an existing access track to this site which also serves another two residential properties, namely the 'Lodge' located on the junction near the highway, and Neuadd Tŷ Coch which has its own track forking off the main track that leads to the outbuildings further along.
- 1.4 The proposal means providing a separate new access track to serve the outbuildings and this would be located alongside the existing track. It is proposed to create an opening from the existing track to the proposed track and it is intended to retain the *clawdd*/hedge on the boundary between the two tracks up to the highway where it is proposed to cut back some of the vegetation to ensure visibility to the south. The proposed track runs for a distance of approximately 150m to the highway with a width of approximately 3m. It is proposed to provide a new access on the highway directly near the current track's access and it is also intended to provide a visibility splay to the south and the north. It is intended to install a new stock-proof fence and a new hedge of indigenous trees and plants on the boundary between the new track and the field and along the visibility splay.

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

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

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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 B27 – LANDSCAPING SCHEMES

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY CH25 – NEW ROADS AND ROAD IMPROVEMENTS

Proposals for improvements to existing roads and for new sections of roads will be approved provided there is sufficient justification for the development on economic and public safety grounds and that there will be no unacceptable environmental effects. Developers must prove that other options have been considered, and that the scheme with the least environmental impact has been chosen and that a series of specific criteria can be met.

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 CH34 – RURAL LANES

Development proposals will be refused if they cause an unacceptable increase in the number of vehicles using Rural Minor Roads where the main users are expected to be pedestrians, cyclists or horse riders.

2.3 National Policies:

Planning Policy Wales 2014

3. Relevant Planning History:

- 3.1 3/25/272 Change of use of agricultural buildings into a restaurant and club APPROVED 1/6/1983
- 3.2 3/25/272A Convert empty agricultural buildings into holiday units. APPROVED 04/09/84
- 3.3 3/25/272B Change of use of part of the farmhouse into an allergy treatment home. APPROVED 5/11/1986
- 3.4 3/25/272C Construction of 10 holiday units. APPROVED 6/6/1990
- 3.5 C11/0543/25/LL Application to convert vacant outbuildings into one house and two holiday units, together with associated soakaways REFUSED 27.02.12. An appeal against this decision was also refused 28.08.12.
- 3.6 C13/0765/25/LL Conversion of an existing outbuilding into 4 holiday units together with the installation of a sewage treatment system and soakaway and provision of passing bay and alterations to the access. APPROVED 23.12.13.

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4. Consultations:

Community/Town Council:	Object as the proposal does not comply with the requirements of the Supplementary Planning Guidance: Converting Buildings in Open Countryside and in Rural Villages because there is no need for it and the track will not follow an existing hedge or wall. The previously approved proposal ensures improvements to the track and the access and complies with the relevant policies.
Transportation Unit:	No objection to the proposal and I recommend standard conditions regarding implementing the work in accordance with the plans.
Natural Resources Wales:	Natural Resources Wales suggest contacting your Authority's ecologist to assess whether there is a need for a protected species report. See also a copy of the general notes for developers.
Welsh Water:	No response
Biodiversity:	The track cuts across improved agricultural land and, therefore, is of very low biodiversity value. It also cuts through one hedge and any work involving clearing the hedge should be undertaken outside the nesting season (March-August).
Land Drainage Officer:	No response
Trees:	No objection on the grounds that an additional hedge will be planted between the new track and the field. Any hedge clearance work to be undertaken outside the nesting season (March-August).
Public Consultation:	<p>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:</p> <ul style="list-style-type: none"> • There is no justification for a new access track and it is not needed and approving it would set a dangerous precedent as there is already an access available. • The existing track has not been improved in accordance with the requirements of the previous application to convert the outbuildings under reference number C13/0765/25/LL. • Modifications to the existing access as approved under C13/0765/25/LL would comply with policy CH33 - safety on roads and streets. • The proposal is contrary to the requirements of policy CH25 new roads and road improvements because there is insufficient justification for it; there will be an unacceptable environmental effect; there is no proof that the applicant has considered other options; it would endanger road users; it would not safeguard the needs of pedestrians and cyclists and it would cause significant harm to the amenities of neighbouring

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residents.

- The proposal is contrary to the requirements of the Supplementary Planning Guidance: Conversion of Buildings in Open Countryside and in Rural Villages because existing accesses should be retained and the proposal does not follow a hedge or a wall.
- The proposal is contrary to the requirements of policy B27 - Landscaping Plans because the hedges and stone walls will be destroyed.
- The proposal is contrary to the requirements of policy C7 - Building in a Sustainable Manner because the existing track should be used.
- The agricultural grade of the land that will be lost should be considered in respect of Policy C28 - Safeguarding Agricultural Land.
- The possibility must be considered that the applicant hopes to apply for another planning permission for a different use in the future following this application.
- It is proposed to use fine slate aggregate as a surface for the new track and because of land drainage issues in the area, the fine slate aggregate will be washed out into the road.
- The additional plans show a visibility splay running directly through a wall that forms the boundary between the existing access and the proposed access.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The purpose of this development is to improve the vehicular access to outbuildings that have already received planning permission for their conversion to holiday units. The existing access track also provides access to two other residential properties, namely Neuadd Tŷ Coch and The Lodge and this proposal means providing a private track and access to the outbuildings and leaving the existing track for the other two residential properties.
- 5.2 Policy CH25 of the Unitary Development Plan deals with new roads and road improvements and it offers a series of criteria to be considered in the context of this application. These are considered below:
1. The plan reflects the status of the road, namely a track with passing places.
 2. The plan means providing an additional track and access rather than using the existing one and although the plan to improve the existing track and access has been approved with the application to convert the outbuildings into holiday units, it is considered that providing a separate track for these buildings will reduce traffic pressure on the existing track and will mean less danger for vehicles to meet each other in the entrance to the highway. Therefore, it is considered that the proposal will reduce the risk of accidents for road users.

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3. Because of the status of the proposed road, criterion Number 3 which involves promoting journeys on public transport and reflecting the needs of pedestrians and cyclists is not relevant.
 4. The proposal will not have an impact on the community as a whole and, therefore, criterion number 4 is not relevant.
 5. It is considered that the scale, that is not dissimilar to an agricultural track, is suitable for the rural location.
 6. The land is not subject to any landscape designation and it is not considered that the development would have a significant detrimental effect on the landscape or biodiversity interests. Sections of the existing wall/*clawdd* that will be removed are minimal for making an access from the existing track to the proposed track and for providing a visibility splay. It is proposed to provide a new hedge between the proposed track and the existing field which provides an improvement to the biodiversity value of the site.
 7. Because of the status of the proposed road, criteria number 7 which deals with ensuring that suitable measures are included to reduce the danger of injuries or death as a result of collisions between vehicles and wildlife is not relevant.
 8. It is not considered that the proposal is likely to have a significant detrimental effect on the amenities of nearby residents or neighbouring sensitive uses because it will mean less use of the existing track that is shared between the residents of two adjoining properties and because it is proposed to provide a new hedge between the proposed track and the existing field.
 9. The application includes a proposal to plant a new hedge between the track and the existing field to mitigate the visual impact and any possible impact on biodiversity.
- 5.3 Given the above, it is not considered that there is a planning objection to the principle of creating a new track in this location because the proposal complies with all the requirements of Policy CH25 above.

Visual, general and residential amenities

- 5.4 Policy B23 of the Unitary Development Plan deals with 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.
- 5.5 The plan is not dissimilar to ordinary agricultural tracks that are often seen in the area. It is likely that the slate aggregate surface would blend in to the landscape in time with vegetation re-establishing where there are no vehicle tracks. Obviously there will be a need to demolish sections of the wall/*clawdd*/hedge between the existing track and the proposed track to provide an access to it from the existing track and along the boundary with the existing highway so as to provide a sufficient visibility splay. Despite this, it is considered that the work of demolishing/removing hedges is minimal for a development of this type and it is intended to retain the remainder of the wall/*clawdd* between the existing track and the proposed track and to grow a new hedge between that track and the existing field as well as along the visibility splays. Therefore, on the whole, it is considered that the proposal is in

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keeping with the character of the area and does not cause any unacceptable or substantial effect on the amenities of any nearby resident. Therefore, it is considered that the proposal complies with Policy B23 above.

5.6 Policy B25 of the Gwynedd Unitary Development Plan relates to safeguarding the visual character by ensuring that building materials must be of a high standard that complement the character and appearance of the local area. It is proposed to use fine slate aggregate on the surface of the track which is a general finish for this type of road in this area and, therefore, it is considered that the proposal complies with the requirements of Policy B25 above.

5.7 Policy B27 of the Unitary Development Plan relates to ensuring that permitted proposals incorporate soft/hard landscaping of a high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features. The proposal involves removing part of the existing wall/*clawdd* to provide an access from the existing track to the new track and to improve visibility. It is proposed to retain the remainder of this existing wall/*clawdd*. It is intended to remove the existing hedge between the road and the existing field to provide an access and visibility splay for the new track. It is intended to plant a new hedge along the boundary between the new track and the existing field and along the visibility splays. The hedge will be of indigenous trees and plants and a stock-proof fence will be installed on each side of the hedge. This landscaping plan is suitable and is in keeping with the area and it is considered that it will be possible to agree on the indigenous plants to be planted along with imposing a condition on the planning permission to ensure that the hedge is planted during the first planting season following the development. It is therefore considered that the proposal complies with the requirements of policy B27 above.

Transport and access matters

5.8 Policy CH33 of the Unitary Development Plan deals with ensuring safety on roads and streets and the Transportation Unit confirm that there is no objection to the proposal in terms of highway safety subject to relevant conditions.

5.9 Policy CH34 of the Unitary Development Plan deals with safeguarding rural minor roads from an unacceptable increase in vehicles. This proposal deals with creating a new track and access to a site that has already received planning permission for holiday use. This proposal will not mean any increase in the number or in the flow of vehicles into or out of the site.

5.10 Therefore, on the basis of the above, it is not considered that the proposal is contrary to policies CH33 or CH34 above.

Biodiversity matters

5.11 Policy B20 of the Unitary Development Plan safeguards species and their habitats that are internationally and nationally important and proposals which are likely to cause disturbance or unacceptable harm to protected species and their habitats will be refused unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

5.12 In this case, it is proposed to cut through a wall/*clawdd* and remove a hedge to complete the development. The Biodiversity Unit and Natural Resources Wales have no objections to this proposal provided that the work of hedge clearance is undertaken

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outside the nesting season (March-August). Therefore, it is not considered that the proposal will cause unacceptable harm to protected species and, therefore, the proposal complies with the requirements of policy B20 above.

Response to the public consultation

5.13 Correspondence was received objecting to the proposal as noted above and several of the points have been considered in the above report. The proposal before the committee is not an unreasonable option for this type of situation where more than one property shares an access track to the highway. The proposal has been assessed against relevant policies for this type of proposal and these are listed above and it is considered that its location, the lay of the land and the proposal to landscape are appropriate. Full consideration has been given to the objections received in the assessment of this application and it is considered that there is no matter that outweighs the relevant policy considerations and that the application is acceptable and complies with the requirements of the local and national policies and guidelines, subject to including relevant conditions.

6. Conclusions:

6.1 As a result of the above, it is considered that the design and materials of the proposed access road are acceptable for this site and they will not have a detrimental effect on the character or appearance of the area, highway users and will not cause a detrimental effect on the amenities of the local area or any neighbouring property. Therefore, it is considered that the proposal complies with all relevant local and national policies.

7. Recommendation:

7.1 To approve

1. Commence permission within five years.
2. Complete the development in accordance with the plans.
3. The applicant must take every care to prevent surface water from the curtilage of the site discharging onto the highway.
4. A list of species to be planted must be submitted and approved in writing by the LPA.
5. Landscaping must be completed in accordance with the plan submitted and the species agreed during the first planting season following the completion of the track and the access.
6. No clearing work or felling of hedges will be permitted during the nesting season between March and August.



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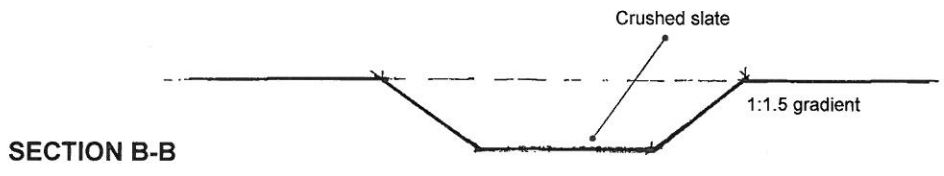
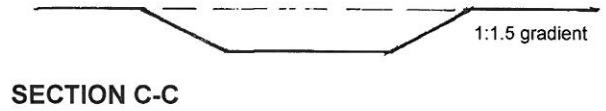
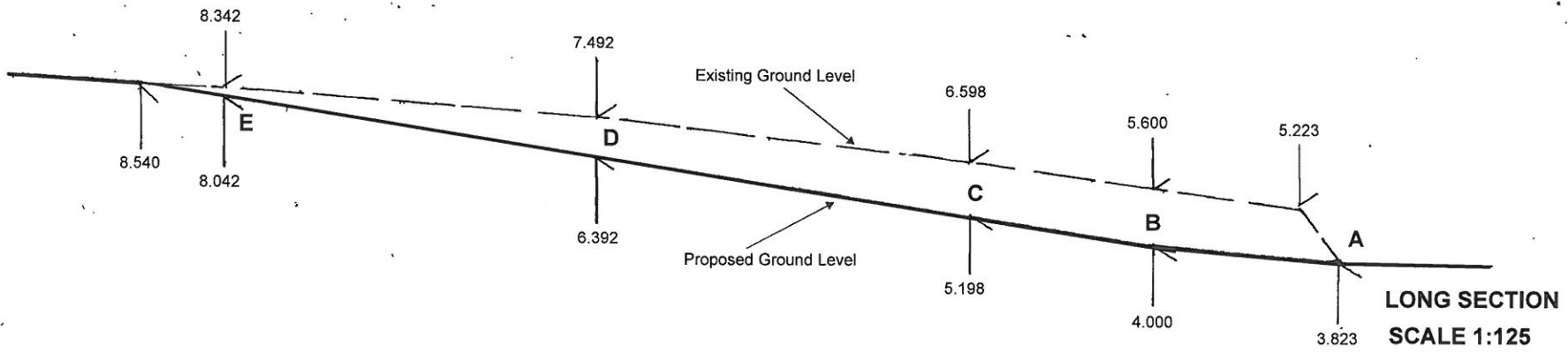


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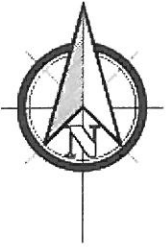
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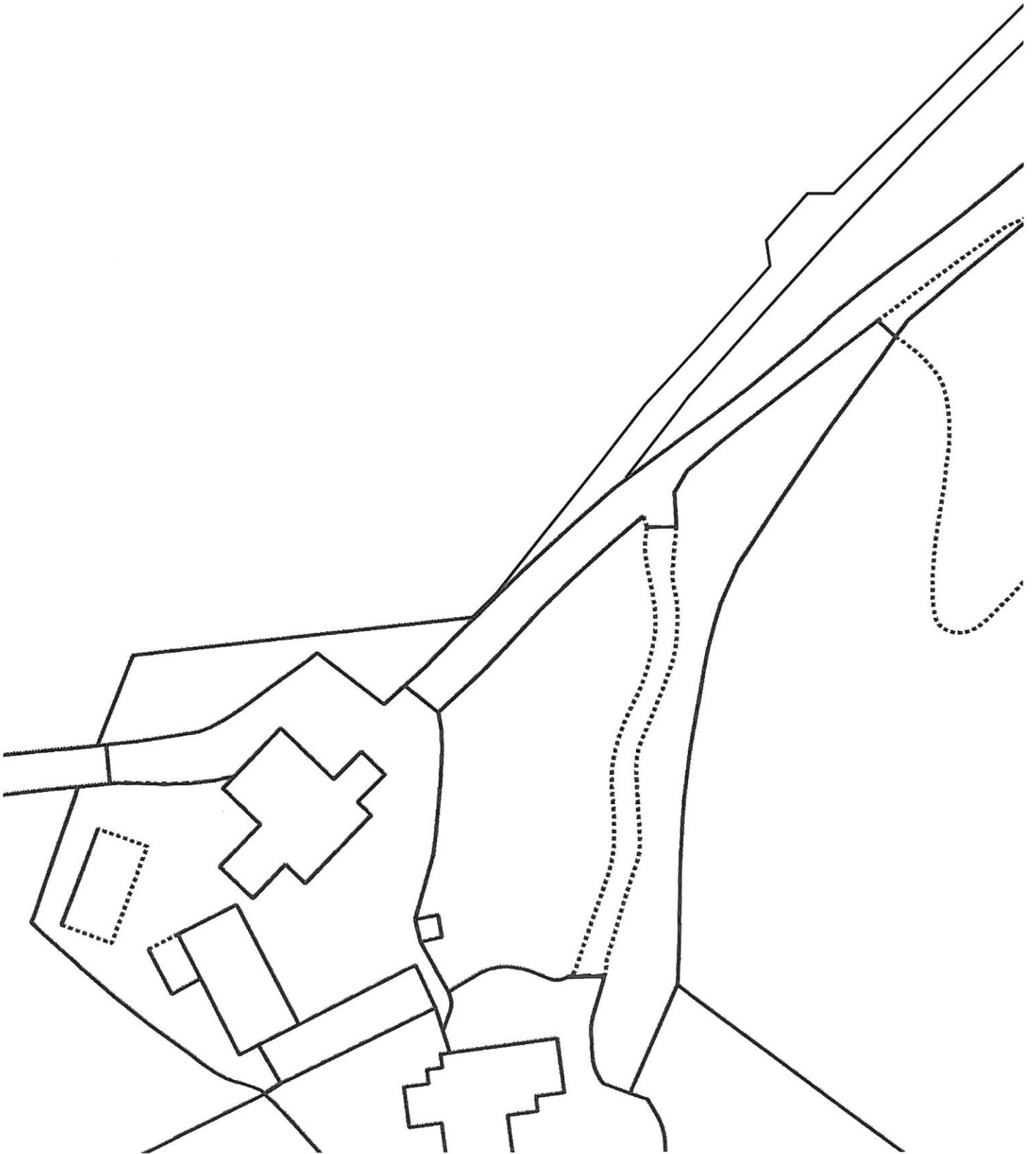
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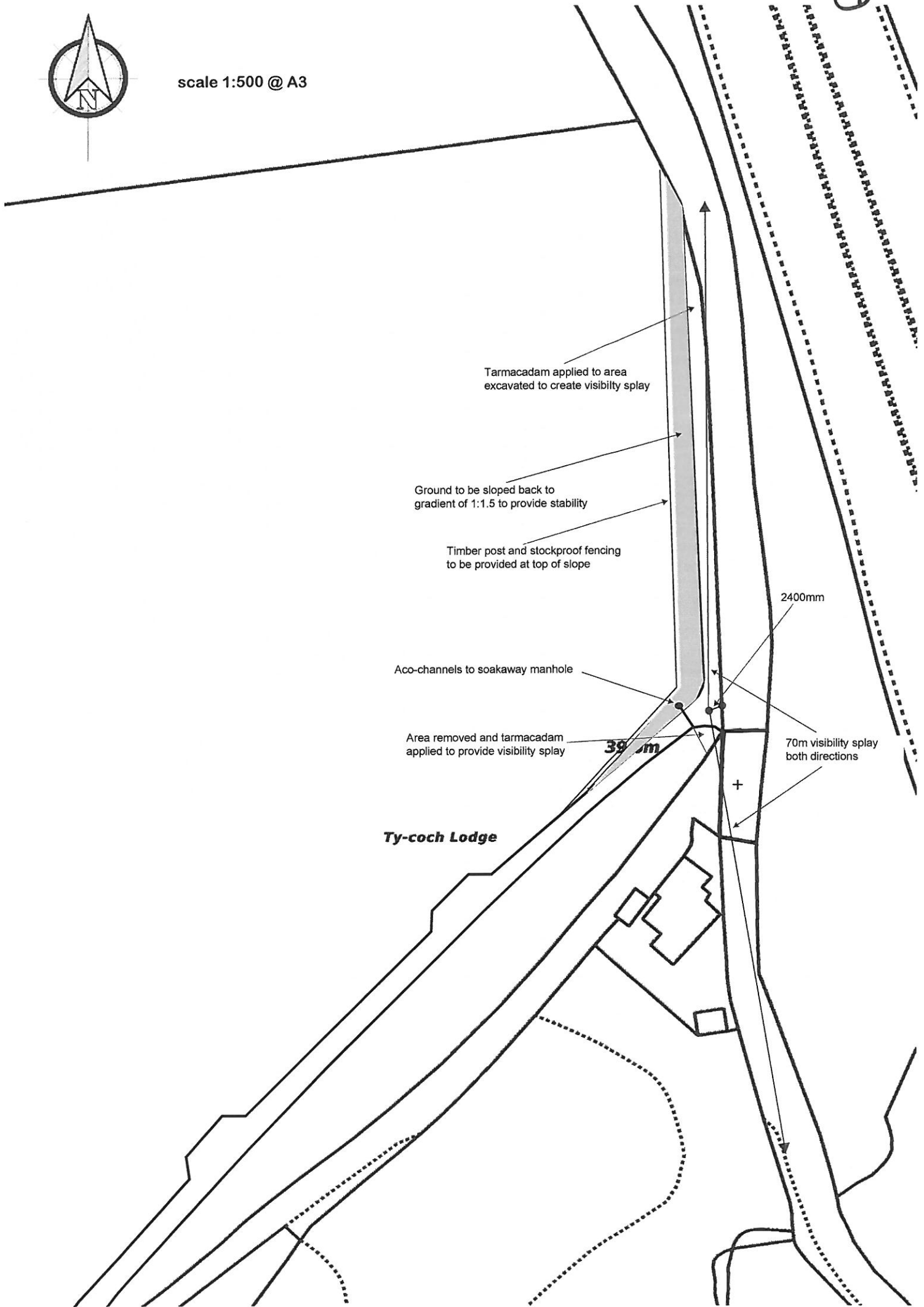
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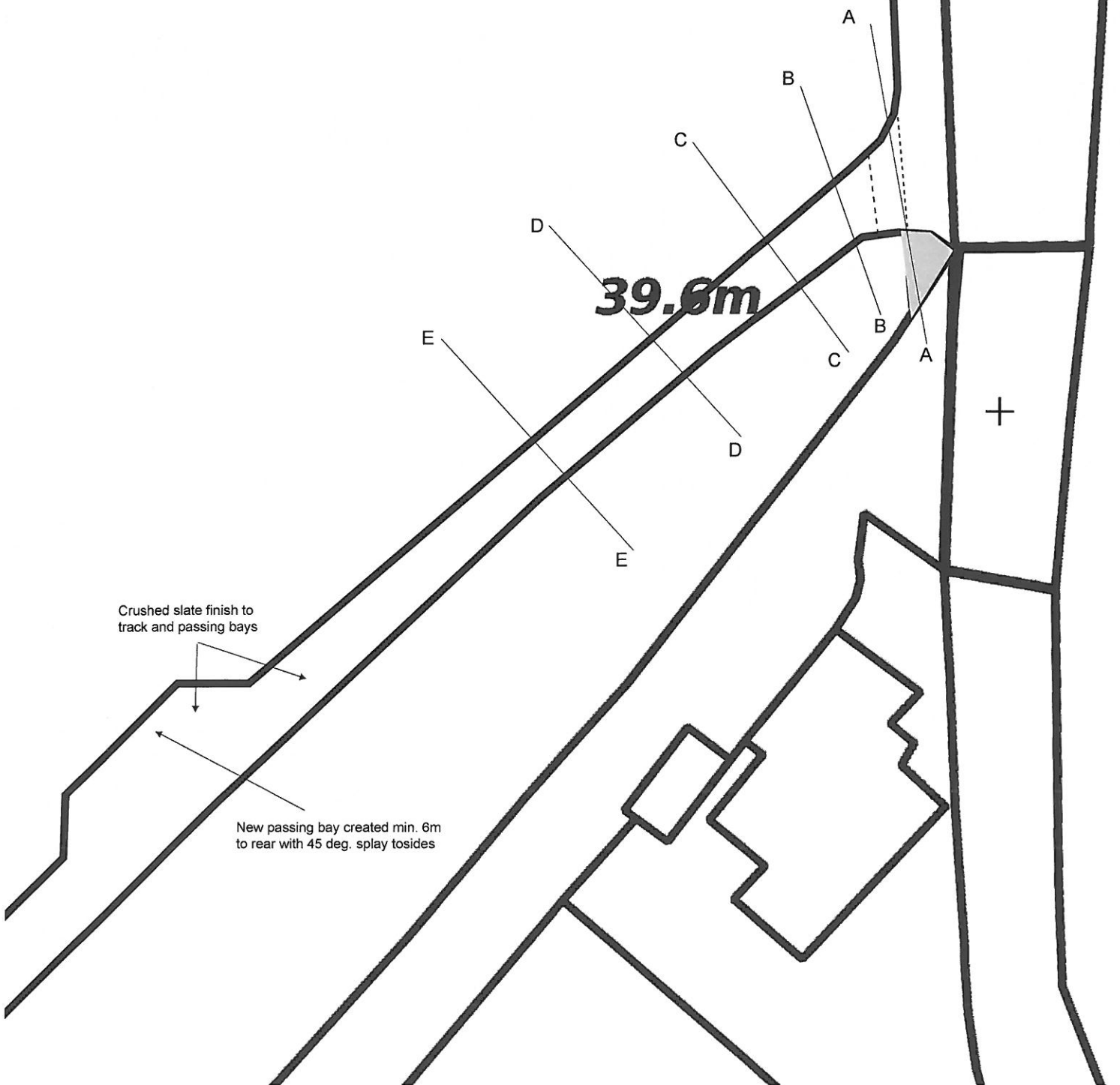


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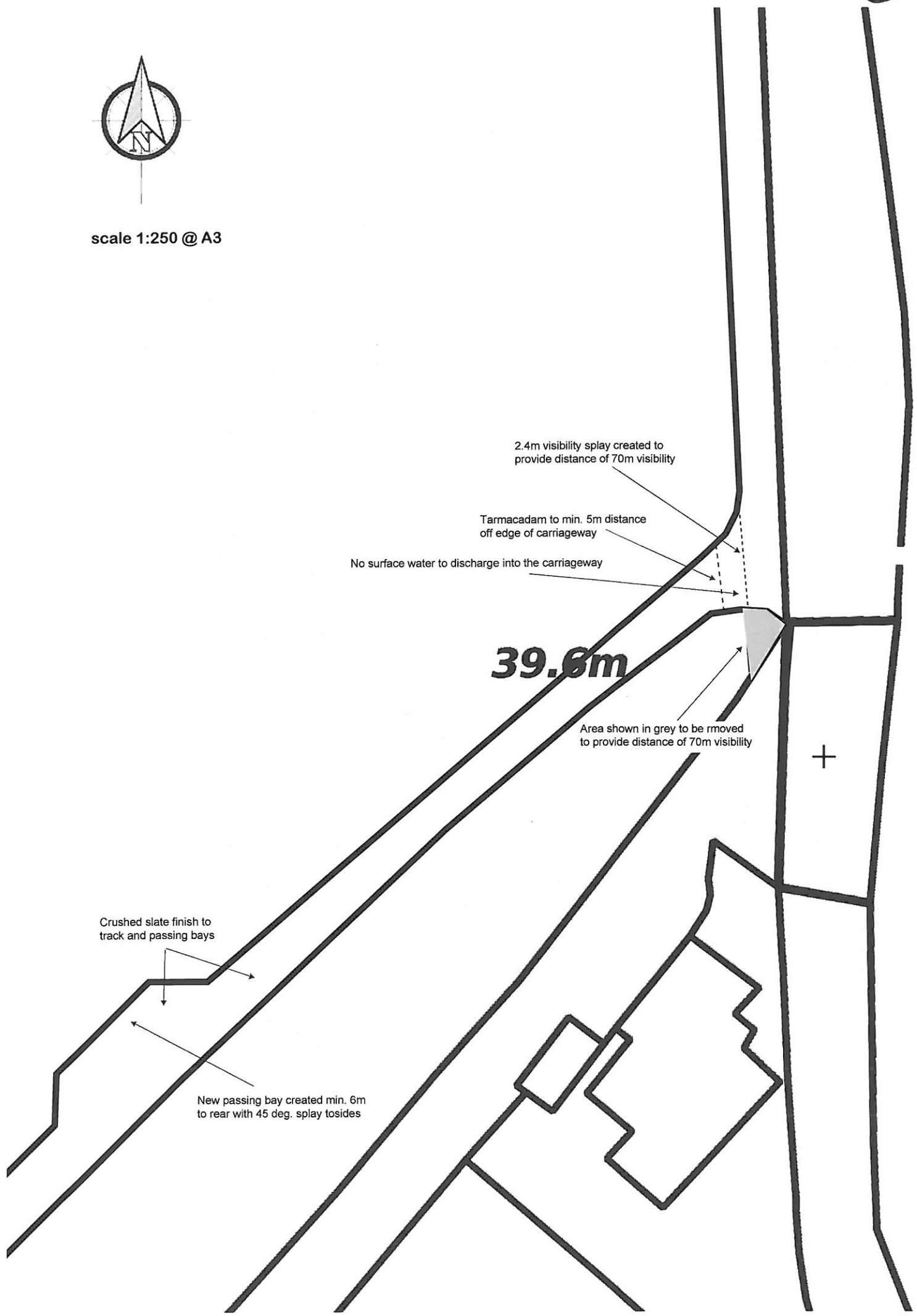
2.4m visibility splay created to provide distance of 70m visibility
Tarmacadam to min. 5m distance off edge of carriageway
No surface water to discharge into the carriageway

39.6m

Area shown in grey to be removed to provide distance of 70m visibility

Crushed slate finish to track and passing bays

New passing bay created min. 6m to rear with 45 deg. splay to sides





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Crushed slate to track

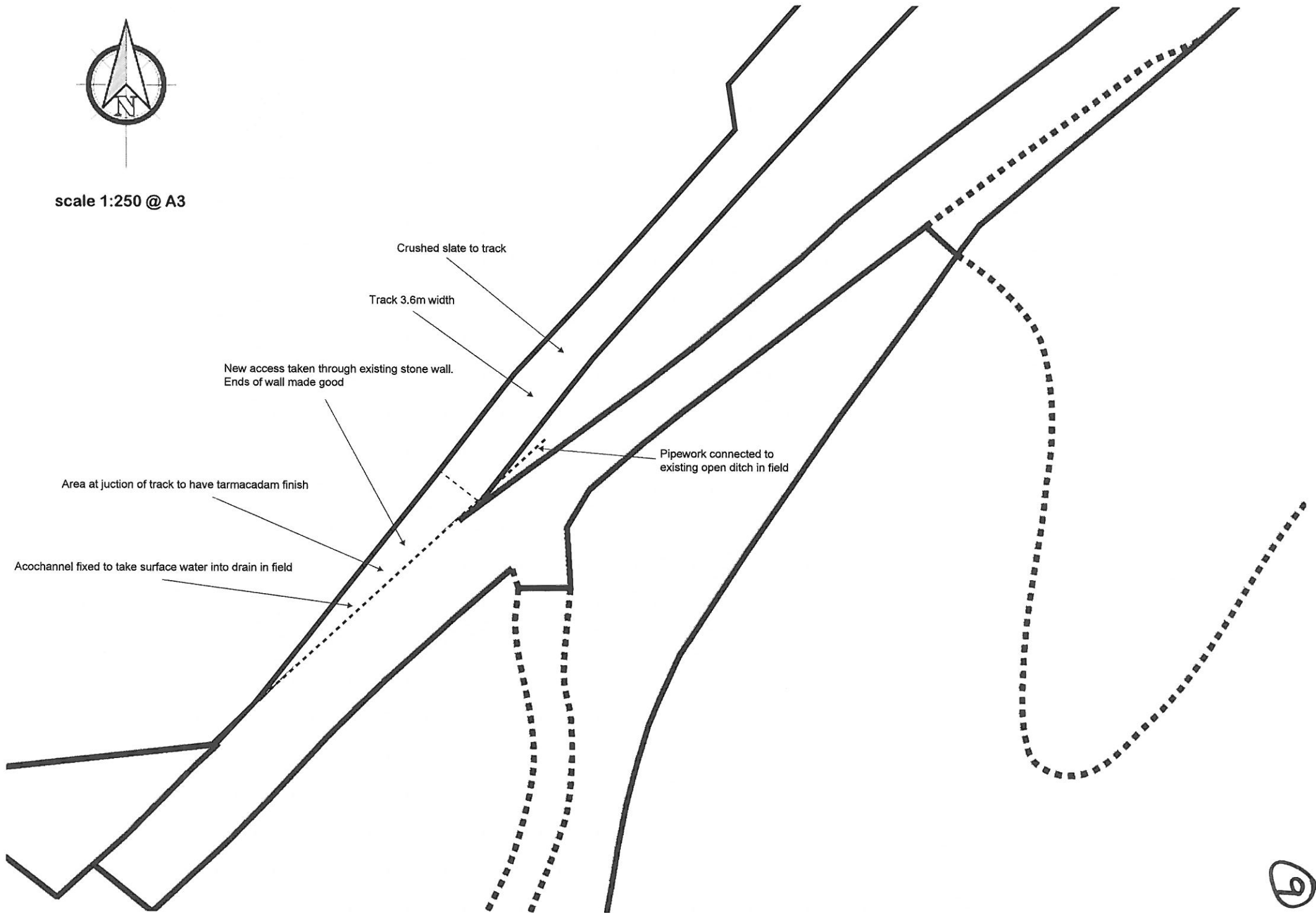
Track 3.6m width

New access taken through existing stone wall.
Ends of wall made good

Area at junction of track to have tarmacadam finish

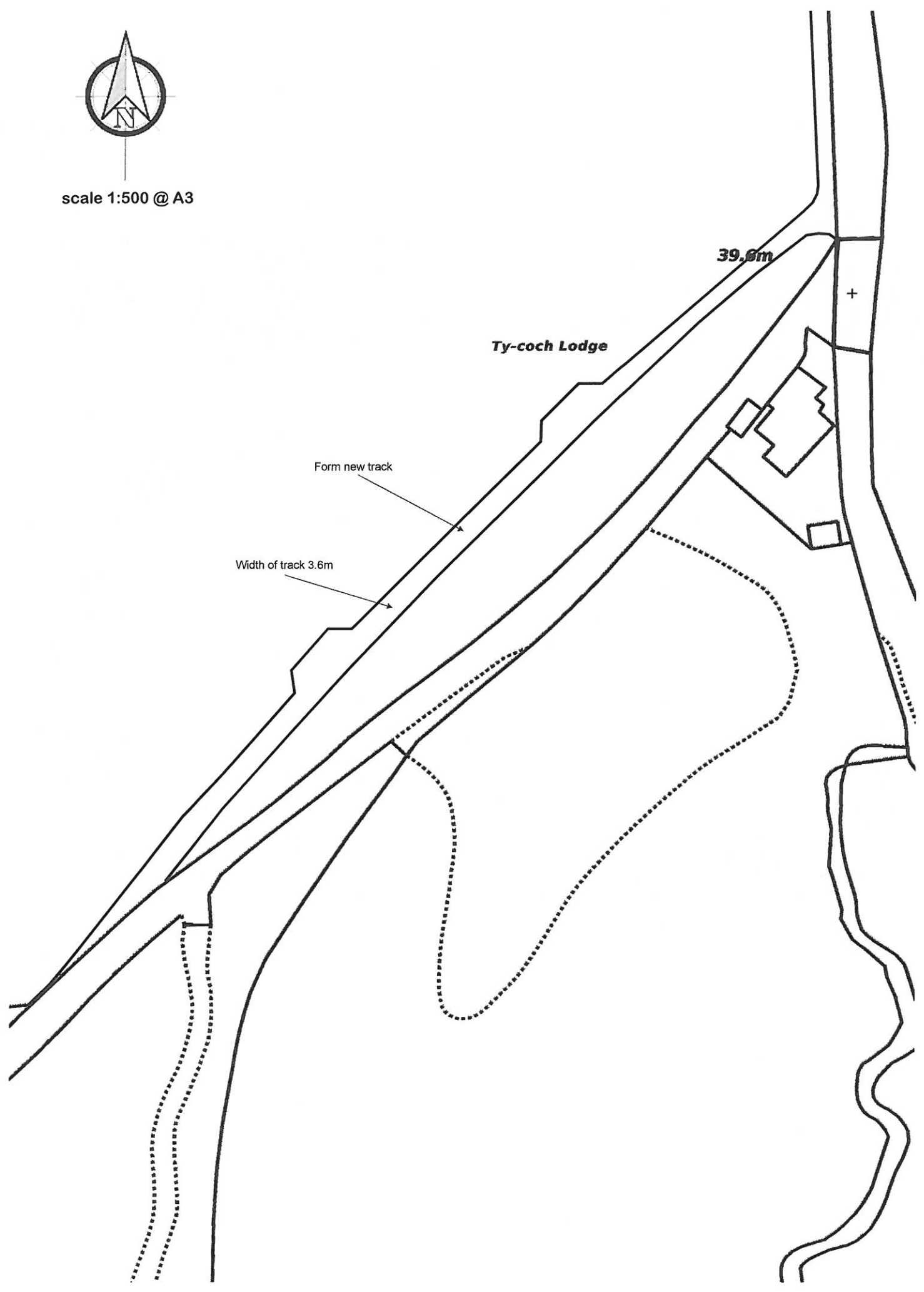
Pipework connected to
existing open ditch in field

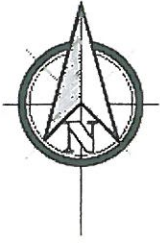
Acochannel fixed to take surface water into drain in field





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 COMMUNITY PROTECTION
 22/9/14
 Wm

22 MEGI 2014

Planting of indigenous trees and hedgerow

Stockproof fencing

Stockproof fencing

Planting of indigenous trees and hedgerow

70m visibility splay both directions

Ty-coch

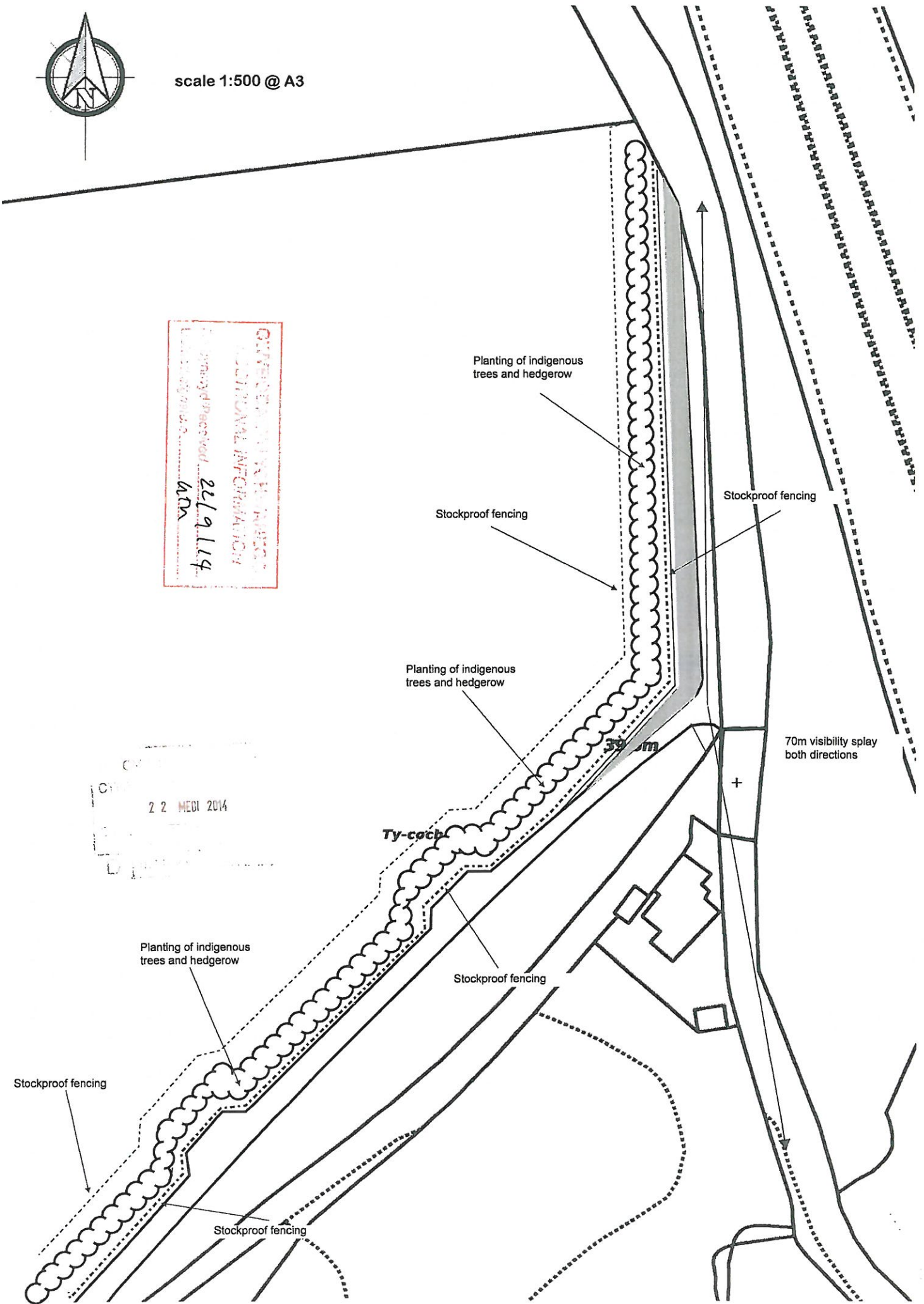
Planting of indigenous trees and hedgerow

Stockproof fencing

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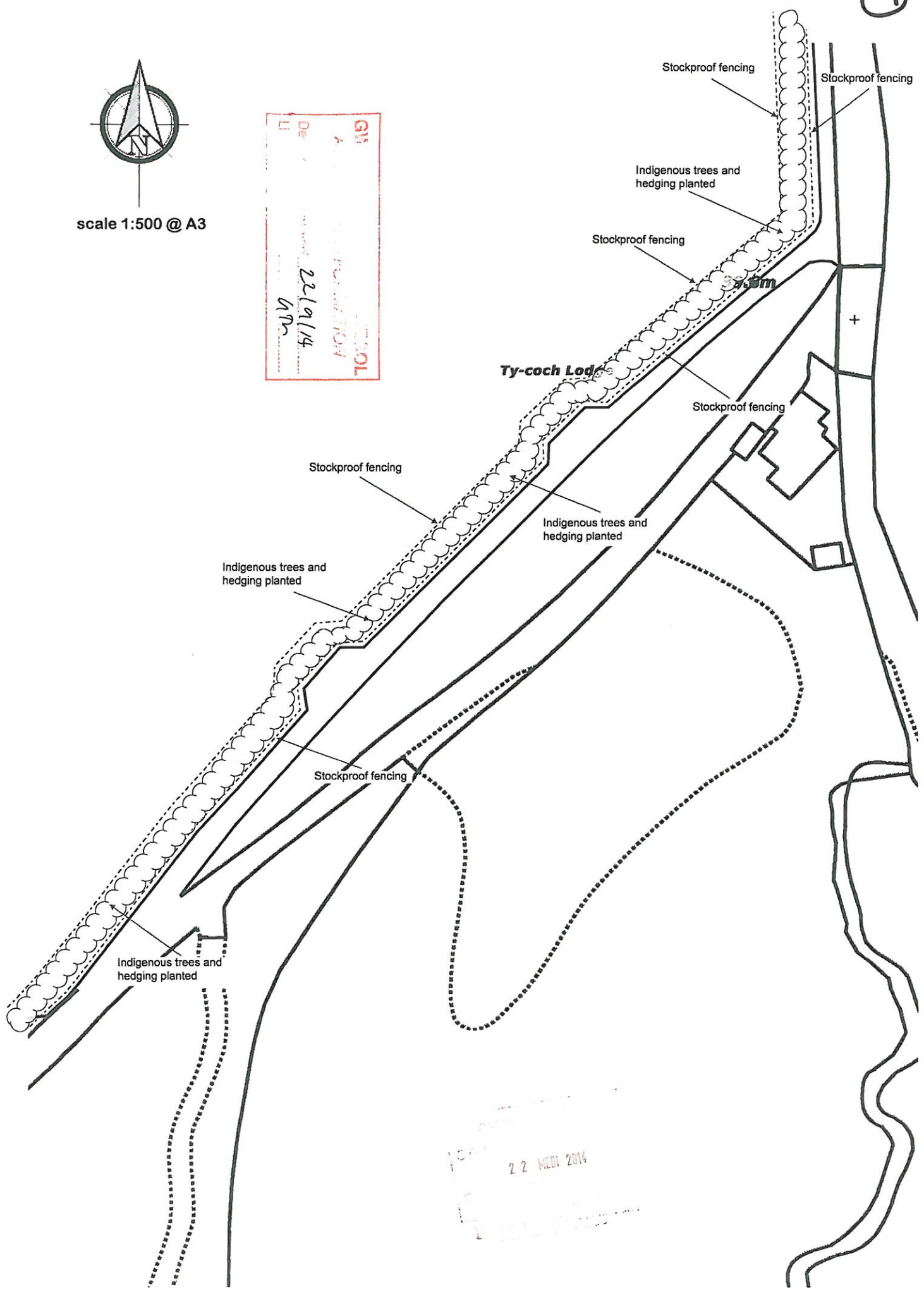
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