

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

**Number: 4**

**Application Number: C18/0078/44/LL**

**Date Registered: 02/02/2018**

**Application Type: Full - Planning**

**Community: Porthmadog**

**Ward: Porthmadog West**

**Proposal: Demolish and rebuild a house**

**Location: Trwyn Cae Iago, Borth-y-Gest,  
Porthmadog, Gwynedd LL49 9TW**

**Summary of the Recommendation: TO REFUSE**

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## 1. Description:

- 1.1 This is an application for the demolition of the existing dwelling and erecting a new dwelling in its place. The proposal also involves the demolition of the existing garage and erecting a new garage in its place. It is proposed to finish the new dwelling with a mix of stone, render and brickwork, with an arched sedum roof.
- 1.2 The existing dwelling is a storey-and-a-half cottage with dormer windows. The dwelling is located within its own relatively substantial plot which rolls down towards the coast. The existing garage and vehicular access are to the rear of the property. There are other houses around the property. From a distance, the property appears to be in a terrace that follows the coastline. The existing property is located within the development boundary of Borth-y-Gest, however, the rest of the site towards the coast is located outside the boundary. The site is within a Special Landscape Area.
- 1.3 From the plans submitted, it appears that the existing dwelling includes four bedrooms, with a footprint of approximately 100m square. It measures approximately 13m by 8m and 6.5m high to the roof ridge and approximately 3m to the eaves. The floor surface area is approximately 173m square.
- 1.4 The proposed dwelling is to be located more or less on the same footprint as the existing dwelling, except that it extends further forwards and to the sides than the existing. From the plans submitted, the proposed dwelling includes four bedrooms with a footprint of approximately 272m square. It measures approximately 26m long at its longest point, and 17m at its widest point, and 6.4m high to the rear and 9m high to the front, with an arched sedum roof that is at its lowest to the rear and at its highest to the front. The front elevation is three-storeys high. The proposed floor surface area is approximately 465m square.
- 1.5 The proposal includes demolishing the existing garage and erecting a new double garage that measures approximately 9m by 8m and 5.5m high to the ridge and 2.5m high to the eaves.
- 1.6 Pre-application advice has been provided regarding the demolition and reconstruction of a dwelling on this site. Amended plans were also received on 12.04.2018, reducing the proposed dwelling and setting it further back than the original plan. The following assessment is based on these amended plans.
- 1.7 The following documents have been submitted as part of the application:
  - Drainage Plan
  - Construction Method Statement
  - Access Statement
  - External Materials
  - Ecological Appraisal
  - Tree Assessment
  - Planning Statement
  - Additional Planning Statement

## 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

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otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making 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. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026, July 2017**

PS 5: Sustainable development

PCYFF 2: Development Criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

TRA 4: Managing transport impacts

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 2: Special Landscape Areas

TA1 13: Rebuilding of residential dwellings

2.4 **National Policies:**

Planning Policy Wales (Edition 8) 2019

Technical Advice Note (TAN) 12: Design (2009)

3. **Relevant Planning History:**

Y17/002315 Pre-application advice on the demolition and reconstruction of a property

4. **Consultations:**

Community/Town Council: Refuse as the development is too large and prominent and incompatible with the environment.

Welsh Water: Surface water/run-off condition

Transportation Unit: No objection.

Natural Resources Wales: We do not have any objection to the application.

We note that a preliminary survey report on bats and protected species submitted to support the application has noted that no bats are present on the application site. According to the information in the report on bats, we

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consider that the proposed development is a case of lower risk to bats.

Therefore, we do not object to the proposal, subject to adhering to all the avoidance measures described in the report on bats.

The proposal is within the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), and the Morfa Harlech Site of Special Scientific Interest. We assume that the proposal will not have a substantial impact on these areas.

NRW is concerned that activity on the site could cause suspended solids to flow into nearby watercourses. Construction work must be carried out in accordance with the NRW's standard conditions for work next to watercourses.

Biodiversity Unit: The bat survey is negative and I do not have Biodiversity concerns about this case. No tree concerns.

Footpaths Unit: I refer to the above application. Following an inspection of the Official Map, I confirm that the development abuts public footpath No. 14, Porthmadog Town Council. To that end, the Footpath must be safeguarded and it must be ensured that access is protected during and after the development

Public Consultation: A notice was posted on the site and nearby residents were informed. The re-advertising period following the amended plans ended on 16.05.2018 and many pieces of correspondence were received, objecting to the proposal:

- The proposed dwelling would be located forward of the development boundary and the existing building line.
- Impact on the amenities of the residents next door
- Opaque glass needed on the side elevations
- Working hours
- Construction traffic impact
- Size of the proposed dwelling compared with other dwellings in the area, and the existing property
- Misleading photographs/statements in relation to erecting a row of conifer trees between the site and the property next door
- Impact on the character of Borth-y-Gest
- Visual impact
- Design
- Overdevelopment of the site.
- Other developments in the area have set a precedent for developments like this

And in support of the proposal:

- The development would improve the area visually

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- No impact on the amenities of nearby residents
- Modern and new design
- Improvement to the existing arrangement and property

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 This is an application to demolish the existing property and erect a new dwelling in its place. Policy TAI 13 of the Gwynedd and Anglesey Joint Local Development Plan contains proposals to rebuild houses and includes a number of specific criteria. A part of the site that includes the location of the existing property and garage are located within the development boundary, but as a part of the site, and the proposed dwelling is located within a development boundary, criteria numbers 2, 3, 6, 7, 10 and 11 are relevant.
- 5.2 The property appears to be in relatively good condition, and has not been used recently; it appears as though it had been looked after and had been used prior to being purchased by the current owner. The building is not listed, and it is not of any particular architectural and/or historical and/or visual value that would mean that it should be retained. The proposed house is located on the same footprint as the existing house and so the existing house would certainly be demolished, and it could be ensured by use of planning conditions, that the permitted development rights are withdrawn. On these grounds, it is not considered that the proposal is contrary to the requirements of criteria 2, 3, 10 or 11 of the policy.
- 5.3 Prior discussions have been held regarding the proposal to demolish and rebuild the house. It was highlighted that the site includes parts that are within and outside the development boundary, and that the site is within Special Landscape Area 02 Porthmadog and Tremadog Bay, and that the proposal must be of an acceptable size and scale to comply with the requirements of the relevant policies. It was suggested that the plan submitted in order to receive pre-application advice was not acceptable due to its location outside the development boundary and its size and scale. The plans submitted as part of the application originally continued to locate the majority of the proposed dwelling outside the development boundary, and despite further advice when dealing with the planning application, a proportion of the proposed dwelling continues to be outside the development boundary, and its size and scale is substantially larger than the existing property on the site. Clear advice has also been given on how the oppressive impact and the impact on the amenities of nearby properties can be overcome.
- 5.4 The proposal is therefore contrary to the following criteria of policy TAI 13:
- 5.5 **Criterion 6: Outside the Coastal Change Management Area, a house to be built must be located on the same footprint as the existing building unless relocating within the curtilage can be shown to reduce its visual impact and its impact on local amenities** - The plans submitted as part of the application shows a proposal to locate the proposed house on the same footprint as that of the existing property. Nevertheless, the proposed house is substantially larger than the existing house which means that its footprint extends beyond the existing footprint in every direction. The proposal involves moving the front of the proposed house forward on the site which extends beyond the development boundary. Land levels on this part of the site fall

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steeply towards the coast, and with substantial engineering work, this allows the developer to provide a three-storey house on the site.

- 5.6 The setting of a part of the proposed house is outside the footprint of the existing house and the development boundary disrupts the building line and development pattern of this specific area, and means that the property would extend outwards more than the property immediately next door towards the coast, and therefore, having a detrimental impact on their amenities. Extending the proposed house outwards beyond the line of the development boundary and building line also would mean that the proposed house would be much more visible from the direction of the coast (specifically from paths and the railway over the Cob in Porthmadog). Therefore, it is considered that the location or setting of the proposed house does not reduce its impact on local amenities, specifically the existing amenities of the nearby properties. On this basis, therefore, the proposal is considered to be contrary to criterion number 6 of the policy.
- 5.7 **Criterion 7: Outside the development boundaries, the setting and design of the new development in its entirety should be of a similar size and scale and it should not create a visual impact that is substantially greater than the existing building, so that it can blend or integrate sufficiently into the landscape. In exceptional circumstances, a larger dwelling of good design that does not lead to a substantially greater visual impact than the existing building could be supported**  
- The existing house is located entirely within the development boundary of the village of Borth-y-Gest. The proposed house is located on the same footprint as the existing house; however, the proposed house is substantially larger than the existing house which means that its footprint extends beyond the existing footprint in all directions. The proposed house extends outwards approximately 4m further than the development boundary to the front, and approximately 9m further than the development boundary to the side.
- 5.8 The plans submitted confirm that the proposed house would not be higher than the level of the existing roof ridge. Nevertheless, the proposed house is substantially larger than the existing house, and whilst a ridge roof reaches its maximum height at a point only, the proposed arched sedum roof would maintain the height more or less across the footprint of the house, which means that it would appear much larger and bulkier than the existing ridge roofed property.
- 5.9 The proposed house is substantially larger than the existing house, and its rough, cold design, similar to obscure three-storey boxes to the front extends forwards from the development boundary and the building line and it has a substantially larger visual impact than the existing traditional building. It is not considered that the proposal is in keeping with its visual site, and the proposed house has not been designed in a way that respects its surroundings. The sedum roof has been designed so that it curves over the rear elevation of the property, but it appears completely flat from the front three-storey elevation and it would stand out on the coast.
- 5.10 It is considered that a house located within the development boundary and sensitively designed to respect its surrounding area would be acceptable; however, in this case, it is considered that the size, bulk and setting of the proposed house would be unacceptable and this means that the design creates a structure that is incongruous with the prominent sloped side, and which leads to a substantially larger visual impact than that of the existing building. On this basis, therefore, the proposal is considered to be contrary to criterion number 7 of the policy.

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5.11 Policy AMG2 of the LDP states that when considering a proposal within Special Landscape Areas, appropriate consideration will need to be given to the scale and nature of the development, ensuring that it will not have a substantial detrimental impact on the landscape. Wherever possible, the development should add to the maintenance, enhancement or restoration of the recognised character of the Special Landscape Area, and the proposal should address the relevant 'Statement of Value and Significance' which notes that the planning work and management proposals in Special Landscape Area 02 Porthmadog and Tremadog Bay should consider the special features, including the following:

- Rural and tranquil character of the landscape
- Distant and sweeping views across the Afon Glaslyn estuary, Traeth Bach, and Snowdonia coastline and mountains.
- The landscape's important role as a setting for Snowdonia National Park and a backdrop to the historic town of Porthmadog.

5.12 Although the proposal before the committee involves the demolition of the existing house and erecting a new house in its place, as noted above, the proposed dwelling is substantially larger than the existing house, and extends outwards more than the existing house. Consequently, the visual impact based on its size, design, form and setting is substantially larger than the existing property. It is not considered that the proposal has fully considered the scale and nature of the development in terms of its impact on the Special Landscape Area, nor has it considered the special features or character of the landscape. It is therefore considered that the proposal is contrary to policy AMG2 of the LDP.

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

5.13 The Transportation Unit was consulted regarding the proposal, and the Transportation Unit has confirmed that there is no objection to the development based on the construction method statement submitted as part of the application.

5.14 It is considered that the proposal would be in keeping with the objectives of policy TRA 4 of the Local Development Plan in terms of access and parking facilities.

#### **Visual, general and residential amenities**

5.15 The site is located within the vicinity of the village of Borth-y-Gest, with a part of the site within and a part of the site outside the development boundary of the village. The site is prominent on the coast, where a terrace of housing is located on the edge of the land before it falls into the sea. The area is residential, with a number of houses around it, and specifically behind this site. One specific house is located immediately next door to the site (Sŵn y Môr) and this dwelling is located approximately 4-5m away from the boundary between this property and the application site.

5.16 The proposal involves the demolition of the existing property and erecting a new house in its place, as well as the demolition of the existing garage and erecting a new garage. It is considered that the proposed garage is acceptable in principle in terms of location, design and materials.

5.17 It is noted that the LDP's plans encourage different and modern designs; but it is considered that the proposal in the form it has been submitted is unacceptable based on its impact on the area. The effort made here to build a modern and innovative building is noted, however, the scale, form and detail of this proposal, which is bulky and

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unbroken, do not make the best of the features and form of the site. It is considered that there is potential to reconsider this based on the policies noted above in terms of demolition and rebuilding, and below in terms of design, and the impact on the area and local amenities.

- 5.18 As noted above, the new house is located on the same footprint as the existing house, albeit substantially larger, and therefore extends outside the development boundary approximately 4m to the front. This means that the proposed house would be located further forward than the house immediately next door, and the other houses that form an informal, but relatively common, terrace in terms of the building line and the features and character of the plots (i.e. houses located back within their plot with gardens extending outwards and down to the coast) of houses on the coast at this location. Although the plans submitted show that the proposed house would not be higher than the ridge of the existing roof, the impact of moving forwards and the height in this location (9m from the floor to the roof), means that it would be very likely to have an unacceptable oppressive impact on the amenities of the property next door here.
- 5.19 The proposal originally involved providing substantial balconies in front of the new house. The location of the new house has been brought back slightly so that less of it is located outside the development boundary by now, and the total size of the proposed house has been reduced (although the proposed house continues to be substantially larger than the existing house); however, the balconies continue to exist. The plans now show the provision of an 8m high wall on the side of the proposed house, in an attempt to avoid the overlooking into the garden of Sŵn y Môr. As the ground levels of the application site would be substantial as a result of the development, this wall would continue to appear at a height of 4m to Sŵn y Môr. It is considered that this adds to the oppressive impact of this property, rather than mitigate its impact. Although it would be possible to use parts of the existing garden to sit out, etc., this scale would be prevented as a result of the land level. The provision of balconies of the proposed size and height would add to this use and would be likely to cause a detrimental impact to the property next door based on the impact of noise and nature of its use.
- 5.20 The application site is prominent and is located on the coast and is visible from Porthmadog and areas of Borth-y-Gest. The front of the property includes a three-storey elevation that is covered in glass and without any sort of landscaping or mitigation of its appearance, with curved roofs at different levels, for example. There is concern that the proposal has the potential to cause significant light pollution that would be obvious across the bay and would be out of character with the rest of the area.
- 5.21 Based on the above therefore, it is considered that the proposal is contrary to criterion 7 of policy PS5, criterion 7 of policy PCYFF 2 and 10 of policy PCYFF 3 on the grounds of the impact on the residential amenities of the area and vicinity, including light pollution; criterion 13 of policy PS5, criteria 1 and 2 of policy PCYFF 3 and 1, 2, 3 and 4 of policy PCYFF 4 in terms of size, scale, standard of design and impact on the landscape as the proposal does not contribute to or enhance the character and appearance of the site, the building or the area in terms of the setting, appearance and elevation treatments, and it is not of a high design standard that makes a positive contribution to the local area and accessible areas; and criteria 1 and 2 of policy PCYFF 2 in terms of lack of compliance with the relevant policies of the Plan and national policies.

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### **Biodiversity Matters**

- 5.22 The Biodiversity Unit has assessed the application and has expressed that a bat survey is negative and that there are no biodiversity or tree concerns regarding this proposal. On these grounds therefore, it is considered that the proposal complies with the requirements of policy PS 19 conserving and where appropriate enhancing the natural environment.

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

- 5.23 Following a period of public consultation, a number of observations were received supporting and objecting to the application.
- 5.24 The supporting observations note that the modern and new design would offer a better arrangement than the existing property, and would visually improve the area; and that it would not impact the amenities of nearby residents. It is considered that the above report deals with these aspects in terms of Planning policy.
- 5.25 The objecting observations refer to the location of the proposed dwelling compared with the existing property and the development boundary, the size of the proposed house, the impact on the amenities of nearby residents and the area. It is considered that these matters have been addressed in full in the above report.
- 5.26 Observations were also received relating to working hours and the impact of construction traffic. It is considered that if the development would have been acceptable, it would have been possible to condition working hours, and a construction method statement submitted as part of the application shows how construction traffic would be managed, and the Transportation Unit is satisfied with that.

### **6. Conclusions:**

- 6.1 To summarise, therefore, the pre-application and post-submission advice offered has suggested that the proposed house should be located within the confines of the development boundary, as this boundary serves as the building line in this location, and bringing the front of the house back behind this line would ensure that the setting of the proposed house is better in the context of the area, and mitigates the vast majority of the concerns in the nearby property. The development as submitted causes a substantially larger visual impact than the existing house, and causes a detrimental impact to the amenities of the nearby residents, and to this end, it is considered that the proposal is unacceptable and contrary to the policies noted above.

### **7. Recommendation:**

- 7.1 To refuse – reasons
1. A proportion of the proposed house is to be located outside the footprint of the existing house and the development boundary of the village, and as a result of the size and bulk of the proposal in this location, it is considered that the proposal is contrary to criteria 6 and 7 of policy TAI 13 of the Gwynedd and Anglesey Joint Local Development Plan which ensures that proposals to demolish and rebuild a house that extends beyond the footprint of the existing house and the development boundary will have a substantially larger visual impact than the existing house.

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2. It is considered that the proposal is contrary to criterion 13 of policy PS5 and criteria 1 and 2 of policy PCYFF 3 and 1, 2, 3 and 4 of policy PCYFF 4 and policy AMG 2 of the Gwynedd and Anglesey Joint Local Development Plan in terms of size, scale, standard of design and impact on the landscape as the proposal does not add to or enhance the character and appearance of the site, the building or the area in terms of the setting, the appearance and elevation treatments and it is not of a high quality of design that makes a positive contribution to the local area and accessible areas or adds to the conservation, enhancement or restoration of the recognised character of the Special Landscape Area.
  
3. It is also considered that the proposal is contrary to the requirements of criterion 7 of policy PS5, criterion 7 of policy PCYFF 2 and criterion 10 of policy PCYFF 3 as the development would have a substantial detrimental impact on the amenities of the occupiers of local property and the nearby area, including light pollution, and because it will not help to create a healthy and viable environment or considers the health and well-being of future users.