

PLANNING COMMITTEE	DATE: 18/12/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 16

Application Number: C17/0565/41/LL

Date Registered: 26/05/2017

Application Type: Full - Planning

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: An application to erect an open market two-storey dwelling

Location: Land near Bro Sion Wyn, Chwilog, Gwynedd, LL53 6NJ

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

1.1 It was not possible to discuss this application during the Planning Committee held on 27.11.17 due to a lack of quorum. It is also hereby noted that this application was also previously deferred at the Planning Committee held on 06.11.17 in order to carry out a site visit. As noted on the Additional Information form submitted to the committee dated 06.11.17, an amended plan was submitted on 23.10.17 which removed one first floor window which would face the existing dwellings of Bro Sion Wyn, so that only the bathroom window (which usually includes opaque glass) will be on the first floor and facing these houses.

1.2 A full application to construct a new two-storey dwelling along with associated work. It can be seen that the design shows a standard two-storey house with a natural slate roof, rendered walls, including the following inside:

- Ground floor - living room, open-plan dining room and kitchen, toilet and an utility room
- First floor - three bedrooms and a bathroom

A vehicular access is provided with parking spaces within the site, a separate footpath in addition to a garden surrounding the proposed property.

1.3 After a discussion with the applicant, an amended plan was received on 08/08/2017 which shows an amendment to the vehicular access following comments from the Transportation Unit. In addition, amended plans were submitted, showing a decrease in the width of the proposed dwelling, which is a change from 9.8m to 8.5m. This also means that the number of bedrooms reduces from four to three.

1.4 The site is located in a mixed residential area and within the development boundary of Chwilog. The boundary of the curtilage to the front of the property abuts a third class county road, whilst the vehicular access is off an unclassified road which leads to a housing estate to the rear of the site.

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 made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 **Gwynedd and Anglesey Joint Local Development Plan 2011-26 adopted 31 July 2017**

TRA 2 - Parking Standards

TRA 4 - Managing Transport Impacts

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PCYFF 1: Development boundaries
PCYFF 2: Criteria
PCYFF 3: Design and place shaping
PS 5: Sustainable Development
PS 17: Settlement strategy
TAI 3: Housing in Service Villages
TAI 15: Threshold of Affordable Housing and their Distribution

2.4 National Policies:

Planning Policy Wales (2016)
Technical Advice Note (TAN) 12: Design
Technical Advice Note (TAN) 18: Transport (2007)

3. Hanes Cynllunio Perthnasol:

3.1 It appears that no relevant planning history relates to this specific site.

4. Consultations:

Community/Town Council:	Object on the grounds of the size of the proposed property; two smaller houses would be better.
Uned Drafndiaeth:	Initial concern was highlighted about the lack of sufficient parking spaces within the site and the location of the vehicular access. After receiving acceptable amended plans, the proposal is no longer objected and it is suggested to include standard conditions and advice.
Natural Resources Wales:	It was originally noted that there would be an objection to the inclusion of a private sewage treatment system here due to its close proximity to public systems. After receiving confirmation from the agent that they would connect to the public system, there is no longer an objection.
Welsh Water:	Offer standard conditions and advice in relation to drainage matters.
Biodiversity Unit	No ecological concern but it is suggested to protect a tree on the site during the development period and thereafter.

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Public Consultation: A notice was posted on the site and nearby residents were notified. In addition, a second full consultation was held after receiving amended plans. Correspondence was received within the notification periods objecting on the following grounds:

- A restricted and unsuitable site
- Impact on the existing parking situation and system
- Impact on a striking tree
- Overlooking and loss of privacy/light
- Impact on visual amenities and nearby residents
- Harm to local biodiversity

In addition to the abovementioned objections, objections were received that are not valid planning objections, including:

- Loss of views
- Impact on nearby house values
- Grounds Maintenance.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The proposal involves constructing a new house on land that is within the existing development boundary and within the residential area of the village of Chwilog. Local and national policies are supportive in principle of constructing new housing within development boundaries, rather than using lands outside of the boundaries. From this viewpoint, it is considered that the proposal would comply with Policy PS 5 and PCYFF 1 of the LDP.
- 5.2 Policy TAI 3 of the LDP specifically relates to constructing new houses within the boundary of service villages, as can be seen here. The policy supports constructing a house if the proposal conforms with the requirements of the policy.
- 5.3 The explanation of this policy states that 'the scale of future proposed developments reflect the needs of the villages in terms of their size and function and their physical and functional relationship with the upper line centres. It will also reflect their social character and the status of the housing market. Over the period of the Plan, a higher level of housing growth will be included within the Service Villages. In Service Villages, a development will be achieved by completing construction work, commitments, random sites and, where appropriate, new allocations for a combination of market value housing and local need affordable housing.'

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- 5.4 It is considered that the proposal conforms to the requirements of policies TAI 3 and PS17 which is relevant to the proposal.

Visual amenities

- 5.5 The proposal involves constructing a new two-storey house. The design of the proposed house includes common features seen within the nearby area in terms of design, elevations and finish. It is intended to cover the external walls with a render finish and a natural slate hip roof. Generally, the site is located amongst traditional houses with pitched roofs, and a number have hip roofd. Policy PCYFF 3 of the LDP states that all proposals should exhibit a design of high quality that gives full consideration tot eh context of the natural, historic and built environment. This was supported by Technical Advice Note 12: Design that states that the setting of houses and and the built form should reflect the local context. It is not considered that the proposal is contrary to the relevant requirements of policy PCYFF 3 of the LDP.

General and residential amenities

- 5.6 The proposed house would be located on the site which is parallel to the public road and is relatively close to existing housing. It is acknowledged that windows are on the gable ends of the proposed building where they would look towards the existing housing, but there is a distance of approximately 17 between the gable ends and the nearest houses, with a county road also running past one side. As has also been noted above, the plan has been amended by eliminating one bedroom window from the first floor elevation which would face neighbouring houses. It is felt that the impact of overlooking on these houses would not be substantial or cause disruption to an unacceptable degree. It is also noted that the plan shows an intention to create a garden to surround the new property with stone walls erected along its boundaries. In terms of traffic and noise generated by traffic, it is not considered that the proposed house would significantly add to the current situation or cause long-term harm to the local neighbourhood. Therefore, in light of the above and after giving full consideration to all relevant matters, including comments received by neighbours, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and it is considered that it is acceptable in relation to Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.7 The original observations of the Transportation Unit were received noting a concern regarding the parking and turning arrangements within the curtilage. A further plan was received by the agent showing an amendment to the parking layout and access for the proposal in addition to a reduction from four to three in the number of bedrooms. The final observations of the Transportation Unit have been received confirming that the amended details are acceptable. It is realised that an objection has been raised in terms of road safety and the impact on existing parking arrangements. However, the Transportation Unit do not object to the proposal, and therefore it is not considered that the amended proposal is contrary to policy TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.8 Comments were received from members of the public stating that there are bats and reptiles on the site. There is no objection to the proposal by the Biodiversity Unit in terms of ecological matters and therefore it is not believed that the proposal would cause harm in terms of this element and the proposal is therefore acceptable in respect of the requirements of policy PS 19. It is also noted in the observations received that

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there is a striking tree on a part of the site. Although this tree is not protected through a formal Order, the Biodiversity Unit has noted that a condition should be included to protect it during and after the development of the site.

Community benefit / 106 agreement issues

- 5.9 Policy TAI 15 notes the thresholds for requesting affordable housing as part of the development. In Service Villages such as Chwilog, the threshold is two or more housing units and therefore it is not considered justifiable to limit this single unit as an affordable unit.

Response to the public consultation

- 5.10 As seen above, a number of observations were received objecting to this proposal for various reasons. Mainly, it is seen that concern about the impact of erecting a house on this site on the amenities of nearby neighbours was causing concern. The plan has been amended to eliminating one window on the first floor in response to the concerns noted. Full consideration was given to all the relevant planning matters that were highlighted in the observations received as part of the consideration into the application, and having considered all the relevant matters, including the Local Planning Authority's adopted policies, it was considered that the proposal is acceptable.
- 5.11 It is acknowledged that there will be some impact on the neighbourhood during the construction period and therefore, as per usual, in order to attempt to manage the development, it is suggested to include a standard condition in order to agree on a Building Management Plan that would include details such as working hours, movements, etc.

6. Conclusions:

- 6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that the proposal is acceptable to be approved subject to relevant conditions.

7. Recommendation:

- 7.1 To approve – conditions
1. Commence the work within five years.
 2. In accordance with revised plans
 3. Slates and external materials
 4. Agree on a Building Management Plan
 5. Highways
 6. Landscaping/protecting trees
 7. Welsh Water conditions.
 8. Remove the right to install windows without permission