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	Rhif y Cais / Application Number : C14/0702/35/LL
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Y safle/The site

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PWYLLGOR CYNLLUNIO	DYDDIAD: «Planning_Ctte_Date»
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	GWYNEDD

Application Number: C14/0702/35/LL
Date Registered: 29/07/2014
Application Type: Full - Planning
Community: Cricieth
Ward: Cricieth

Proposal: CONSTRUCT A TWO STOREY DWELLING WITH ATTACHED GARAGE

Location: YNYS HIR, UPPER MORANNEDD, CRICCIETH, LL520PP

Summary of the Recommendation:

TO APPROVE SUBJECT TO CONDITIONS

1. Description:

- 1.1 This is an application to construct a two storey residential house on a parcel of land to the rear of Ynys Hir dwelling, which is located along the Morannedd unclassified road to the east of the coastal village of Cricieth. The parcel of land is uneven, and includes three steps in the ground level, with a 10 metre difference between the highest and lowest levels. Internally, the proposed house will include two en-suite bedrooms, a living room and kitchen on the ground floor, with two en-suite bedrooms, a parlour, bathroom and garage on the first floor. Externally the walls will be finished with a smooth painted render, a natural slate roof and UPVC doors and windows.
- 1.2 The site will be accessed via a new access road between Ynys Hir and Wyvren which are served by the Morannedd unclassified road that also links to the A497 highway on each side of the estate. Parking spaces and a turning circle for a maximum of 2-3 cars will be located to the rear of the building with a substantially sized private garden to the front (facing towards the Castle).
- 1.3 The application has been brought to the Planning Committee as more than three objections have been received to the applications.

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 B7 – SITES OF ARCHAEOLOGICAL IMPORTANCE

Refuse proposals which will damage or destroy archaeological remains of national importance (whether scheduled or not) or their setting. Also refuse any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

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 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 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.

Gwynedd Design Guidelines

2.3 National Policies:

Planning Policy Wales, Issue 7, July 2014

TAN 12 Design, June 2009

3. Relevant Planning History:

- 3.1 9900171FUL15 – Erection of a two storey dwelling house and formation of new vehicular entrance (*Approved 20/03/2000*)

4. Consultations:

Community/Town Council: No response

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Transportation Unit: No objection to the proposal – access through the existing property with satisfactory access from the adopted estate road, and sufficient parking provision within the curtilage.

Natural Resources Wales: Consider the application as having a low risk level, and to consult with internal Units.

Biodiversity: Having looked at this application, I cannot see any grounds for Biodiversity concerns. The land is a mown lawn on terraced and landscaped ground which is of very low biodiversity value. It is not a habitat of any Biodiversity value, and there is no potential for it to maintain any protected species.

The letter of objection alleges that Natural Resources Wales (NRW) has not responded in full. I disagree. We have an agreement with NRW's Casework Team - they only respond to applications that can affect European Protected Species, designated sites such as SSSIs, Nature Reserves and European sites such as SAC or SPA. None of these criteria are relevant in this case and therefore their response is wholly appropriate in referring the case to us here in the Biodiversity Unit.

Gwynedd Archaeological Planning Service: No objection – No significant impact on the setting of the scheduled ancient monument to the south-east (SAM CN081) or on the castle. The land has been landscaped fairly recently and it is likely that any archaeological features would have been lost during that process.

Welsh Water: No objections but refer to the advisory notes and to stipulate relevant conditions.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period ended on 22/08/14 and a letter of objection was received on the following grounds:

- That water problems relating to drainage exist on the site and therefore it is completely unsuitable for further developments.
- That developing the land will cause problems with flooding.
- Noise
- Loss of privacy

A second consultation with the public and also with Gwynedd Consultancy was held for a period of 14 days. That period ended on 03/09/14 and objections were received on the following grounds:

- The development would have an impact on the area's visual amenities and would also affect the amenities of neighbouring residents.
- Reiterate that the proposal is contrary to policies CH4 and B23 of the GUDP, in addition to TAN 12 Design.
- The proposal does not conform to Affordable Housing policy CH4.
- No archaeological survey has been submitted as it is located near a monument.

As well as the objections noted above, objections were received which were not valid planning objections which include:

- A covenant on the land preventing further developments.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policies C1 and CH4 are relevant to this application. Policy C1 relates to locating new development, and the main focus of the policy is to support developments within the development boundaries of towns and villages. The application site is within the development boundary of Cricieth, therefore the application complies with policy C1. Policy CH4 permits erecting new housing on unallocated sites within the development boundaries of local centres and villages, provided the proposal satisfies the criteria in the policy.
- 5.2 Policy CH4 seeks for sites to provide a percentage of affordable units unless, having considered all the relevant factors that it would not be appropriate to provide affordable housing on the site. An objection was received noting that the application did not give consideration, or include details relating to Affordable Housing. Taking into account the location of the development in a substantial area of established dwellings, its scale (a single dwelling only) and the nature of the site (steep levels) it is considered in this instance that it is not essential for it to be an affordable dwelling. This would be in accordance with Policy CH4, as the material considerations show that it would not be appropriate to provide an affordable house on the site. It is therefore considered that the proposal complies with policies C1 and CH4.

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General and residential amenities

- 5.3 Policy B23 is relevant to this aspect of the application. Policy B23 states that proposals which would cause significant harm to the amenities of the local community will be refused. The proposal involves the creation of an access lane between Ynys Hir and Wyvren to provide access to the plot, which means that this development is a type of backland development. Regardless of this, it is not a reason in itself for refusing the application if the proposal is not otherwise detrimental.
- 5.4 It is acknowledged that there will be some degree of noise disturbance should the development be approved, based on daily movements in and out of the site itself, however, it is believed that this degree of noise would not be unacceptable or significant given the existing residential dwellings on the estate and the proximity of the site to the A497 which is a busy road.
- 5.5 The comments state that neither the location nor the setting of the proposed house within the site meet the standard minimum distance (e.g. distance between windows) which is usually included in design guidelines. No reference to specific distances is made in Gwynedd's Design Guidelines or in the GUDP or the Supplementary Planning Guidelines. However, it must be acknowledged that these types of figures are only guidelines and each application must be judged on its own merits, depending on the specific circumstances of the site, its topography and relationship with any other property. These guidelines / figures do not always mean that there would be an unacceptable impact.
- 5.6 The development would make use of the levels, which mean that the house would not have a detrimental impact on the main windows of the houses on the land above the site (Ynys Hir and Wyvern), and the setting ensures that it would not result in overlooking onto the houses below. In a residential area, an element of overlooking is present between properties and this is characteristic of such areas and already exists on this site. The back gardens of Ynys Hir and Wyvern are not private due to the levels, and as there are no substantial fences or hedges between the houses. Due to the setting of the house, the location of the windows and the use of levels, it is not considered that the development will have a detrimental impact on the amenities of neighbouring houses and the main focus of the house faces towards the sea, and away from Ynys Hir and Wyvren. The setting also ensures a private space for the proposed house and sufficient curtilage for Ynys Hir. As Ynys Hir and Wyvren are on a higher level, it would be possible for them, or for the owner of this site to erect a fence or hedge to create more privacy in the back gardens if required. This is possible whether or not the application is approved.
- 5.7 It is not considered that the proposal would have a significant impact in terms of loss of privacy, light or shadowing. The concerns of the objectors have been acknowledged and have been given full consideration; however, it is considered that the development is acceptable and complies with policy B23.

Visual amenities

- 5.8 Policies B22, B23 and B25 relate to protecting the character of the site through facilitating developments of effective design. The site is currently empty and is located in the middle of a cluster of houses within Morannedd Estate. In this case it is considered that the development would be acceptable in terms of its scale and size, and the design and external appearance are also in keeping with the character of the existing houses within the Estate. The development makes effective use of quality

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materials such as a natural slate roof and a white render finish to the external walls. This would enable the proposal to blend in effectively with the site and to retain its character.

- 5.9 In addition, the proposal is located on land which has three different levels. From the Morannedd Estate road, only a small percentage of the house will be visible from the houses located on higher ground. The proposed house would be visible from the A497 highway, in the midst of the other houses in the estate. It is therefore not considered that the house is totally contrary to the development pattern of the area, nor does it create an incompatible feature in the streetscape. The existing curtilage of Ynys Hir is of a considerable size and in subdividing the curtilage the size of the plots/gardens would still reflect the building density of the area and would not be an overdevelopment of the site. In considering its size, design and proposed materials, it would not be likely to have a substantial detrimental impact on the visual amenities of the local area. Therefore, it is considered that the proposal as it stands complies with the requirements of policies B22, B23 and B25 of the GUDP.

Transport and access matters

- 5.10 Policies CH33 and CH36 relate to the provision of access and the proposed parking on the site. The proposal will use the existing Ynys Hir access, and will create an access lane alongside Ynys Hir. This access is deemed acceptable as it is already on the site and is unlikely to give rise to any other specific concerns.
- 5.11 The proposal also includes parking provision to the rear of the proposed dwelling. This provision would be large enough to contain 2-3 private cars, which is acceptable for this type of development. The Council's Highways Officer has been consulted, and he had no objection to the proposal on the grounds of transport matters. Therefore, the proposal complies with the requirements of policy CH33 and CH36.

Ecology and biodiversity matters

- 5.12 Policy B20 of the Gwynedd Unitary Development Plan involves protecting species and their habitats that are internationally and nationally important. Despite the comments received which raised concerns about the site, neither NRW nor the Council's Biodiversity team had any objections to the proposal. It is therefore considered that the proposal complies with the requirements of policy B20 above.

Archaeological Matters

- 5.13 Policy B7 protects sites of archaeological importance. Although comments were received raising concerns about the site, the Gwynedd Archaeological Planning Service had no objections to the application. It is not considered that the development will have a detrimental impact on the setting of the scheduled ancient monument to the south-east (SAM CN081) or on the castle. The land has been landscaped fairly recently and it is likely that any archaeological features would have been lost during that process. Therefore, it is not considered that the proposal is contrary to Policy B7.

Infrastructure matters

- 5.14 A public sewer and mains water pipes cross the site, although both have been decommissioned. This is a private matter for the applicant to gain approval from Welsh Water to either build over the pipes or move them. The agent and applicant are aware of this and intend to redirect both pipes, and have submitted a plan to show

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this. Welsh Water had no objections to the development, subject to appropriate conditions.

Response to the public consultation

5.15 A number of objections to the proposal were received during the public consultation period. In relation to amenity matters, it is considered that the explanations under the headings of the principle of the development and general and residential amenities provides a response, and justifies that the proposal complies with these policies. It is not considered either that this application will set a dangerous precedent for further applications in future as each application must be decided upon its own merits.

5.16 Some of the objections made reference to the water / drainage problems that have been on the site for some time, and that building another development on the land could give rise to flood concerns. Having consulted Gwynedd Consultancy and spoken to the agent, it became evident that the water problems had been addressed by the Council some months ago. The problem arose from a drain on farmland higher up than Ynys Hir, and since it has been addressed there have been no further water problems.

5.17 In relation to the objection that the application is contrary to policy CH3, as explained above, it is policy CH4 that is relevant to this application. Policy CH3 is only relevant to the sub-regional and urban centres. In the GUDP, Cricieth is acknowledged as a Local Centre and therefore CH3 is not relevant.

5.18 The observations relating to land covenants is a civil matter between landowners. This is immaterial in considering the application, and matters relating to implementing a planning consent (if issued) is a matter for the site's owners.

5.19 Full consideration has been given to the observations received, but this has not changed the recommendation.

6. Conclusions:

6.1 The objections by local residents have received full consideration as noted above. Based on the above assessment, and having considered all the relevant matters, including the objections, it is not considered that the proposal is contrary to the local and national policies and guidelines noted in the assessment, nor are there any material planning considerations that state otherwise. Based on the above, it is considered that the proposal is acceptable subject to relevant conditions.

7. Recommendation:

7.1 To approve – conditions

1. 5 years
2. Submit reserved matters within three years
3. Materials and finishes
5. Access and parking
5. Landscaping
6. Removal of permitted development rights
7. Welsh Water
8. Development to comply with the approved plans



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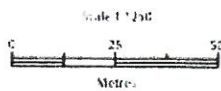


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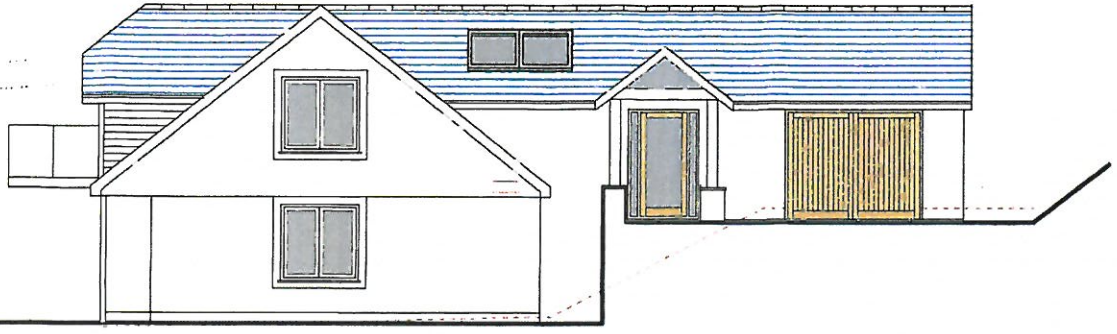
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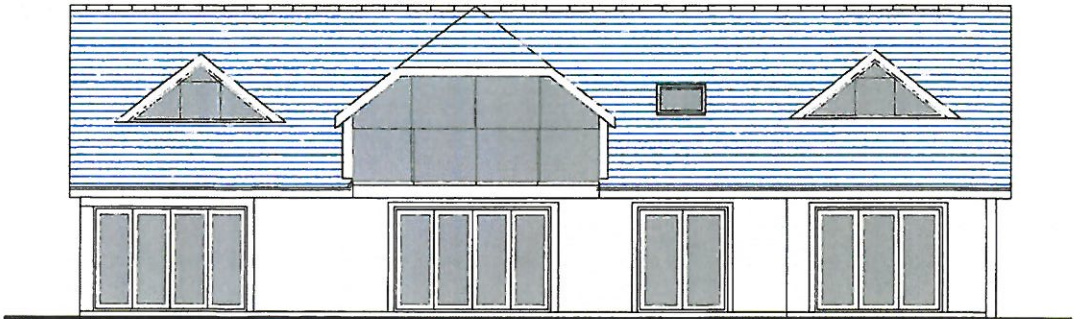
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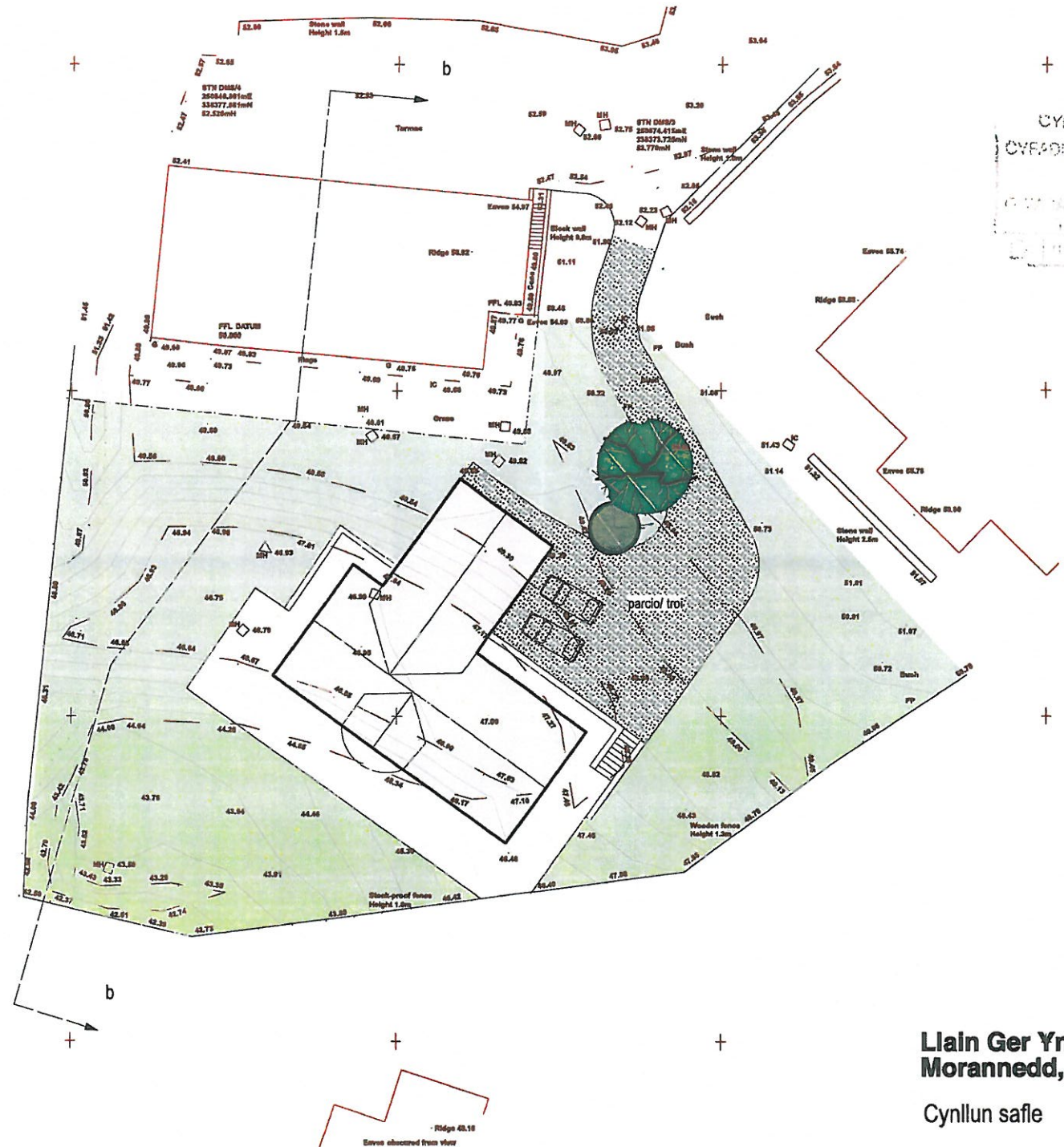
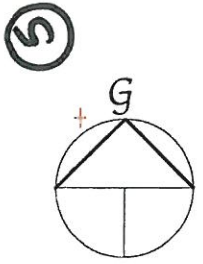
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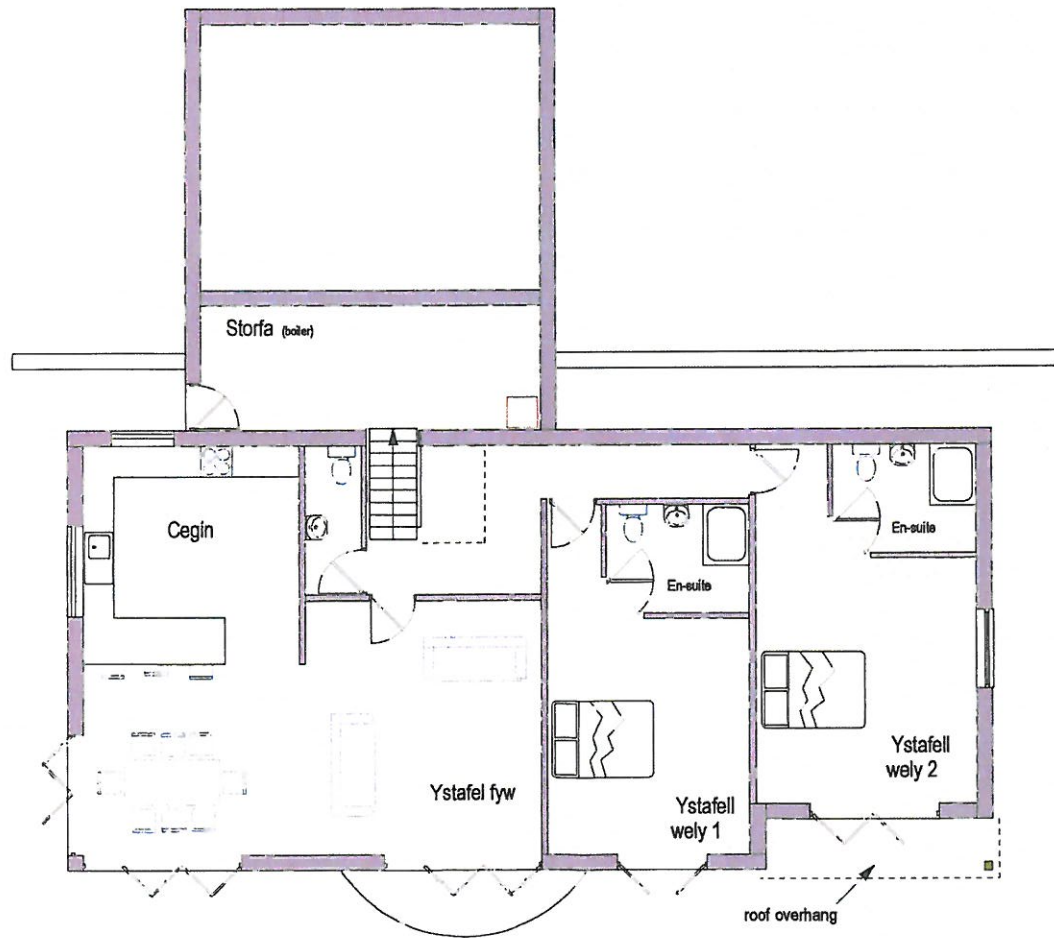
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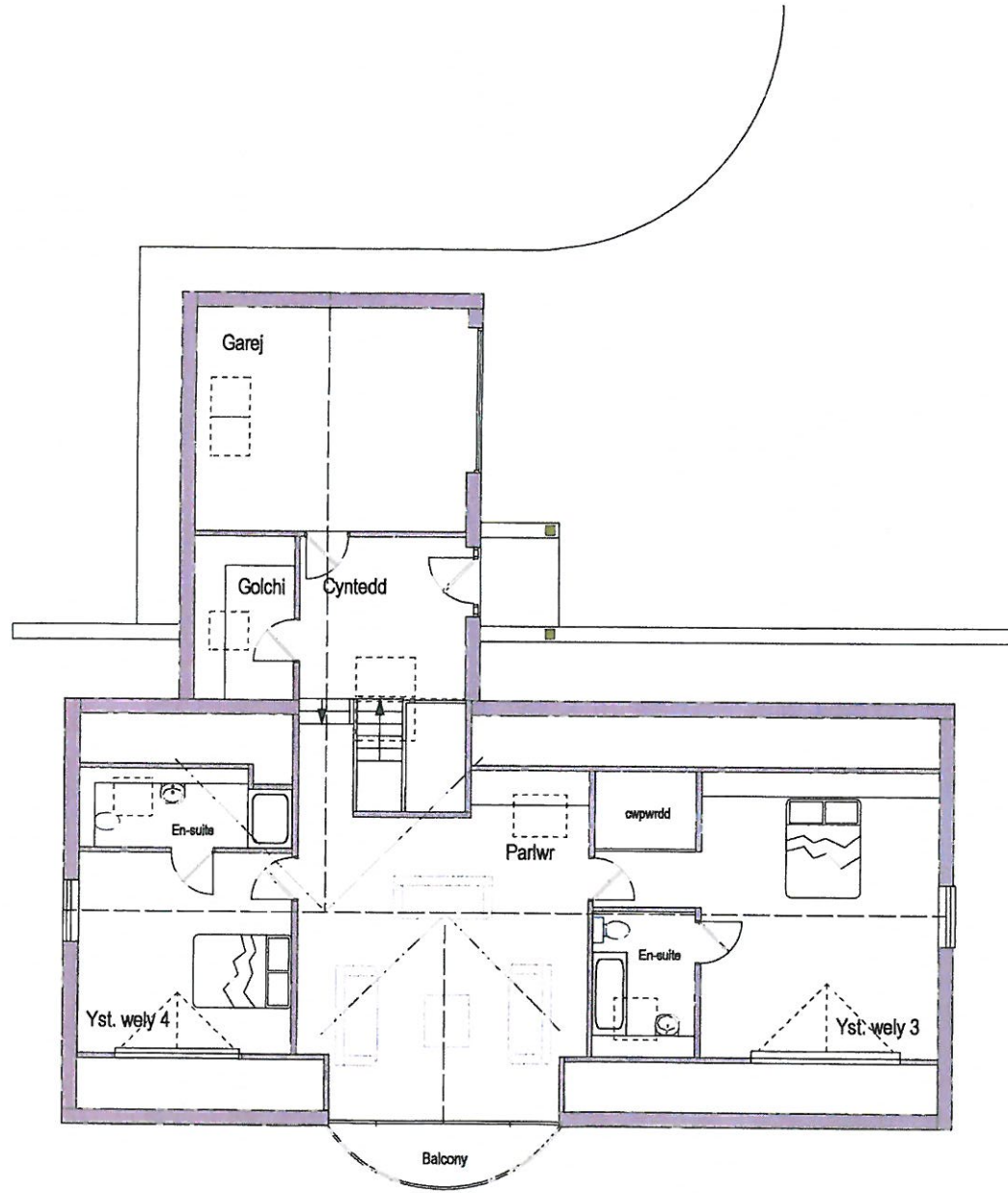
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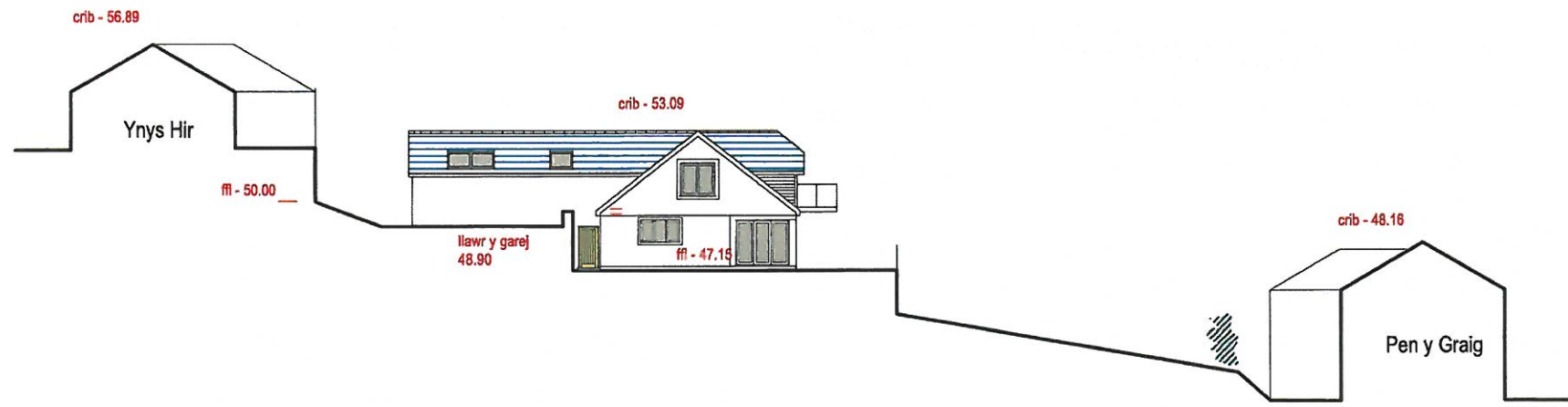


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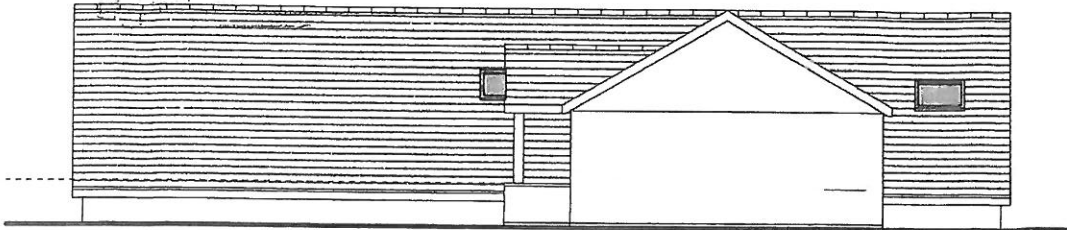
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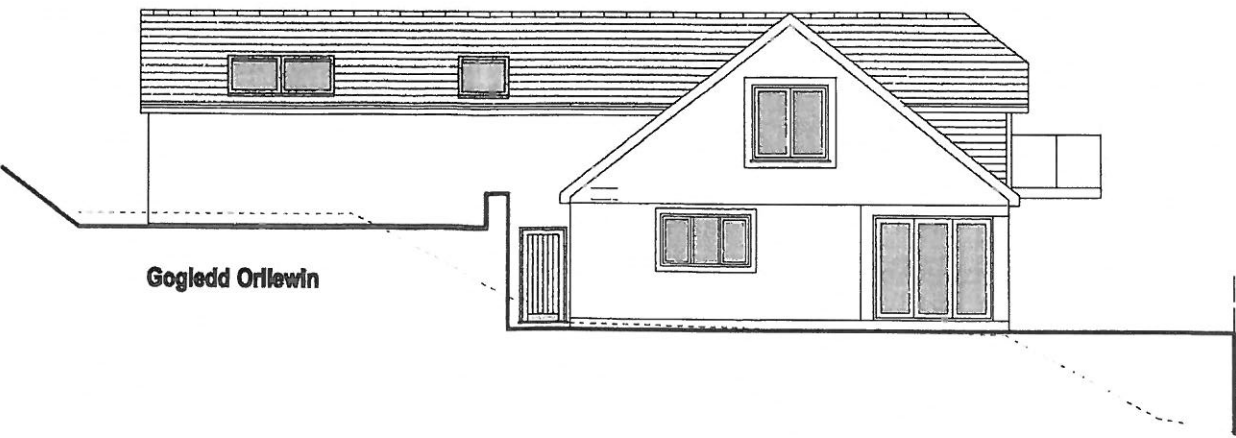
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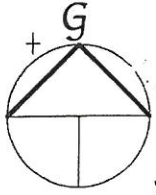
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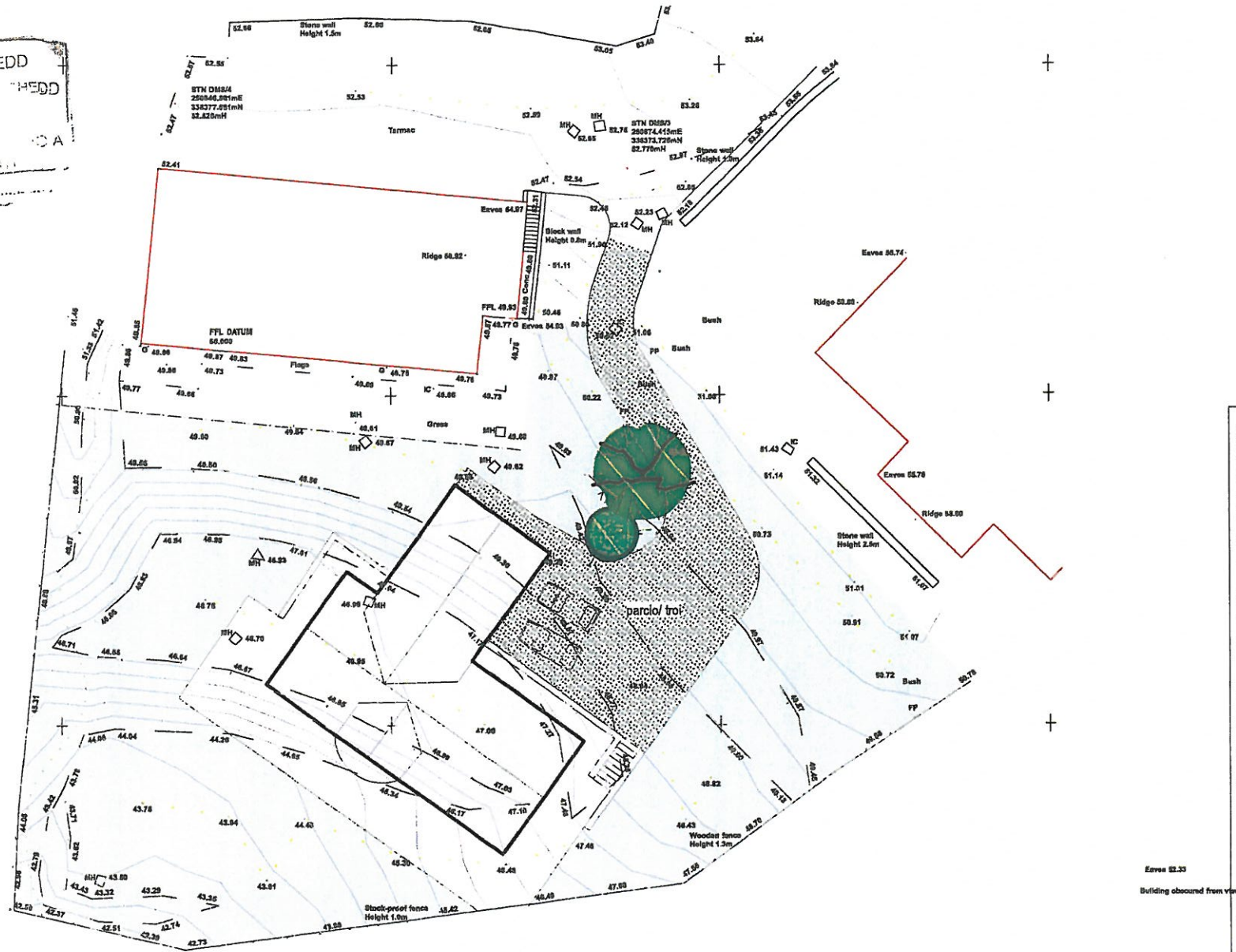
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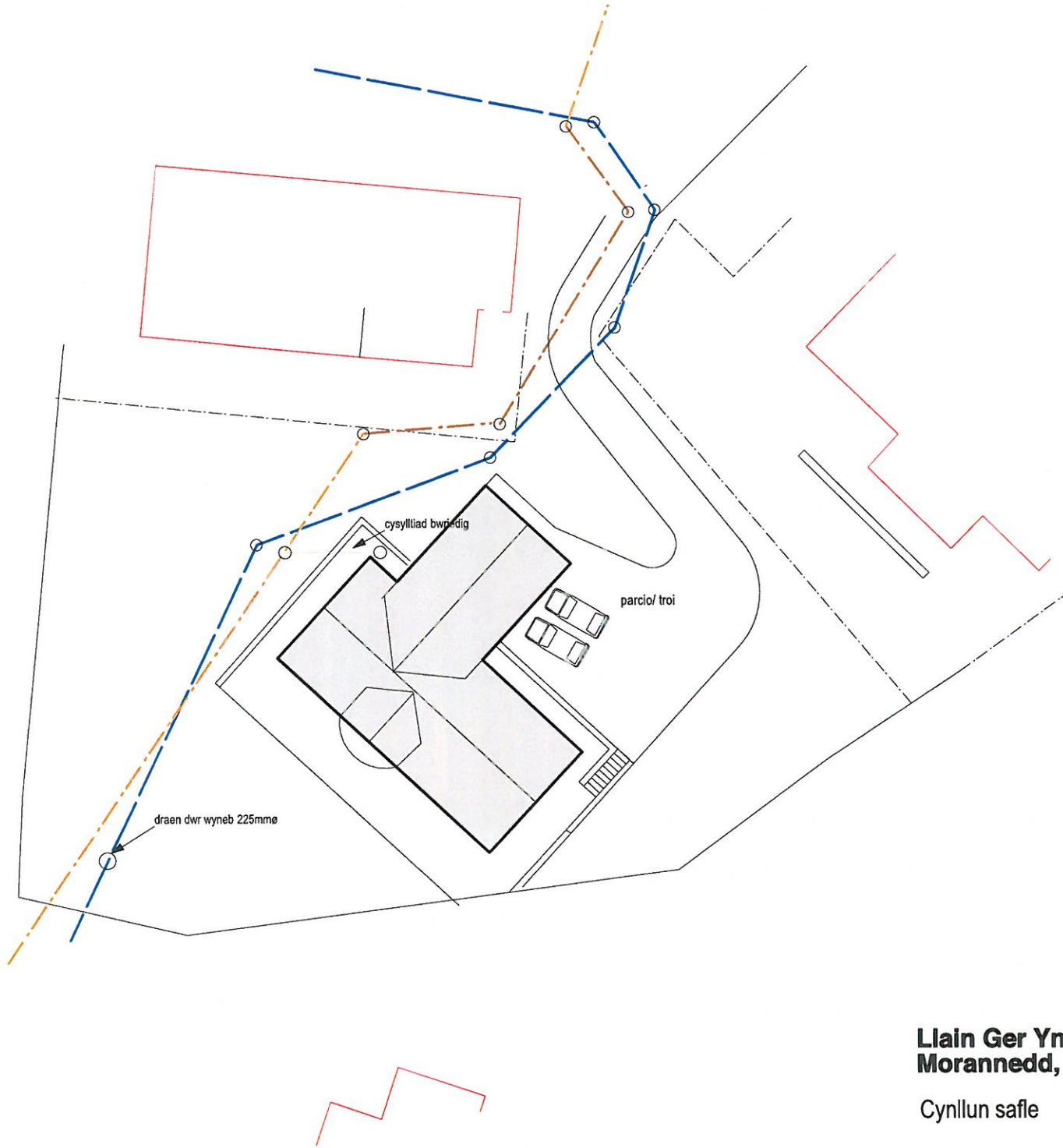
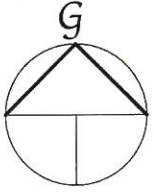
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