

Number: 5



Rhif y Cais / Application Number : C15/0954/39/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: 30/11/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C15/0954/39/LL  
Date Registered: 10/09/2015  
Application Type: Full - Planning  
Community: Llanengan  
Ward: Abersoch

Proposal: CHANGE OF USE OF THE REMAINDER OF THE BUILDING TO FORM PART OF AN EXISTING SHOP ALONG WITH THE CREATION OF ASSOCIATED FACILITIES SUCH AS STORAGE, OFFICE AND CANTEEN FOR STAFF ALONG THE MINOR EXTERNAL CHANGES INCLUDING AN ADDITIONAL WINDOW ON THE REAR ELEVATION AND BLOCKING OF WINDOWS ON THE SIDE ELEVATION  
Location: ROSLYN, LÔN RHOSLYN, ABERSOCH, PWLLHELI, LL537DN

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

## 1. Description:

- 1.1 The proposal involves changing the use of the remainder of the building to form part of an existing shop. The proposal includes changing the use of the ground floor in the eastern part of the building to become part of the existing shop. The remainder of the building is used as a shop (ground floor) with storage space and a kitchen on the first floor. The proposal also includes internal changes to improve the facilities for staff which include an office, canteen and toilets on the first floor. The first floor would also continue to be used as storage space. The external changes are minor, and include blocking two windows (first floor) and a door (ground floor) on the eastern side and the installation of a new window (first floor) on the southern side.
- 1.2 The property is located in a central and prominent location in the centre of Abersoch's shopping area where the Fat Face shop is currently located. It is within the village's development boundary and within the Llŷn Area of Outstanding Natural Beauty (AONB). An unclassified county road runs past the frontage of the existing shop. Residential houses are located to the east of the site.
- 1.3 The application is submitted to committee following receipt of more than three correspondences objecting to the proposal.

## 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 B8 – THE LLŷN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site.

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 safeguarding the recognised features and amenities of the local area.

POLICY B24 - ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE - Ensure that proposals for alterations or extensions to buildings conform to a series of criteria aimed at protecting the character and amenity value 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 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 D29 – NEW SHOPS IN VILLAGES – Proposals for the change of use of buildings to a shop, or proposals for new shops or extensions to existing shops will be approved provided they comply with specific criteria relating to suitable use of existing building, its location and impact on the amenities and character of the area.

**2.3 National Policies:**

Planning Policy Wales (Edition 7, July 2014)  
 Technical Advice Note (TAN) 12 - Design

**3. Relevant Planning History:**

- 3.1 C06D/0602/39/HY – Widen and alter existing fascia sign and display of new projecting sign – Approved 20 December 2006.
- 3.2 2/19/108A – Extension to existing shop – Approved 20 December 1978.
- 3.3 2/19/108 – Extension to existing shop – Approved 26 March 1975.

**4. Consultations:**

Community/Town Council: Support.

AONB Unit: No objection.

Transportation Unit: No recommendation as it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Public Protection: Not received.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has ended and letters / correspondence were received objecting on the following grounds:

- Lôn Rhoslyn is a residential area and commercial use is unsuitable.
- A commercial development will affect privacy.
- An intention to remove the property's frontage, the garden and front walls and install a security door will affect the external appearance and character of the property which faces Lôn Rhoslyn.
- Creation of parking problems.
- Increase in traffic on Lôn Rhoslyn.
- Concern about what will happen within the curtilage of the property.
- Waste materials kept around the property's curtilage.

In addition to the above objections, objections were received that were not valid planning objections which included:

- Matters relating to deeds / covenant and that business use is not permitted.
- Concern that the site could be used in future as a restaurant or licensed property.

**5. Assessment of the material planning considerations:**

**The principle of the development**

5.1 Policy D29 of the Gwynedd Unitary Development Plan (GUDP) relates to the creation of new shops in villages. The policy states that proposals to change the use of a building to a shop or proposals to construct new shops, or to extend an existing shop will be permitted provided that they comply with the following criteria:

1. The proposal makes suitable use of an existing building.
2. The proposed building / site is within the development boundary of the village.
3. The new development will not substantially harm the amenities of nearby residents or the character of the area.

5.2 Therefore in principle, changing the use of the remainder of the ground floor to form part of the existing shop would be acceptable under the above policy. Under criteria 1 and 2 the proposal would make suitable use of the existing building which is located within the development boundary of the village. In relation to criterion 3, the site is in a part of Abersoch village where shops and businesses are located. The proposed external changes are minor, and it is not considered that these external changes would affect the appearance of the part of the building which faces Lôn Rhoslyn. This is a proposal to extend an existing shop, not to create a new shop, and it is not considered that extending the shop would harm the amenities of nearby residents. Therefore, it is considered that the proposal is reasonable in relation to the character of the existing area and that it complies with the requirements of policy D29 of the GUDP.

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### **Visual Amenities**

- 5.3 Policies B8, B22, B24 and B25 are the relevant considerations for these aspects of the application. The external changes are very minor. They include blocking windows and doors on the eastern elevation and opening first floor windows on the southern elevation. It is also intended to install a fire exit door on the northern elevation. It is not considered that these changes affect the appearance of the property and it is considered that they are acceptable. Some of the objections referred to the fact that the boundary walls with Lôn Rhoslyn would be removed. The plans do not show such a proposal, and confirmation has been given by the agent that there is no intention to change the boundary walls surrounding the building. Confirmation has also been received that there is no intention to use the windows which face Lôn Rhoslyn as display windows. It would be possible to place conditions that shutters are placed inside the ground floor windows which face Lôn Rhoslyn, and that they will not be used as display windows. It is considered that the proposal in its entirety is suitable and that it respects the streetscape and its surroundings. There will be no unacceptable harm to the visual amenities of this area, or the Area of Outstanding Natural Beauty as a result of the proposal. It is therefore considered that the proposal complies with the requirements of policies B8, B22, B24 and B25 of the GUDP.

### **General and residential amenities**

- 5.4 There is a public house to the north of the building and a bank on the southern side. A dwelling house lies to the east. The first floor windows and the ground floor door facing the property in the eastern direction would be blocked. It is considered that this would improve the situation in relation to overlooking and privacy for the residents of Cadlan, and it is not considered that the proposal would have a detrimental impact on the amenities of the property to the south. The proposal is to extend the existing shop with access to the shop continuing from the High Street and the agent has confirmed that there is no intention to change the arrangements for receiving and distributing goods following the extension to the shop. Internally, the proposal would improve the facilities for staff, by creating an office, canteen and toilets on the first floor, and there is already a kitchen on the first floor. It is not considered that extending the existing shop will affect Lôn Rhoslyn as a residential area, and there is a public house located directly opposite the site which is also a commercially used building. As already mentioned, conditions could be imposed that the ground floor windows which face Lôn Rhoslyn are not used for displaying goods, and that shutters are placed inside the windows. It is therefore not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and that it is acceptable in terms of Policy B23 of the GUDP.

### **Transport and access matters**

- 5.5 The proposal does not include parking, which remains unchanged from the existing situation. It is intended to use the current arrangements for the delivery and distribution of goods, and conditions can be imposed that the doors which face Lôn Rhoslyn are not used for distributing goods or to provide customer access to the shop. The Transportation Unit does not object to the proposal on the grounds of road safety. It is considered that the proposal is acceptable in relation to road safety and Policy CH33 of the GUDP.

## **6. Conclusions:**

- 6.1 It is considered that the principle of extending the existing shop in the village is acceptable. There will be no damage to the streetscape or to the visual amenities of the AONB. Neither is it considered that the proposal would cause significant harm to the amenities of the local community. It is considered that with suitable conditions,

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the proposal is acceptable for approval as it conforms to the above policy requirements.

**7. Recommendation:**

To approve – conditions

1. Five years
2. In accordance with the amended plans.
3. Any external alterations to be finished to match the existing property.
4. The site to be used as only one retail unit.
5. Install shutters on the internal side of the ground floor windows on the northern elevation that faces Lôn Rhoslyn. The shutters to be in place while the use as a shop continues, and nothing to be displayed between the shutters and the window panes.
6. The doors facing Lôn Rhoslyn not to be used for receiving and distributing goods or to provide customer access to the shop.
7. No waste and bins to be kept in the curtilage that faces Lôn Rhoslyn.