

Number: 2



Rhif y Cais / Application Number : C14/0159/25/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: 15/12/2014
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Application Number: C14/0159/25/LL  
Date Registered: 23/10/2014  
Application Type: Full - Planning  
Community: Pentir  
Ward: Pentir

Proposal: ERECTION OF A NEW GARAGE  
Location: GLAN Y MOR LODGE, GARNEDD ROAD, Y FELINHELI, GWYNEDD, LL564JU

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

**1. Description:**

- 1.1 This is a full application to erect a new double garage on land adjacent to the Glan y Môr Lodge, Felinheli. The site is outside the residential curtilage of the property, though it is located off an access track to the property on a plot of land surrounded by established trees. The site is by the Faenol park wall, which is a grade II listed structure and is listed as one of the best estate walls in Wales. The site is also located within the Faenol Historic Park and within a Landscape of Outstanding Historical Interest.
- 1.2 The new garage would measure 5.25m long, 5.25m wide with a height of 4.2m. It would have an oak frame with two bays, softwood cladding on the sides, an open front and a slate roof.
- 1.3 The application is submitted to the Committee as more than three objections have been received.

**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:**

B3 – DEVELOPMENTS AFFECTING THE SETTING OF A LISTED BUILDING - Ensure that proposals have no adverse effect on the setting of Listed Buildings and that they conform to a number of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

**POLICY B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS**

Protect landscapes, parks and gardens of special historic interest in Wales from developments that would cause significant harm to their character, appearance or setting.

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**POLICY B19 – PROTECTED TREES, WOODLAND AND HEDGEROWS**

Proposals which will lead to the loss or damage of a tree, woodland or hedgerow that is protected will only be permitted when the development’s economic and/or social benefits outweigh any harm.

**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 protecting the recognised features and amenities of the local area.

**POLICY B25 – BUILDING MATERIALS** - Safeguard the visual character by ensuring that the 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 CH22 – CYCLING NETWORK, PATHS AND RIGHTS OF WAY**

All parts of the cycling network, footpaths and rights of way will be protected by encouraging proposals which will incorporate them satisfactorily within the development and by prohibiting plans to extend the cycling network, footpaths or rights of way. Should this not be possible, appropriate provision will have to be made to divert the route or to provide a new and acceptable route.

**POLICY CH33 – SAFETY ON ROADS AND STREETS** - Development proposals will be approved provided they can conform to specific criteria relating to the vehicular access, standard of the existing roads network and traffic calming measures.

**2.3 National Policies:**

Planning Policy Wales, Edition 7, 2014.  
 Technical Advice Note: Design 12 – June (2009)

**3. Relevant Planning History:** No relevant history

**4. Consultations:**

Pentir Community Council: No objection

Y Felinheli Community Council: Objection – The Faenol wall is a registered feature that should be protected to the highest degree; the garage, if erected, should be erected to the side and not in front of the wall. The Community Council is eager to see a coastal path being created soon, and a part of the path would pass by the property. The Council would like the Planning Department to contact the officer, Rhys Roberts, to receive the latest

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information regarding the path. The Community Council requests that a condition be imposed on the application, should it be approved, in order to ensure that the coastal path is not obstructed.

Footpaths Unit: General comments and information on possible locations for the coastal path.

Trees Unit: Initial observations – A trees assessment is required.

Second response - Happy with the trees report and the recommendations. A condition is requested to ensure that the work is completed in accordance with the report's recommendations.

Public Consultation: A notice was placed on the site and neighbours were notified. The statutory publication period has ended and several letters have been received objecting to the application on the following grounds:

- The impact on the listed Faenol wall and the setting of the gate.
- The area around the gate should be kept free of modern structures.

The following observations were also received; these are not material planning matters:

- An existing covenant on the land preventing further developments.
- The existing new wall and gate should be disposed of in order to protect the setting of The Faenol wall.
- Request a condition to ensure that bins stay within the residential curtilage.
- Request a condition to ensure that applicants keep to the speed restrictions on the private estate roads.
- Request a covenant, similar to the existing one on the estate roads, to ensure that only cars are stored in the garage – no boats, commercial vehicles, caravans etc.

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 Policy C1 of the Gwynedd UDP states that land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. The site is located within the Felinheli development boundary and by an existing dwelling house. It is believed that the principle of erecting a domestic garage on this land is acceptable and is in accordance with Policy C1 of the UDP.

### Visual and Conservation Matters

5.2 Policies B3, B12, B22 and B25 are relevant to this aspect of the application. The site is located by the Faenol estate wall, which is a grade II listed building. The site is also

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located within the Area of Outstanding Historic Interest and The Faenol Registered Historical Park. It is also located near Ffordd Heulyn, which is a modern housing estate. The Council's Conservation Officer has confirmed that there is no need to obtain a listed building consent for the development.

- 5.3 The garage would be visible from Ffordd Heulyn but would be backed by substantial trees and therefore would not be seen from open spaces within The Faenol Park. The proposed garage is situated approximately 2.5m back from the access road that leads to The Faenol Park, and approximately 4m away from the wall. This means that the wall and the gate will still be seen from the road leading to the site. It is considered that the size of the garage and its materials are sympathetic to its location, and that the structure would not be modern or incompatible within the landscape. It is not considered either that these types of materials will compete with the wall and gate's architecture and materials.
- 5.4 Having given full consideration to the objections, it is not considered that the proposal, with appropriate conditions, would mean losing any historic features or cause significant damage to the setting and historical or architectural character of the listed structure or the historical park and landscape. It is therefore considered that the proposal complies with policies B3, B22, B25 and B12 of the GUDP.

#### **General and residential amenities**

- 5.5 The new garage would be situated across the road from the houses that form part of the Ffordd Heulyn Estate which is a modern housing development. Given the garage's design, setting and the proposed use, it is not considered that there would be any detrimental impact on the general and residential amenities of the area. Subject to an appropriate condition to ensure it is not used for business, it is considered that the development would be acceptable in the context of Policy B23 of the Gwynedd UDP.

#### **Transport and access matters**

- 5.6 The development would meet the parking needs of one residential property and therefore no increase is expected in the use of the site or the nearby access road. It is not considered that the development will have a detrimental effect on any roads or on the proposed coastal path, and so it is considered that it complies with the Policies CH22 and CH33 of the GUDP.

#### **Trees matters**

- 5.7 The application site forms part of the area protected by the Tree Preservation Order. However, it is not necessary to fell any trees as part of the proposal. In order to ensure that no damage is caused to the trees, an assessment by a tree specialist was received. Following this, the Tree Officer had no objections to the proposal, provided that the work is completed in accordance with the report's recommendations. It is therefore considered that the proposal complies with policy B19.

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

- 5.8 Observations were received relating to the visual impact and the impact on the setting of historical features. It is considered that the explanation in the abovementioned assessment responds to this and justifies that the proposal complies with these planning policies.

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5.9 There were also observations relating to existing covenants on land, which is a civil matter between landowners. This is immaterial in considering the application, and matters relating to implementing a planning consent (if issued), are matters for the site's owner. The observations also request that a covenant be imposed to prevent use of the garage and conditions be placed regarding Glan y Mor Lodge residents' driving speed through Ffordd Heulyn and the bin storage area. This is immaterial to the application in question and therefore it is not reasonable or necessary to impose such conditions. However, it is necessary to implement a condition to ensure that the garage is not used for business in order to safeguard the residential amenities.

5.10 Full consideration has been given to the objections received in the assessment of this application and it is considered that no other matters outweigh 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 It is considered that the location, use, design and proposed materials are acceptable and are in accordance with the relevant policies and will not harm the character or appearance of the area; the development will not mean losing historical features or cause significant damage to the setting and historical or architectural character of the listed structure or the historical park and landscape. Additionally, it is not considered that there will be significant harm to the amenities of the local residents. All material considerations have been addressed when determining this application; however, this has not changed the recommendation.

## **7. Recommendation:**

7.1 To approve – conditions

- (1) Five years
  - (2) Materials / finishes
  - (3) Slate
  - (4) No business use
  - (5) Comply with the trees report
-

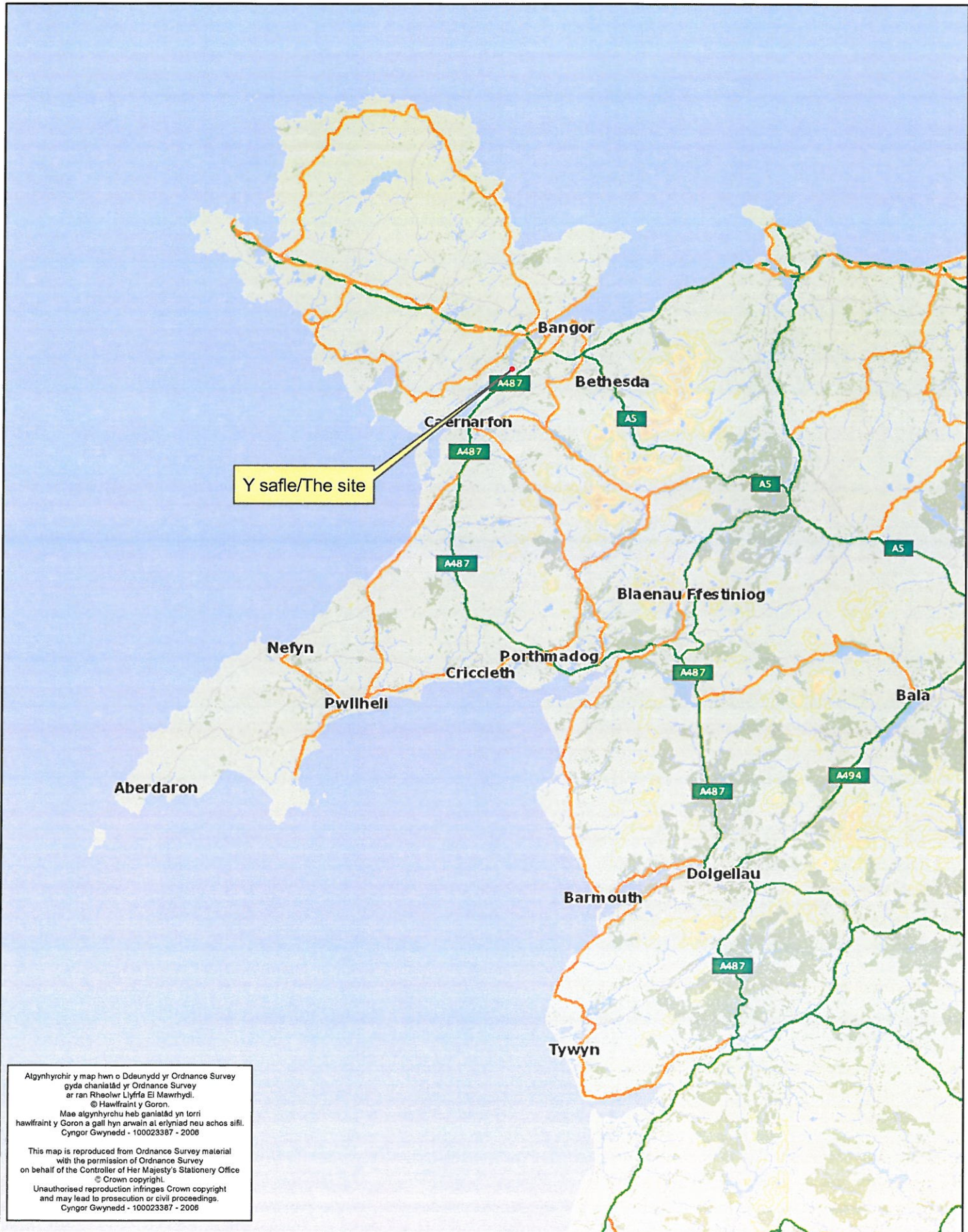




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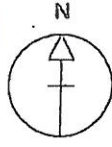


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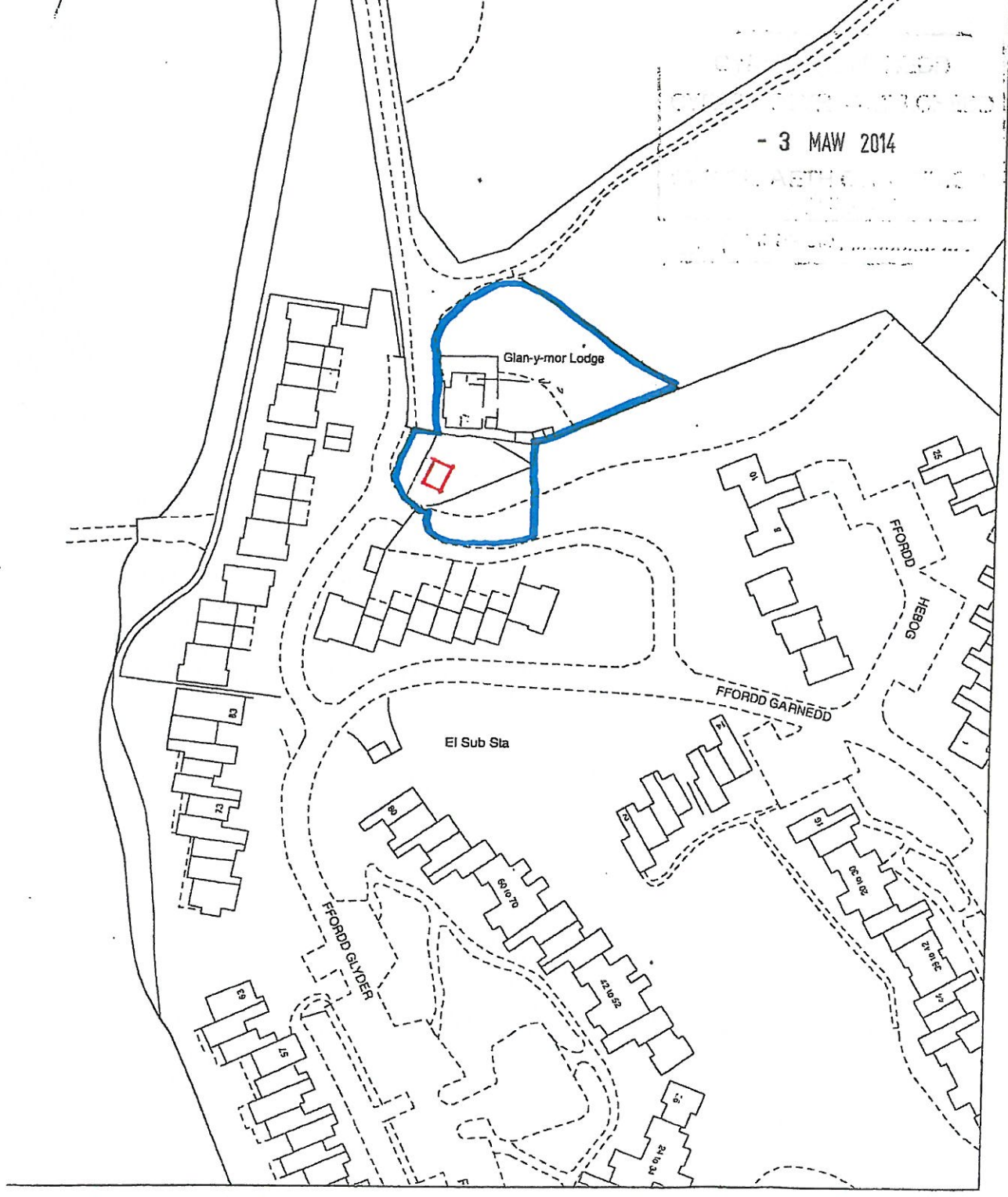


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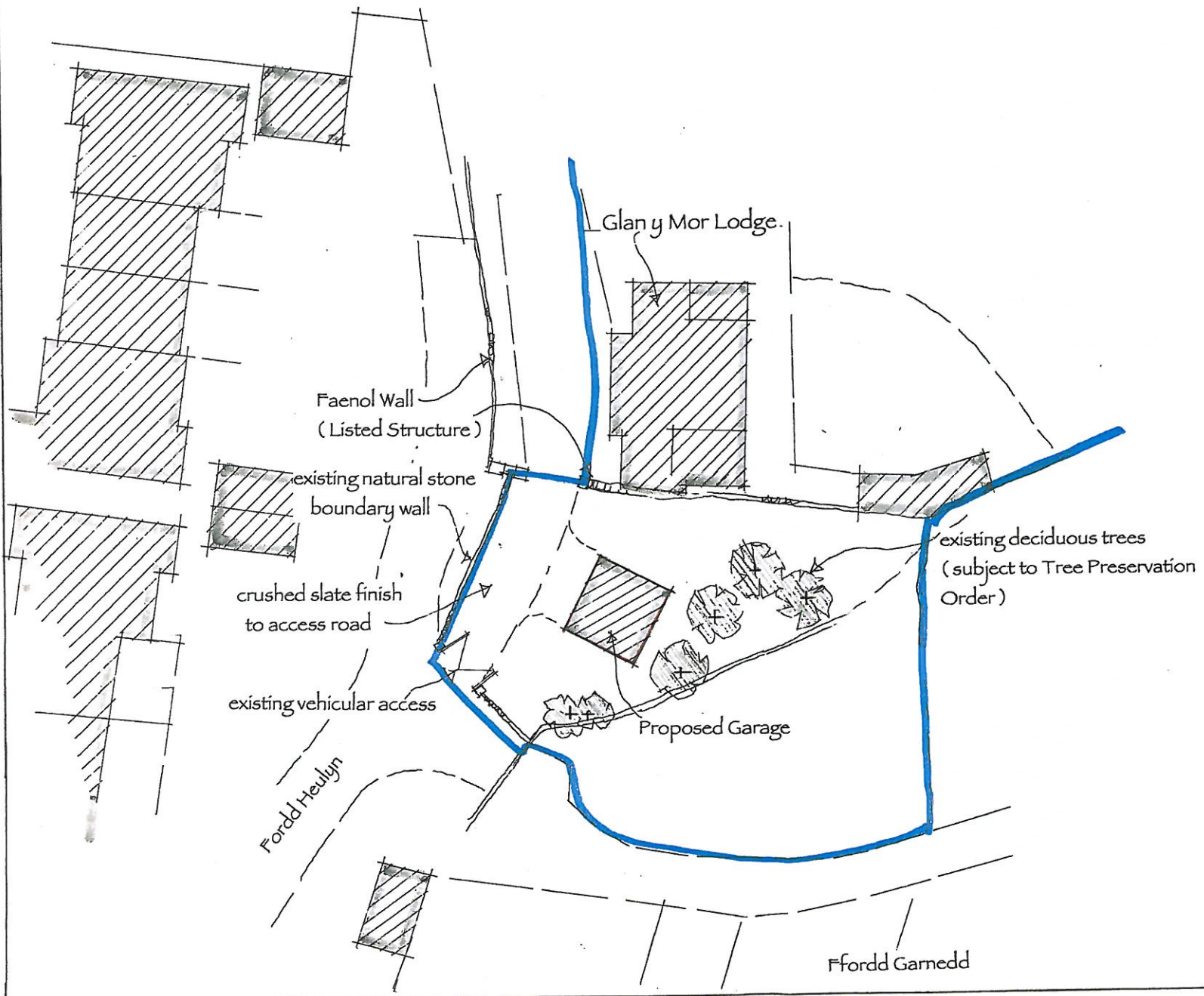
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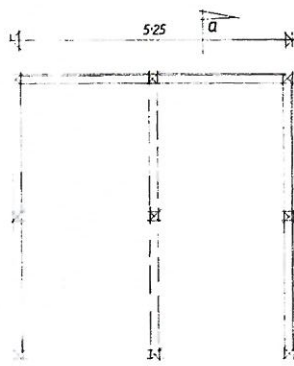
Job.  
**PROPOSED GARAGE AT  
 GLAN Y MOR LODGE  
 FAENOL PARK BANGOR**  
 SITE PLAN  
 Scale: 1 250      Drawing No.: 775.1

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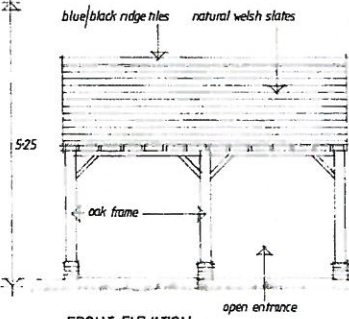
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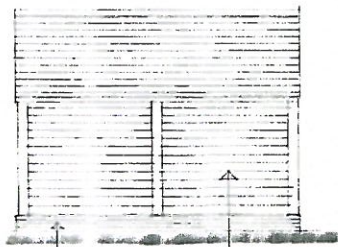
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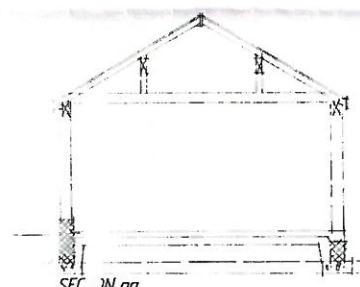
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FRONT ELEVATION



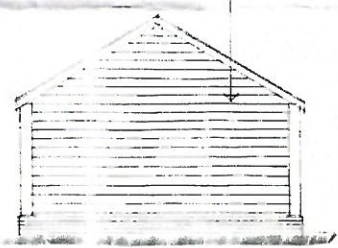
REAR ELEVATION



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SIDE ELEVATION



SIDE ELEVATION



Job.  
**PROPOSED GARAGE AT  
 GLAN Y MOF LODGE  
 FAENOL PAI-K, BANGOR  
 GARAGE DETAILS**  
 Scale: 1:50 Drawing No.: 775.2

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