

PLANNING COMMITTEE	DATE: 04/03/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

**Number: 4**

**Application Number: C19/0059/39/LL**

**Date Registered: 17/01/2019**

**Application Type: Full - Planning**

**Community: Llanengan**

**Ward: Abersoch**

**Proposal: Retrospective application to retain vehicular access and vehicle parking area**

**Location: Tegfan Bach, Lôn Gwydryn, Abersoch, Pwllheli, Gwynedd, LL537EA**

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

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## 1. Description:

- 1.1 Retrospective application to retain vehicular access and new vehicle parking area This application has been submitted following action by the Council's Planning Enforcement Unit. The site runs parallel to Lôn Gwydryn which is a one-way street in the centre of the village of Abersoch, and the vehicular access proceeds directly off that road.
- 1.2 The vehicular access and vehicle parking area are opposite or adjacent to the nursery school, the primary school and public car park (which also serves the village hall), and there is a parking restriction along the full length of the road on the right hand side.
- 1.3 There are private residential houses on either side of the site and along the left side of the road. There is a parking restriction along this side of the road and, at places without a parking restriction, bays have been marked for on-street parking. There are bays of this type directly outside the site of the application and, until recently, the site had pedestrian access only.
- 1.4 The surface of the parking area that has been created is on the same level as that of the adjacent carriageway, and it is surrounded on three sides by a wall of concrete blocks. It appears as though the car park that has been created is large enough to accommodate two vehicles off the county road and there is no turning place within the site.
- 1.5 The site lies within the Llŷn Area of Outstanding Natural Beauty (AONB).
- 1.6 The application is submitted to the Planning Committee as it is an application by a close relation of a member of the Council.

## 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 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to 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 Gwynedd and Anglesey Joint Local Development Plan (July 2017) (LDP)

AMG 1:	AREAS OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLANS
PCYFF 3:	DESIGN AND PLACE SHAPING
TRA 2:	PARKING STANDARDS
TRA 4:	MANAGING TRANSPORT IMPACTS

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## 2.4 National Policies:

Planning Policy Wales (Edition 10, December 2018)  
 Technical Advice Note 18: Transport (2007)

## 3. Relevant Planning History:

- 3.1 The site has no previous planning history apart from the associated enforcement investigation

## 4. Consultations:

Community Council: Not received at the time of writing the report.

Transportation Unit: Whilst it is possible to turn around within the curtilage, we realise that the owner will perhaps choose to reverse in or out at times. The nearby road carries a seasonal flow of one-way traffic, and it is believed that reversing into parking spaces would be acceptable in this case. No objection but recommend including the following note if the application is approved:

NOTE: The applicant is instructed to write to the Street Works Manager for permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.

Public Consultation: A notice was posted on site and nearby residents were informed. At the time of writing the report no response had been received, and the consultation period had not ended. However, the consultation period will have ended by the date of the Committee, and it will, therefore, be possible to report on any comments submitted.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The application site is located within the Abersoch development boundary as defined by the LDP.
- 5.2 It is considered that the main factor for consideration in this application is road safety and users of the one-way county road that runs parallel to the site. It is understood that the site also lies within the Llŷn AONB, but this is not considered to be an important consideration in this case as the site is in the centre of Abersoch.

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- 5.3 In general, providing a vehicular access and vehicle parking area is considered to be acceptable in principle as it is a development associated with the residential use of a property. Nevertheless, it must be ensured that the development meets the relevant requirements and relevant planning policies of the LDP, and national planning guidance. This development requires planning permission as it would create a new vehicular access onto a Class I County Road. It does not therefore fall within the definition of a permitted development.

#### **Design and visual amenities**

- 5.4 It has already been mentioned that the site lies within an AONB. Policy AMG 1 states that proposals that affect the setting and/or significant views into or out of the AONB, should, where appropriate, give consideration to the relevant AONB Management Plan.
- 5.5 The site lies at the centre of the village of Abersoch and it is not considered that the development has a detrimental impact on the natural beauty of the local landscape, in this case, and it is not prominent in the streetscape. Therefore, it is considered that the proposal is not contrary to policy AMG 1 of the LDP.

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

- 5.6 Because of the location, design, orientation, and size of the development, it is not considered that there would be any significant harmful effects on private amenities or on the amenities of the neighbourhood in general. Nevertheless, it should be ensured that the surface of the parking area and the surrounding wall are finished appropriately in order to ensure that the development complies with the relevant criteria of PCYFF 3 of the LDP - specifically the need to ensure it enhances the character and appearance of the site and the area in terms of setting and appearance.

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

- 5.7 It is considered that the main factor for consideration in this application is road safety and users of the one way county road that runs parallel to the site. It has already been mentioned that the access opens out onto a one-way county road, and there are public car parking spaces along parts of the road. Furthermore, there is a stay restriction along the full length of the road on the other side. The entrance and the parking space created are suitable for parking two vehicles but there is no room to turn around easily within the site, which means cars will either have to reverse onto the road as they leave the site or reverse into the site as they arrive.
- 5.8 The Council's Transportation Unit was consulted and a response was received stating no objection to the proposal from a road safety perspective. Whilst it would be possible to turn around within the curtilage, it was realised that the owner would perhaps choose to reverse in and out of the parking space at times. The adjacent road carries a seasonal flow of one-way traffic, and it is believed that reversing into parking spaces would be acceptable in this case. Nevertheless, and although the development would mean that approximately two on-street public parking spaces would be lost as a result, it is considered on the basis of the Transportation Unit's views that the development complies with policies TRA 2 and TRA 4 of the LDP.

#### **Other Planning Matters**

- 5.9 It considered that no other important planning matters are relevant in this case.

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

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5.10 No response had been received to the statutory public consultation at the time of writing this report. Should any responses be received before the date of the Committee, they will be reported orally.

**6. Conclusions:**

6.1 Having weighed-up the development and considered all the material planning matters, including local and national policies and guidance, it is considered that the application to retain the vehicular access and parking space on the site is acceptable. It is considered that the proposal satisfies the requirements of all the relevant local and national policies stated in the report.

**7. Recommendation:**

7.1 To approve – conditions

1. Materials for surfacing the parking area and surrounding wall to be approved by the Local Planning Authority;
2. Work to be completed within three months of the date of the planning permission, in line with details

Highways Note: The applicant is instructed to write to the Street Works Manager for permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.