

Number: 7



Rhif y Cais / Application Number : C15/1281/11/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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| PLANNING COMMITTEE | DATE: 01/02/2016 |
| REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER | CAERNARFON |

Application Number: C15/1281/11/LL
Date Registered: 03/12/2015
Application Type: Full - Planning
Community: Bangor
Ward: Glyder

Proposal: FULL APPLICATION TO DEMOLISH THE EXISTING HOUSE AND ERECT A NEW HOUSE IN ITS PLACE (AMENDED PLAN) (RE-SUBMISSION OF APPLICATION C15/1027/11/LL)
Location: COACH HOUSE, BELMONT ROAD, BANGOR, LL572EZ

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is a re-submission of a full application that was refused last year to demolish an existing dormer bungalow and garage and erect a new two-storey house in its place. The size and volume of the new house would be substantially greater than the existing building with the roof level raised from 5.5m to 7.2m. The building's main orientation will also be changed by turning the main axis by approximately 45°.
- 1.2 The main changes between this plan and the refused plan are that the building's orientation has been turned and it is also intended to install frosted windows in two of the first floor windows that face the 'Ashbrook' property next door.
- 1.3 The site is located outside Bangor's development boundary in a group of houses and structures, which include two listed structures, namely the 'Y Glyn' house (Grade II), which is 80m from the site, and the gateway to the former garden of the 'Y Glyn' (Grade II), which is 30m from the site. The site is located within a Landscape Conservation Area.
- 1.4 The new house would have five bedrooms, compared with the three current bedrooms, and there would be a substantial increase in living space on the ground floor. It is proposed to finish the external walls with painted render and use natural slates on the roof. In addition, there would be storage space in the attic.
- 1.5 The following information was submitted with the application:
 - A Design and Access Statement
 - Planning Statement
 - Details of sewage treatment works
 - Initial Protected Species Report
 - Report of Bat Activity Survey outcomes
 - Structural report
- 1.6 This application is submitted to the Committee at the local member's request.

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 considerations indicate

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

2.2 Gwynedd Unitary Development Plan 2009:

STRATEGIC POLICY 6 - REDEVELOPING AND REUSING PREVIOUSLY USED LAND

High priority will be given to making appropriate and suitable use of previously developed land.

POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

POLICY B10 – PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS

Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant damage to recognised features.

POLICY B20 – SPECIES AND THEIR HABITATS OF INTERNATIONAL AND NATIONAL IMPORTANCE

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.

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 C3 – RE-USING PREVIOUSLY DEVELOPED SITES

Proposals will be approved that prioritise re-using land and buildings previously developed and located within or around development boundaries, provided that the site or the building and the use are suitable.

POLICY CH13 - DEMOLITION AND RECONSTRUCTION OF DWELLINGS IN RURAL VILLAGES AND IN THE COUNTRYSIDE

Proposals to demolish a dwelling or dwellings that are in poor condition in rural villages or in the countryside and to develop new living units on the site will be approved provided they conform to the criteria which involve the condition of the building to be demolished, and the location, density and design of the new building.

POLICY CH18 – AVAILABILITY OF INFRASTRUCTURE

Development proposals will be refused if there is no adequate provision of necessary infrastructure for the development, unless they can conform to one of two specific criteria which require that appropriate arrangements are made to ensure adequate provision, or that

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the development is carried out in phases in order to conform to any proposed scheme for the provision of infrastructure.

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.

2.3 National Policies:

Planning Policy Wales : Edition 8, January 2016

3. Relevant Planning History:

- 3.1 C15/1027/11/LL - Application to demolish the existing house and erect a new house in its place - Refused 26/11/15 - Reason: *"The extension, due to its design would be harmful to the amenities of residents of private neighbouring properties, especially due to the impacts of overlooking which would derive from it to the garden of the private property nearby and its impact on the privacy of that property. Therefore, the development would be contrary to policy B23 of the Gwynedd Unitary Development Plan"*.

4. Consultations:

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| Community/Town Council: | No objection but expressing concern about the size of the development. |
| Transportation Unit: | No objection |
| Biodiversity Unit: | No objection Condition required to ensure compliance with the recommendations of the ecological report. |
| Natural Resources Wales: | No objection |
| Public Protection Unit: | Observations – Need conditions regarding demolition work. |
| Welsh Water: | Observations - standard conditions for the developer. |

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Public Consultation:

Neighbours were notified and a notice was posted on the site. The advertising period has ended and correspondence was received objecting on the following grounds:

- The size and height of the new house was too large and would affect neighbours' amenities.
- Effects on light / shadowing
- Overlooking from windows in the elevations and roof-lights
- The design was out of character with the local area
- Concerns regarding parking provision
- Concern regarding the water drainage system from the site
- Concern regarding using the roof space as an additional floor

Observations were also received that were not valid material planning considerations in terms of this application:

- A legal covenant existed with the neighbours to agree on any plans prior to the submission of planning applications.
- The foundations of a nearby house had been lowered so that they did not affect neighbours' amenities.
- Concern regarding the safety of a party wall following the demolition process.
- Concern regarding vehicles damaging private land

5. Assessment of the material planning considerations:

The principle of the development

5.1 The primary policy consideration in this case is Policy CH13 which relates to considering proposals to demolish and reconstruct dwellings in rural villages and in the countryside. The criteria within that policy are considered in turn as follows:

1. There is no evidence that residential use has been lost from the property.
2. A structural report by a qualified structural engineer was submitted who concludes that a substantial proportion of the existing building is of poor quality and that there was concern regarding the adequacy of the foundations, and recommended that it would be wise to demolish the existing building and erect a new building up to modern standards in its place.
3. The location of the new house would be partially within the footprint of existing buildings on the site.
4. Use of the site would be for one dwelling only and it is not considered that there would be a significant increase in the density of the development by adding two bedrooms.
5. While the new building would be substantially greater than the original house, with an increase of about 50% in floor space and 1.6m in height, bearing in mind the size and design of other neighbouring houses, it is not considered that the new house would be disproportionate to the original building provided that it is not harmful to the character of the local area.

5.2 For the above reasons, it is believed that the proposal is in accordance with policy CH13 and is therefore acceptable in principle.

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5.3 Strategic Policy 6 of the UDP supports developments that make appropriate use of previously used land. Bearing in mind the site history, it is believed that using this site for a single dwelling is entirely appropriate in principle and conforms to this policy. In addition, Policy C3 approves plans to re-use previously developed sites located within or surrounding development boundaries as long as the site is suitable for the use. Bearing in mind that this site is close to the development boundary and that the use is already legal, it is considered that it is suitable use for the site, and therefore, that the proposal conforms to Policy C3 of the UDP.

Design and visual amenities

5.4 Policies B22 and B25 of the GUDP are relevant to this application and involve design, finishes, appearances and visual amenities. It is considered that the design would offer one modern house located on a site that is fairly concealed from most public spaces.

5.5 From the perspective of the criteria in Policy B22:

1. For the reasons outlined in 5.1 above, it is believed that the proposal respects its site and vicinity and that the size, form and density of the development are suitable for the location.
2. Due to the fairly concealed nature of the site and the size and design of other neighbouring houses, although there is some concern regarding the quality of the development's design, it is not considered that the development would be harmful to the character of the landscape generally or the local environment. It is not considered that the existing buildings on the site are of any special architectural value and do not make any special contribution to the character of the area.
3. As the site is fairly concealed and that developments of similar size are nearby, it is not considered that there would be an unacceptable detrimental impact on prominent views.

5.6 Policy B25 encourages the use of appropriate materials for the location of every development, including the use of natural Welsh slate (or similar ones) on roofs. It is intended to use painted rendered walls with a pitched roof made of natural slates and it is considered that these reflect the materials and finishes of the existing house and are therefore, appropriate for the location and meets the requirements of policy B25.

5.7 On the whole, and with conditions to ensure the development's satisfactory appearance, it is not considered that the proposed development would have a detrimental impact on the character or appearance of the area, or listed buildings nearby, and it is considered that it would acceptably suit the surrounding area. Consequently, it is considered that the proposal is in accordance with policies B3, B22 and B25 of the UDP. Also, considering the existing developed nature of the site, it is not considered that the development would have a detrimental impact on the Landscape Conservation Area either, and therefore, it is considered that the plan is acceptable under policy B10 of the UDP.

General and residential amenities

5.8 Policy B23 requests that consideration is given to the effect of the proposal on nearby residential amenities. The plans show that it is intended to install three windows on the first floor in the northern elevation which would have the potential to overlook into the garden of the Ashbrook property nearby. However, two of these windows

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would have opaque glass and the bedroom window would be in the house's western end, and due to the orientation of the building and its distance from Ashbrook's garden (approximately 25m), it is not considered that it would cause unacceptable direct overlooking into private sections surrounding the neighbours' house. In addition, there would be no window on the first floor of the eastern elevation facing towards Ashbrook.

- 5.9 Similarly, it is considered that the two roof lights in the northern elevation would create overlooking problems as no intention has been stated to use the roof space as a residential room. It is believed that it would be reasonable to impose a condition preventing any work to extend the roof e.g. by installing a dormer window which would be necessary to enable use of the roof space as a residential room. In doing so, control could be ensured over any overlooking risk in future.
- 5.10 In addition to the above, a concern was stated regarding overlooking into the Cefn y Coed property which is to the west of the site. However, bearing in mind the nature of the land that is affected, namely a separate wooded garden to the house, with a listed stone wall between the garden and the house, it is not considered that the impact of overlooking is likely to be detrimental to this property as the private area surrounding the house would remain.
- 5.11 By looking at the other objections that were raised, due to the orientation of the proposed house, it is not considered that there would be direct overlooking from the windows of the Ashbrook property, and due to the distance of the house from the boundary, it is not considered that a detrimental impact of shadowing would derive from it and that there would be no unacceptable loss of light in Ashbrook's curtilage.
- 5.12 For the above reasons, it is not considered that the development would have a detrimental and significant impact on neighbours' amenities and therefore, it is considered that the proposal is acceptable under policy B23 of the Unitary Development Plan.

Transport and access matters

- 5.13 Observations have been received raising doubts about parking provision but the Transportation Officer confirms that the proposal would satisfy road safety requirements and that parking and turning provision is acceptable. The proposal therefore complies with the objectives of policies CH33 and CH36.

Biodiversity and trees

- 5.14 An Initial Protected Species Report was submitted with the application and a report on the outcomes of the Bat Activity Survey was later received. Mitigating measures that are acceptable by the Biodiversity Unit are proposed, and therefore, by imposing an appropriate condition on the planning permission, it is considered that the proposal would comply with policy B20.

Drainage matters

- 5.15 Concerns were raised by an objector regarding the impact of the proposed drainage system on a nearby property but a consultation took place with Natural Resources Wales, Welsh Water and the Public Protection Service and no objections had been

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raised to the proposals by any of these organisations, and therefore, the application is consistent with policy CH18 of the UDP.

Response to the public consultation

5.16 Several matters were raised by objectors that were not valid planning considerations especially in relation to the potential damage to private property that could derive from the development which is a civil matter between owners. Although matters involving safety of the party wall are not planning matters themselves, the impact of the development on residential and visual amenities is a valid planning matter. It is therefore considered that it is reasonable to impose a condition requiring an agreement regarding proposed treatment to the site's boundaries prior to the commencement of any work on the site.

6. Conclusions:

6.1 Having given full consideration to all material planning matters, it is believed that the principle of erecting a house of similar size and design to what is proposed in this location is acceptable. It is also believed that changes made to the design and location of the proposed house have overcome the objections to the previous plan and as a result, it is considered that the amended proposal is acceptable under the policies of the Gwynedd Unitary Development Plan and that the application should be approved.

7. Recommendation:

7.1 To approve subject to conditions:

1. 5 years
2. In accordance with the plans
3. Slate roof
4. Withdrawal of permitted development rights involving any changes to the roof.
5. A condition to manage demolition work including the submission of a demolition method management plan prior to commencing the work and restricting working hours to 09:00-18:00 Monday - Friday, 09:00-13:00 on Saturday, and not at all on Sunday or Bank Holidays.
6. Demolition work must take place following the recommendation in the ecological report
7. A condition to agree on boundary treatments.

Notes for information:
Welsh Water observations
Information about the Party Wall Act