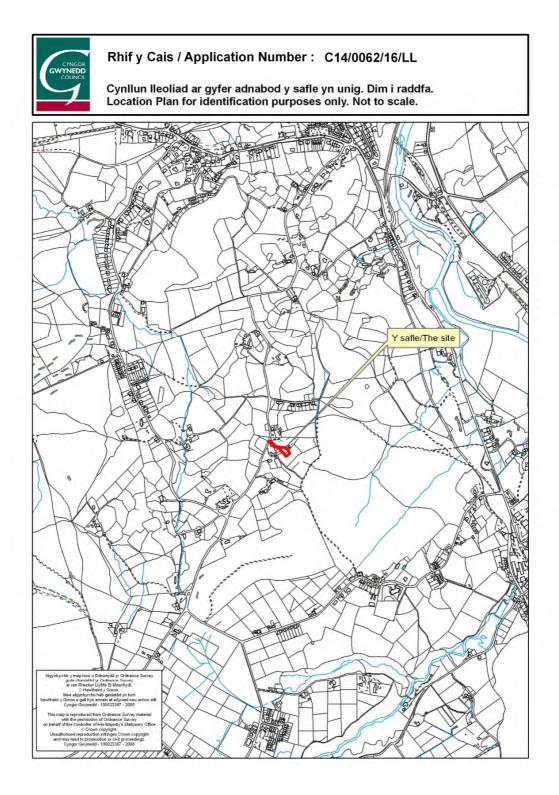
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REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

# Number: 1



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REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Application Number:	C14/0062/16/LL
Date Registered:	29/01/2014
Application Type:	Full - Planning
Community:	Llandygai
Ward:	Tregarth and Mynydd Llandygai
Proposal:	CONVERTING AN EMPTY BUILDING INTO AN AFFORDABLE HOUSE
Location:	BRYN LLYWELYN OUTBUILDING, TREGARTH, BANGOR, GWYNEDD, LL574PA

Summary	of	the	
Recommendat	ion:		TO REFUSE

# 1. Description:

- 1.1 This is a full application for converting and extending partly empty agricultural singlestorey buildings to a two bedroom affordable living unit.
- 1.2 The site is located in open countryside between the villages of Tregarth and Mynydd Llandygai, the current pattern and housing distribution in the area is scattered and ranges in terms of appearances and size.
- 1.3 An existing access with a private track leads to the site from the closest public road with open lands to the north, south and east of the site. There are residential houses in the south-west direction with the closest part of one property around 20 metres from the closest part of the buildings that are the subject of this application.
- 1.4 This proposal aims to combine current 'L' shaped agricultural buildings and erect an extension on part of the front of the buildings. Internally, this would provide a living/dining room, a kitchen, a utility room, two bedrooms and a bathroom. The application has been amended from its original submission by removing the windows that were shown to be installed on the back of the building.
- 1.5 The current buildings are placed on a part of a broader site that includes a separate yard and stables. The buildings themselves are made of natural stone and include temporary roofs made of corrugated steel sheets. The proposal would replace the current roof finishes and would re-construct the roofs as they would have been originally; a pitched roof made of natural slate. These buildings have been assessed by an Engineering Consultant who confirms in a formal structural report that the buildings are suitable to be converted without the need for substantial reconstruction work.
- 1.6 The application is submitted to the planning committee at the local member's request.

# 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 B10 – PROTECT AND ENHANCE LANDSCAPE CONSERVATION AREAS -Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant harm to recognised features.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they 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 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 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.

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 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 C4 – ADAPTING BUILDINGS FOR RE-USE – Proposals to adapt buildings for re-use rather than demolish them will be approved provided they conform to specific criteria relating to the suitability of the building, visual considerations, design and the effect on the vitality of neighbouring towns and villages.

POLICY CH12 – CONVERSION OF BUILDINGS IN RURAL VILLAGES AND IN OPEN COUNTRYSIDE FOR RESIDENTIAL USE Approve the conversion of buildings to residential use within rural villages and the countryside if a suitable economic use cannot be secured for the building, and that criteria relating to local need, affordability, impact on the character of the area and occupancy of the dwelling can be met.

POLICY CH30 – ACCESS FOR ALL – Refuse proposals for residential/business/industrial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

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.

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POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new development, extension of existing development or change of use will be refused unless offstreet 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.

In addition to GUDP policies, full consideration is given to the Authority's adopted Supplementary Planning Guidance (SPG), which are material and relevant considerations. The following are considered to be relevant in this case:

- Converting buildings in open countryside and in rural villages
- Affordable housing
- Landscape character

# 2.3 National Policies:

Planning Policy Wales - edition 7, 2014

Technical Advice Note (TAN) 2: Planning and Affordable Housing

TAN 6: Planning for Sustainable Rural Communities

TAN 12: Design

TAN 18: Transport

# 3. Relevant Planning History:

3.1 Application No. C02A/0461/16/LL – the erection of an extension to an agricultural building - approved 07.11.02

# 4. Consultations:

Community/Town Council:	Supportive
Transportation Unit:	No objection, the current entrance is used and there is sufficient parking and turning space within the site.
Natural Resources Wales:	No objection, it is acknowledged that the bats survey was standard and that no traces of protected species were discovered, but it will be necessary to re-contact if traces are discovered during the work.
Welsh Water:	No comment as it is proposed to use private treatment facilities.
Public Protection Unit:	No observations
Strategic Housing Unit:	Support the application.

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- Public Consultation: A notice was posted on site and neighbouring residents were notified. The original advertising period has ended and correspondence was received objecting on the following grounds:
  - A window on the back of the building affecting a neighbouring property's privacy

In addition to the above objections, objections were received that were not valid planning objections which included:

- Animals making noise
- A misleading name on the plans/information

The above letters also included support for the application based on:

• Supporting local people's rights to have houses

A revised plan was received following the above observations, and a re-consultation took place based on these changes, this period has also come to an end and correspondence was received stating:

• The revised plan has removed the main concern but it is requested, if the plan is approved, that conditions are included to protect the privacy of residents of neighbouring properties

# 5. Assessment of the material planning considerations:

# 5.1 The principle of the development

- 5.1.1 Several factors in relation to this application must be considered, but the main considerations are the proposal to convert a building such as this one for residential use, the location of the development and the issue of affordability. The attributes of the proposal must be considered against the robust requirements of the relevant policies involving development within a rural area as well as the requirements of general policies. The main policies are the C4 and CH12 policies.
- 5.1.2 The site is within an open countryside area and is outside any recognised development boundary. An application to erect a new dwelling on such a site would not be acceptable and therefore proposals to convert current buildings is the only option that could be considered. Developments in the countryside such as these are strictly controlled and developments are required to meet the requirements of all relevant policies and guidelines.
- 5.1.3 This type of application is supported in principle as long as the clear and specific requirements of the policies relating to converting buildings, as well as guidelines regarding affordable units, are followed and that proposed developments fully comply with the criteria of these requirements.
- 5.1.4 It is believed that there are two matters, both completely vital matters in relation to an application such as this, that have not been met completely, which are the policy

requirements regarding developing affordable units in the countryside, namely the size of the building to be converted and the attempt to market it for another economic use.

#### Converting a building for residential use

- 5.1.5 It is acknowledged that the applicant has been identified as someone who needs an affordable house as a result of a formal assessment from Tai Teg and therefore there is no doubt about the need in this case. Despite this, policy CH12 only approves residential use if an economic use for the building cannot be ensured in the first place.
- 5.1.6 It is accepted that formal assessments have been submitted in the form of a Planning Statement along with a Valuation/Marketing report from a local estate agent. Nevertheless, it is not believed that these reports are thorough and specific to the site. It is not believed that a genuine attempt has been made to market the buildings thoroughly for a sufficient period of time, and therefore it is not accepted beyond any doubt that the criteria of policy CH12 have been met.

#### Size of the building

- 5.1.7 The requirements of policy C4 state that a building that is to be converted in the countryside must be suitable in terms of the ability to convert without having to change much of its form, i.e. it has to be of an acceptable size as it is, without having to add too much to it to make it habitable.
- 5.1.8 It is seen in this case that a new extension is to be erected at the front of the current buildings that would provide a bathroom and a bedroom. This new extension measures around  $21m^2$ , which brings the total surface area of the entire building to a little over  $102m^2$  on completion.
- 5.1.9 Additional to policy C4 is paragraph 5.16 of the SPG: Affordable Housing which notes that "the size of dwellings must not be excessive in relation to the size of the property that is required in order to meet the targeted need." Following on from this, the SPG states that a maximum of  $80m^2$  would be an acceptable size for a single-storey two bedroom house. Due to the extension and the total surface area of this proposed house, it is believed that the proposal is unsuitable to provide an affordable house and therefore is contrary to the needs of policies C12, C4 and the Affordable Housing SPG.
- 5.1.10 It is therefore not believed that the principle of the proposal is acceptable, as it does not fully comply with the requirements of policies C1, C4 and CH12 along with the SPG guidelines: Affordable Housing, SPG: Converting buildings in open countryside and in rural villages and with relevant national guidance within Planning Policy Wales and TAN 2.

## 5.2 Visual amenities

5.2.1 These houses are located approximately 120 metres away from the closest public road. A current private track connects this road towards the site. Around the site, trees and bushes can be seen scattered within surrounding fields and gardens, while high hedgerows are adjacent to several parts of the public road. The surrounding land is mostly on a slope, especially while approaching Mynydd Llandygai from the Tregarth direction.

- 5.2.2 Consequently, it is likely that the development would only be partly visible due to the element that would see the current partly flat roof replaced by a traditional pitched roof. The proposed extension to the front of the building follows a form similar to the current one, it is to be finished with natural stone that is in keeping with current appearances.
- 5.2.3 It is not considered that the proposal would impact on the area's visual amenities to an unacceptable degree based on form and appearances, and therefore it is not believed that the application is contrary to the requirements of policies B22, B23, B24 and B25.
- 5.2.4 The site is located comparatively close to an area designated as a Landscape Conservation Area. It is not believed that what is proposed would impact on the features and form of the local landscape (which is scattered in terms of its built form) and the views within and outside this area based on the current condition of the buildings, design and proposed finishes. It is therefore considered that the proposal satisfies the requirements of policy B10.

# 5.3 General and residential amenities

- 5.3.1 Current residential houses are located comparatively close to the back of the buildings. There is some open land between these houses and the site of the application, however, if the proposal was approved it would affect the residents of these houses, when comparing what is there at present and what is proposed.
- 5.3.2 Observations were originally received from the residents of the closest property, stating concerns about a window that was to be included on the back wall of the building. This element was amended by completely removing the window from the proposal. Further observations were received acknowledging that this had satisfied their biggest concern, however they have made a request to include conditions that would ensure their privacy and would protect their residential amenities.
- 5.3.3 The amendment made to the plan satisfies the biggest concerns of the closest residents to this site. They wish to include conditions to protect their amenities for the long term, and it is likely that it would be possible to include an element of this if the application was to be approved. On this basis, it is not believed that the application is contrary to Policy B23.

#### 5.4 Transport and access matters

- 5.4.1 There is already an entrance into this site with a private track leading towards the site itself. The entrance is set back from the public road which means it is possible to turn in without staying on the road itself. The site includes sufficient space in front of the buildings for parking and turning.
- 5.4.2 As was confirmed by the transport unit, there is no objection to the proposal regarding transport and access matters, it is therefore believed that the proposal conforms to the requirements of policies CH30, CH33 and CH36.

# 5.5 Biodiversity Matters

A bat survey was submitted with this application, no traces of protected species were discovered within these buildings. As a result the proposal is not objected in terms of

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Biodiversity matters by the Council's Biodiversity Unit or Natural Resources Wales, it is therefore believed that the proposal meets the requirements of policy B20.

#### 6. Conclusions:

6.1 Having considered the above and all the relevant matters including the local and national policies and guidance, it is not believed that this application to convert agricultural buildings to be used as an affordable house is completely acceptable in this case and that it does not fully conform to the requirements of the policies noted above.

#### 7. Recommendation:

- 7.1 To refuse reasons
  - 1. It is not believed that this application is fully acceptable due to the need to extend the buildings to make them habitable which would mean that the total size of the affordable unit would be more than what is noted within the relevant guidelines for a two bedroom affordable house. As well as this, it is not believed that sufficient evidence has been submitted to state beyond doubt that these buildings have been marketed first for a suitable economic use. Therefore, the proposal is considered contrary to policies C1, C4 and CH12 of the Gwynedd Unitary Development Plan as well as specific requirements in the Supplementary Planning Guidance: Affordable Housing, Supplementary Planning Guidance: Converting buildings in open countryside and in rural villages, Planning Policy Wales, Chapter 9 (Edition 7, 2014) and Technical Advice Note 2: Planning and Affordable Housing.

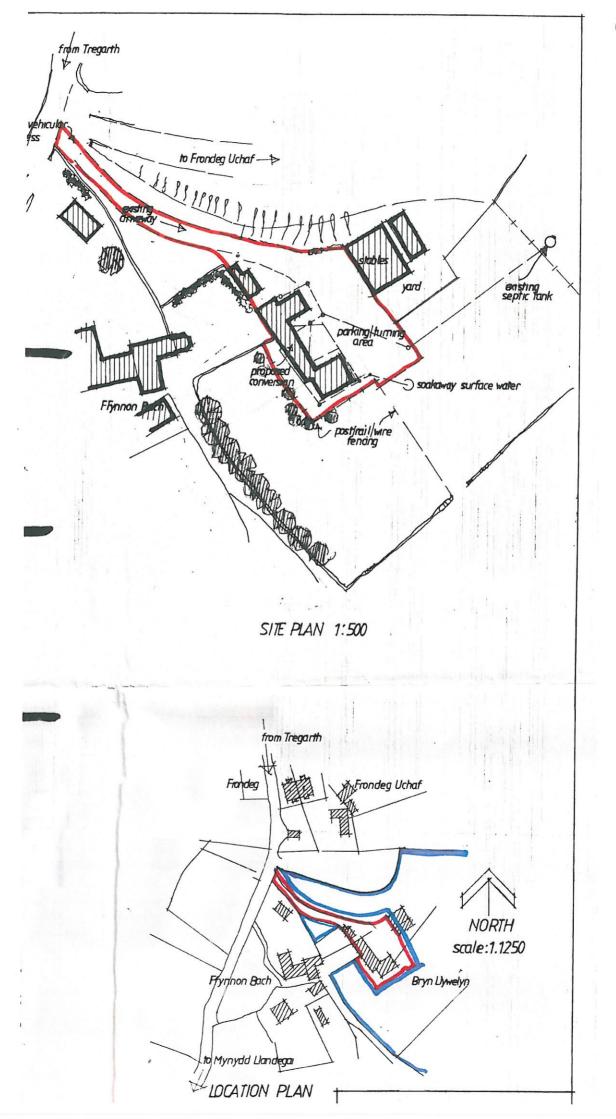
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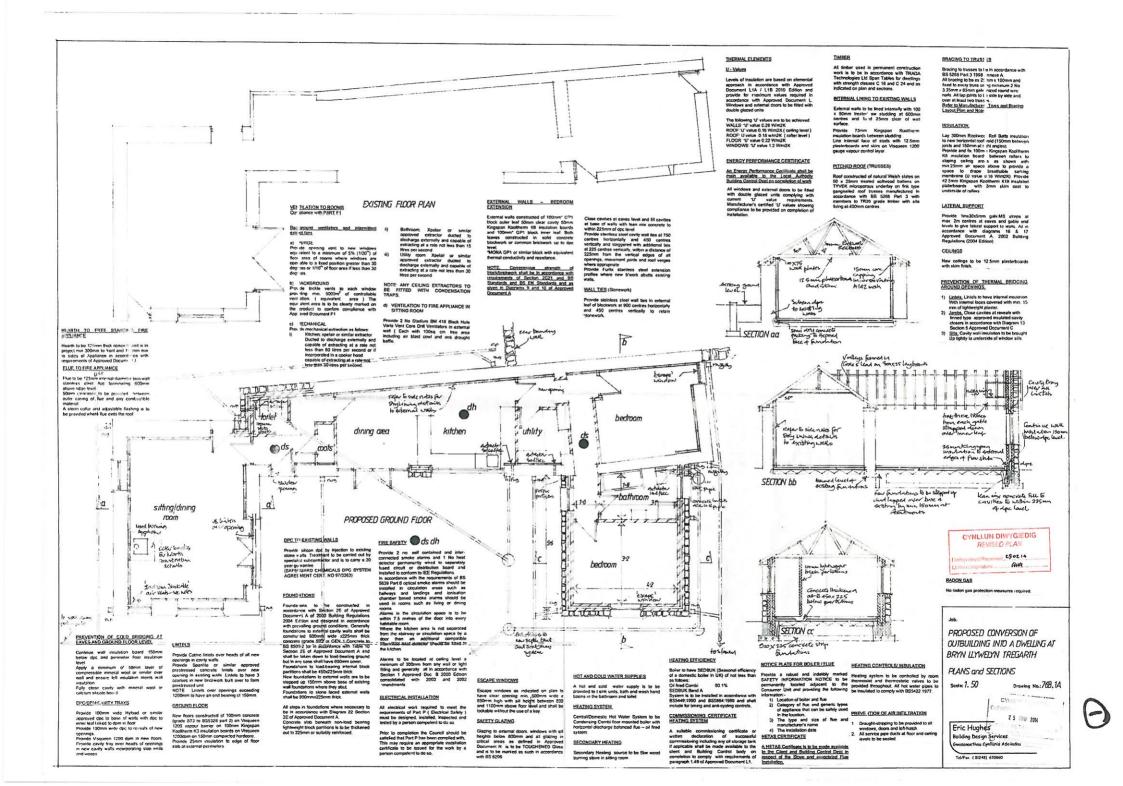
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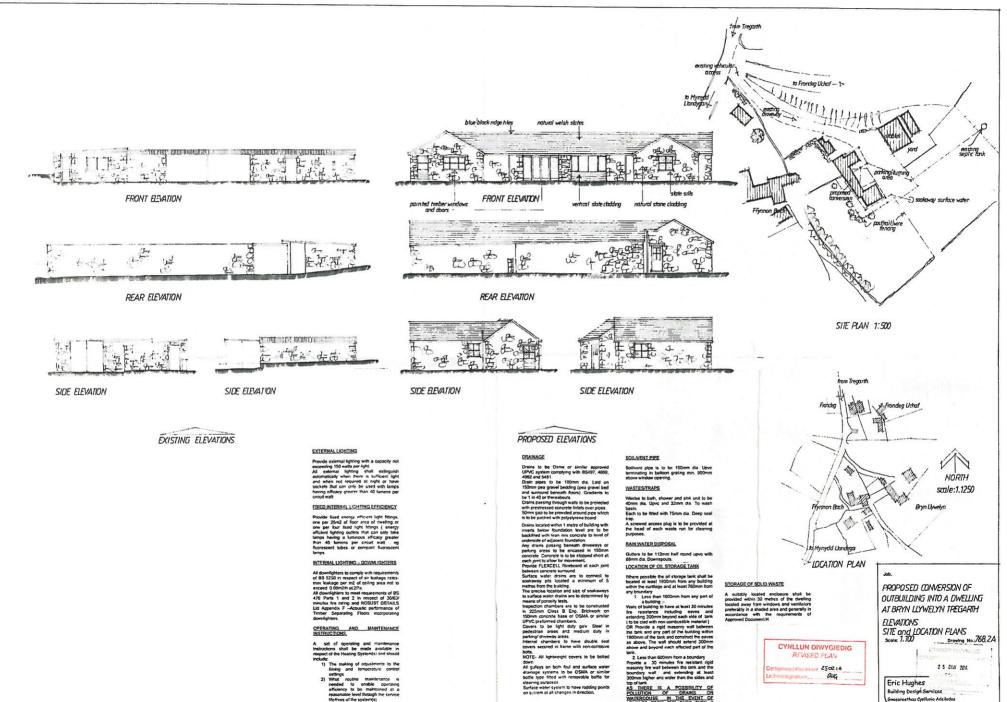
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