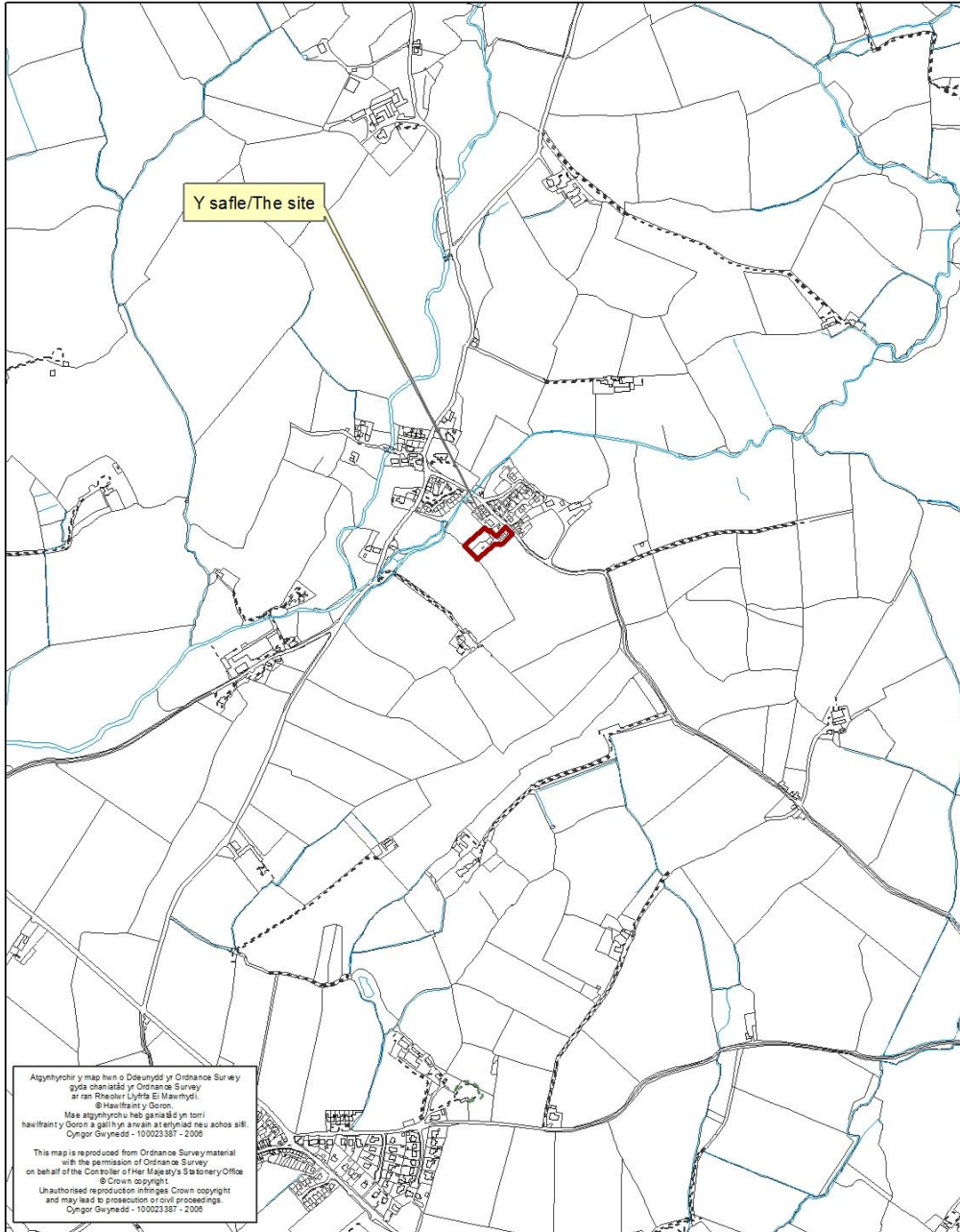


Number 5.7



Rhif y Cais / Application Number : C15/1356/40/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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Application Number: C15/1356/40/LL
Date Registered: 23/12/2015
Application Type: Full - Planning
Community: Llannor
Ward: Efailnewydd/Buan

Proposal: REVISED APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF A REPLACEMENT DWELLING ALONG WITH ASSOCIATED WORKS

Location: 1-3 WENALLT, ARDDGRACH, LLANNOR, PWLLHELI, LL535UL

Summary of the Recommendation: TO REFUSE

1. Description:

- 1.1 This is a full application for the demolition of an existing dwelling and the construction of a replacement dwelling along with associated works within the 1-3 Arddgrach property, Llannor. The existing building is a stone / pebble-dash building with slate roofing, and a north-eastern elevation which directly abuts the adjacent class 3 county road. The new proposed house would be located back into the plot on a site where there is an existing agricultural zinc shed, with a separate garage on part of the footprint of a zinc building which was the former house's kitchen. The proposed house would be a dormer bungalow with three bedrooms, and its front elevation would face the south-east. The house would be finished with slate roofing and painted smooth render. It is intended to create a new access on the site of the existing house, expanding a track from the side of the carriageway to the house and turning it to the direction of the entrance gate of the adjacent field.
- 1.2 The property lies on the outskirts of Llannor village, adjacent to the class 3 county road. Llannor was designated a rural village in the maps set out by the Gwynedd Unitary Development Plan, with 1-3 Arddgrach and the agricultural shed behind it marked in red.
- 1.3 Application number C15/0611/40/LL to demolish the dwelling and to construct a new house of the same design as this application but further into the rear of the plot was refused last year. This application is a re-submission, with the location of the house having slightly changed.
- 1.4 The application is submitted to the Planning Committee as four support letters were received contrary to officers' recommendation.

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 otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan. Planning considerations include National Planning Policy and the Unitary Development Plan.
- 2.2 **Gwynedd Unitary Development Plan 2009:**
POLICY A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS -
Ensure that sufficient information is provided with the planning application regarding

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any significant likely environmental or other impacts in the form of an environmental impact assessment or other impact assessments.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats 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 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 protecting the recognised features and amenities of the local area.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that the building materials are of a high standard and in keeping with the character and appearance of the local area.

POLICY C3 – RE-USING PREVIOUSLY USED 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 C7 – BUILDING IN A SUSTAINABLE MANNER – Proposals for new developments or for adapting and changing the use of land or buildings will be refused unless consideration is given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

POLICY CH5 NEW HOUSING IN RURAL VILLAGES To approve a residential development which includes one or two units only in a Rural Village on specific sites if it conforms to criteria relating to local need for the development, effect on the landscape and the specific features of the site.

POLICY CH9 – NEW DWELLINGS IN OPEN COUNTRYSIDE – Refuse proposals for new dwellings in rural areas unless they are for individuals who must live on the site due to their work and a series of other criteria relating to the location and type of the dwelling, and restrictions on ownership of the dwelling.

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 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.

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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. Consideration will be given to the accessibility of public transport services, the possibility of walking or cycling from the site and the proximity of the site to a public car park. In circumstances where there is an assessed need for off-street parking and where the developer does not offer parking facilities on the site, or where it is not possible to take advantage of the existing parking provisions, proposals will be approved provided the developer contributes to the cost of improving the accessibility of the site or providing the number of necessary parking spaces on another site nearby.

2.3 National Policies:

Planning Policy Wales - (Edition 8, 2016)
 Technical Advice Note 12: Design (2009)

3. Relevant Planning History:

- 3.1 C15/0611/40/LL Demolition of existing dwelling and construction of a replacement dwelling along with associated works: Refused 31 July 2015

Inquiry following refusal C15/0611/40/LL with a plan indicating the house had been re-located to the site of the current application. Confirmed that the site remained unacceptable in respect of policy CH13 as there is a requirement that re-built houses are located as close as practically possible to the location of the original house.

4. Consultations:

Community/Town Council: Support.

Transportation Unit: No objection to the proposal to demolish and erect a new house and offer the same observations and conditions imposed on the previous application (ref. C15/0611/40/LL), emphasising the need to provide standard visibility splays measuring at least 2x40m to both directions. An opening at least 3m wide but no more than 4m, with a gate measuring at least 5m away from from the highway.

Biodiversity Unit: A bat report has been submitted with the application. An investigation of the building was held but no bat activity survey was held as it was not the right time of year. Evidence was found that birds and lesser horseshoe bats use the building. I agree with the conclusion of the bat report, namely:

Further survey work is therefore required to accurately determine the status of the roost and the numbers of bats using the building. This should consist of a follow up inspection and emergence survey to be undertaken during the period May to September (inclusive). On completion of further surveys mitigation measures and compensatory roosting features can be detailed.

This has also been reiterated in part 3.7 of the submitted Planning Support Statement. No decision on the application

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can be sought until we receive the results of the bat activity survey. It will also be necessary to include bat mitigation measures in the updated report together with updated plans to show the mitigation measures for roosting bats and birds.

Welsh Water:

Propose a standard condition. A sewerage pipe crosses the site. The development should not be located within 3m of the centre of the sewer.

Gwynedd Archaeological Planning Service:

Having checked the application against the regional Historic Environment Record (HER) found the buildings proposed for demolition are of local historical interest. The terrace is recorded on the first edition O.S map 1889 as comprising three properties, corresponding to the present layout. Subsequent editions indicate the construction of the corrugated iron barn by 1918, and alterations or replacement of extensions to all three cottages at some point after this date.

The historic mapping suggests that the pair of two storey cottages had been constructed by the late 19th century, possibly replacing an outbuilding or second single storage cottage adjoining that still surviving. This appears from its form and construction to be a typical 18th or early 19th century rural cottage. Accepting the considerable challenges involved in renovating these cottages, their demolition will nonetheless constitute a loss to the local built historic environment, and merits an archive record to mitigate this.

In the light of these comments and in accordance with national planning policy (Planning Policy Wales 2016) and Welsh Office Circular 60/96 (Planning and the Historic Environment: Archaeology), should planning consent be granted, it is recommended that the local authority requires archaeological mitigation by way of a full photographic record of the building.

Public Consultation:

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

- Narrow road - the development would improve the situation
- Create one access rather than two by facilitating parking for the opposite houses
- Design - similar to bungalow next door
- Existing house is untidy, in a dangerous condition and is a waste - a new house would improve the village.

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5. Assessment of the relevant planning considerations:

The principle of the development

5.1 Policy CH13 of the Gwynedd Unitary Development Plan is the relevant policy consideration in this case, which involves the demolition and reconstruction of dwellings in rural villages and in the countryside. The policy states that proposals to demolish a house or houses in poor condition in rural villages or in the countryside and to develop new living units on the site can be permitted, provided they conform to the following criteria:

1. the existing building(s) according to planning laws is a dwelling;
2. it is not reasonably possible to renovate, convert or extend the existing building(s) without completely or significantly reconstructing. Perhaps a structural report to support the application will be necessary;
3. that the new unit(s) are located on the sites of the original unit(s) or as close as is practically possible;
4. that the density of the new development will remain the same as the density of the original, or in exceptional circumstances that there is a strong case to justify lower density;
5. that the new building would not lead to a building which is incongruous with the original in terms of its size, scale or design insofar as maintaining or enriching the character of the local area.

It is not considered that the proposal complies with all the requirements of this policy.

5.2 It can be accepted that the property is a dwelling according to planning laws as part of the building has been used as a dwelling until relatively recently up to the death of the former owner. The agent's statement suggests that the building, at one time, had been a terrace of three properties, namely 1, 2, and 3 Arddgrach. However, the structural report states that the former owner never used number 1 (namely the furthest property from the road) since he bought properties 1 and 2 in 1963. Wennallt (the property nearest to the road) was purchased in 1978 and it is understood that the owner has used it as one house since then. In terms of the information to hand, it appears that the legal use of the building was as one house. As the proposal is to demolish one house and to construct another house, the proposal is acceptable in respect of criteria 1.

5.3 A structural report was submitted as part of the previous applications which provides details on the property's condition. It noted that the building has problems with dampness, mould, draft and water leaking in places. As the building has been empty for some time, and because of the lack of maintenance work over the years, it appears that the structure's condition has significantly deteriorated. The structural report suggests that it would be difficult to justify the expenditure of renovating the building and they suggest that the proposal would provide an opportunity to improve the area's visual amenities. From investigating the site, it can be seen that significant renovation work would be required to make the building a homely dwelling which is suitable in terms of expected modern standards. It is therefore believed that there is sufficient evidence and a worthy justification to demolish in in this case, in respect of criteria 2.

5.4 The new proposed house would be located on the site of an old agricultural shed rather than on the site of the original house, with the proposed double garage to be

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located on the site of a zinc building which was the original house's kitchen. The proposed house would be approximately 9m away from the corner of the zinc building/original kitchen, and approximately 29m away from the carriageway. Criteria 3 of policy CH13 clearly states that new units should be located on the site of the original unit or as close as is practically possible to the original. While it would be possible to accept relocating the new property slightly away from the county road for improved visibility and road safety, the proposed location is unreasonable. The previous application C15/0611/40/LL for a house of the same design was refused on the grounds that it was 31m away from the original house and therefore contrary to policy. Although the proposal submitted is nearer to the original by now, we remain concerned about the location and setting and have notified the agent of our concerns prior to the re-submission. It is considered that there are several practical options available to develop the site, without obstacles which would make it practically impossible to locate it on or near the original property. There is no justification in this case to push the dwelling so far away from the original house's footprint, therefore it is considered to be contrary to criteria 3 of policy CH13 of the GUDP.

- 5.5 As has already been noted, as the proposal is for the demolition of one house and the construction of another to replace it the density of the new development is the same as the density of the original, therefore it is acceptable in respect of criteria 4 of the policy.
- 5.6 While it is considered that the design in terms of the size of the footprint of the proposed building is comparatively similar to the existing construction work, it is not considered that its setting and location on the site of the old agricultural shed contributes to or enriches the existing ribbon developed form of this part of the village. To this end, it is considered that the proposal is excessively obtrusive in open countryside and is contrary to the character and form of the existing street scape, and is therefore also contrary to criteria 5. Therefore, elements of the proposal do not conform with the main principles of the policy on the demolition and reconstruction of buildings in rural villages.
- 5.7 As the proposal does not conform to the demolition and reconstruction policy, the proposal should also be assessed against the relevant housing policy which involves housing developments in rural villages, namely CH5 of the GUDP. Only affordable houses can be accepted in rural villages, on an infill site between buildings which have been marked in red. The new proposed house is not proposed as an affordable house and it measures approximately 200m² internally, which is therefore far more than the 100m² noted in Supplementary Planning Guidance: Affordable Housing for the size of an affordable 3 bedroom two-storey house. It is acknowledged that the existing house and the agricultural shed have been marked in red, but it is considered that the purpose of the red mark on the shed is to set the core boundary limit of the village. It is believed that the setting of the proposal creates an obtrusive feature to the countryside and a fragmented pattern, which is contrary to the natural development pattern of the settlement. The submitted proposal therefore does not comply with policy CH5 of the GUDP which involves new housing in rural villages.

Visual amenities

- 5.8 The current property or the associated outbuildings are not of high architectural value, therefore there is no significant concern in relation to their demolition. Although the design of the proposal appears to be acceptable, the Local Planning Authority is not satisfied with its location or the angle of the building's setting. As has already been noted, it is considered that the location of the new house is too far into the plot,

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without any consideration to the village's development pattern. The main elevation of the remainder of the terrace's houses face the road. The proposed setting would be inconsistent and would form a separate relationship with the existing houses, as its main elevation faces south-east. The proposal does not respect or offer any sequence to the natural form of the street scape and therefore it is considered that it is contrary to design policy B22 of the GUDP.

General and residential amenities

- 5.9 As the house as been pushed back in the plot away from the existing dwellings, it is not believed that significant harm to the amenities of the local neighbourhood would derive from the proposal and it is not contrary to policy B23 of the GUDP.

Biodiversity Matters

- 5.10 One of the reasons for the refusal of the previous application (ref. C15/0611/40/LL) was that a bat report was not submitted as part of the application. Although a bat report was received with the resubmission, and an investigation of the building had taken place, an activity survey was not held as it was not the right time of year. The report notes that there is evidence that birds and bats use the building. The Biodiversity Unit's observations state that this application cannot be decided until a bat activity survey is received, which will include bat mitigation measures and updated plans to indicate those mitigation measures. Based on Biodiversity observations, and in the absence of the necessary information, it is not possible to assess whether the proposal is likely to cause unacceptable disturbance or harm to protected species and thus the resubmission remains contrary to policy A1 and B20 of the GUDP. If the Committee decides to approve the application, the decision cannot be released until the necessary details and appropriate mitigation measures have been agreed.

Road Issues

- 5.11 As the gable end of the existing property abuts the country road, there is very poor visibility of the road from the existing vehicular access. In respect of that, demolishing the house would create a new safe vehicular access and would be a significant improvement to the road situation. The Highways Officer has no objection to the proposal, but he notes that visibility splays measuring at least 2x40 metres should be provided in both directions and suggests relevant conditions should the application be permitted. Although the Highways Officer is satisfied with the proposal and although the proposal together with the relevant conditions addresses the requirements of policy CH33, this does not overcome the remainder of officers' concerns regarding the proposal. It is not necessary to site the proposed house so far back in the plot to meet visibility requirements.

Archaeological Matters

- 5.12 It appears from the observations of the Gwynedd Archaeological Planning Service that the building is of local historical interest. The Archaeological Service accepts that significant work would be required to renovate the original building, however demolishing it would involve losing local historical buildings. Therefore it is requested, should the application be permitted, that a condition is included that a photographic record is taken of the building prior to its demolition.

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Response to the public consultation

- 5.13 Four correspondences were received supporting the application during the public consultation period. Amongst their arguments they note that demolishing the house would lead to widening a narrow part of the road and would therefore make it safer for users. Reducing to one entrance rather than two would also facilitate parking for nearby residents who park on the side of the road. It is also noted that the existing site is an eyesore and the new proposal would improve the appearance of the site in the village. Despite the support, the Local Planning Authority is of the opinion that the site does not comply with the main demolition and reconstruction principles of the GUDP.

6. Conclusions:

- 6.1 Having weighed up the proposal against the above policies, it is considered that the location and setting of the proposed dwelling are unsuitable and contrary to the principle of housing, design and biodiversity policies in the Gwynedd Unitary Development Plan. Although there is potential to develop the site, it is not considered that this re-submission is acceptable and these concerns have already been raised with the agent prior to re-submission. Based on the submitted plans, we have no choice but to refuse the application.

7. Recommendation: To refuse – reason:

1. The proposal does not conform with the main criteria of the demolition and reconstruction policy within rural villages that requires new dwelling to be located on the site of the original dwelling or as near as practically possible to it. Due to its position and layout angle, the proposal is considered to be an intrusive feature into the countryside which does not maintain the character of the area or retain the general development pattern of the streetscape. The proposal is therefore contrary to the principles of policies CH13 and B22 Gwynedd Unitary Development Plan.

Policy CH5 of the Gwynedd Unitary Development Plan permits proposals for residential development on suitable sites within rural villages for affordable housing for local community need only. The applicant does not offer an affordable dwelling for local community need and the development does not conform with the size requirements outlined in the Council's Supplementary Planning Guidance: for Affordable Housing. It is therefore considered that the proposal is contrary to the objectives of Policy CH5 Gwynedd Unitary Development Plan and Gwynedd Council Supplementary Planning Guidance: Affordable Housing (2009).

An activity survey did not form part of the bat report submitted with the application and no suitable mitigation measures were offered. In absence of an activity survey the proposal is contrary to policy A1 together with B20 of the Gwynedd Unitary Development Plan which states, that proposals likely to result in direct or indirect unacceptable disturbance or harm to protected species and their habitats will be refused unless it can be shown that the effects can be minimised or mitigated accordingly.