

PLANNING COMMITTEE	DATE: 16/01/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Number: 4

Application Number: C16/1332/38/LL

Date Registered: 19/10/2016

Application Type: Full - Planning

Community: Llanbedrog

Ward: Llanbedrog

Proposal: Demolish existing dwelling and construct a new house in its place

Location: Wanganui, near Pennant, Llanbedrog, Pwllheli, LL537NU

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS

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1. Description:

- 1.1 This is a proposal to demolish an existing house and build a new dwelling in its place together with associated works. The proposed house would have two-storeys and would be located on the site of the existing house. The existing property is in a poor state of repair at present. The proposed house would have two bedrooms. The property's appearance would be in a relatively square form. It is proposed to finish the external walls with timber boarding and the roof would be relatively flat but with a slight dip. It is intended to provide two parking spaces within the curtilage of the property.
- 1.2 The site lies within the Llanbedrog development boundary. The site is located within the Landscape Conservation Area and the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest. Access is gained to the site is along a private road off a second class road near the site. A public footpath runs near the site. There are residential dwellings situated nearby.

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.
- 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; in making the recommendation the Council has sought to ensure that present needs 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 Unitary Development Plan 2009:**
POLICY B10 – PROTECT AND ENHANCE LANDSCAPE CONSERVATION AREAS - Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant harm to recognised features.

POLICY B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historic interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

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.

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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 C1 LOCATING NEW DEVELOPMENT Land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES – Approve proposals for the construction of new dwellings on unallocated sites within the development boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

Policy CH22 – CYCLING NETWORK, PATHS AND RIGHTS OF WAY - All parts of the cycling network, footpaths and rights of way will be protected by encouraging proposals to incorporate them satisfactorily within the development and by refusing proposals which will prohibit plans to extend the cycling network, footpaths or rights of way. Should this not be possible, appropriate provision will have to be made to divert the route or to provide a new and acceptable route.

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 development, extension of existing development 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 distance from the site to a public car park.

The Gwynedd and Anglesey Joint Local Development Plan which is currently being prepared is subject to an ongoing Public Inquiry. At present, it is not a relevant planning consideration for making decisions on planning applications.

2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016).
 Technical Advice Note 12: Design
 Technical Advice Note 18: Transportation

3. Relevant Planning History:

- 3.1 The site has no relevant planning history.
- 3.2 Planning permission was granted for the erection of the new house on the site of an existing outbuilding (C16/1347/38/LL) on 13 December 2016. The site of the approved application adjoins the site that is subject to this application.

4. Consultations:

Community/Town Council: Not received.

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Transportation Unit: No recommendation as it is not assumed that the proposal would impact any road or proposed road.

Natural Resources Wales: Recommend that the Council should screen the application to determine whether or not the presence of bats is likely.

Care is needed to avoid polluting the stream located near the site during the development work. Refer to standard pollution prevention conditions for work next to a watercourse which are available on the SEPA website.

Note that the site is within the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest.

Welsh Water: Propose a standard condition for surface water and run-off.

Footpaths Unit: The development is on the verge of Public Footpath No. 12 Llanbedrog. Need to safeguard the path and ensure that access is protected during and after the development.

Biodiversity Unit: The house to be demolished is unsuitable for bats as it does not have a roof and the walls are made from a type of plaster or asbestos. The other buildings on the site are constructed of timber and asbestos or zinc and these are also unsuitable for bats. There are trees on the site, although they are of a very low standard. It is proposed to retain the single beech tree on the site. I have no concerns regarding trees or biodiversity relating to the scheme.

Public Consultation: A notice was posted on the site and nearby residents were notified. The notification period came to an end and three objections were received on the grounds of:

- Over-development
- Concerns about additional traffic using the road to the site which has an access opposite the school.
- Concern that the parking space would cause difficulties in terms of the loss of turning space for an existing property.
- Impact on open views across the nearby wooded area.
- Impact on property in terms of amenities, privacy and views.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The proposal has been submitted as an application to demolish an existing house and erect a new house. However, the GUDP does not contain specific policies to deal with demolishing and erecting new houses within development boundaries. Instead, a proposal such as this is assessed under the relevant housing policies for housing within development boundaries. The proposal involves building a single two-storey house on a site within the Llanbedrog development boundary that is surrounded by residential houses. The site is not designated for any particular use or as protected

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open land. From the perspective of housing policies, the site falls within the definition of infill land and policies C1 and CH4 are relevant to this application.

5.2 Policy C1 states that ‘the development boundaries of towns and villages ... will be the main focus for new development’.

5.3 Policy CH4 is relevant and states that, in principle, proposals for the construction of new dwellings on unallocated sites that are within village development boundaries will be approved provided they conform to all the relevant policies of the Plan and the three criteria which form part of the Policy. Criterion 1 relates to having a proportion of all units on the site as affordable units, unless it would be inappropriate to provide affordable housing on the site. In terms of this policy, it is not considered that it would be reasonable to request for this house to be affordable given that there is already a house on the site. The second and third criteria involve arrangements for the provision of affordable housing and for reasons already noted it is not considered that these are relevant. Based on the above it is considered that the application conforms to the principles of policies C1 and CH4 of the GUDP.

Visual amenities

5.4 Policies B22 and B25 of the GUDP are relevant to this application and involve design, finishes, appearances and visual amenities. Currently, the site consists of a house and sheds. The design of the proposed property is modern and it is acknowledged that there is a difference of opinion about modern design. This difference of opinion about modern design is an objective matter. There is a reference to design in paragraph 9.3.1 of Planning Policy Wales which states that “new housing developments should be well integrated and connected to the existing pattern of settlements”. It is considered that the design would offer a modern house located on a site within the development boundary which is acceptable for developing. The site lies within an area that is characterised by relatively traditional dwellings. It is considered that any new development needs to be designed in a compatible manner that will not detract from the area’s existing character. The proposal would be of a modern design and the external walls would be finished with timber boarding. It is considered that the popularity of using timber boarding as a finish has increased in recent years and it is not considered that using this material on the external walls would be out of place. It is considered that the proposal offers a house of size, scale and form which would, on the whole, be in keeping with the context of the site. It is also considered that the site is adequate in size for one house and that it would not cause an overdevelopment of the site. Therefore, it is considered that the proposal is acceptable in respect of Policies B22 and B25 of the GUDP.

5.5 The site lies within the boundary of a Landscape Conservation Area. However, although the site is within the Landscape Conservation Area, it is also an infill site within the development boundary of the village of Llanbedrog and is surrounded by other residential developments. As acknowledged above, many of the existing houses are comparatively traditional. Although modern, this design is of a scale that would be in keeping with the site, along with its materials. It is not considered that the proposal would be visible from extended views and it is considered that overall, the proposal would be restricted to the immediate vicinity and to the public footpath that runs near the site. Although located within the Landscape Conservation Area, it does not mean that a modern and contemporary design is not possible. It is therefore considered that the proposal is suitable for its location and context and that it would not have a detrimental effect on the Landscape Conservation Area. Its location against the built backdrop of Llanbedrog means that it is not considered that the proposal would significantly harm the views in and out of the Landscape Conservation Area. Given

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the above, it is not believed that this development would have a detrimental effect on the Landscape Conservation Area and that it is acceptable in terms of Policy B10 of the GUDP.

- 5.6 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is on such a large scale that their impact would be greater than just a local impact. It is not considered that the proposal is on a large scale and the impact would be limited to local only and therefore the proposal would not have a wider impact on the historical landscape. Therefore, it is not considered that the proposal is contrary to Policy B12 of the GUDP.

General and residential amenities

- 5.7 Policy B23 requests that consideration is given to the effect of the proposal on nearby residential amenities. The proposed dwelling has been designed in such a way that the majority of windows will be on the building's southern elevation. This elevation is mainly made up of glass, however, these windows will not affect the houses that surround the site. There are a few small windows on the other elevations. However, due to their location, size and the fact there are hedges on the boundary it is not considered that these windows would cause any substantial harm for nearby houses in terms of privacy and overlooking. Neither is it considered that the proposal would cause significant harm in terms of traffic noise and as already explained it is not considered that the proposal is an overdevelopment of the site. It is considered that the proposal is acceptable in terms of Policy B23 as it would not cause significant harm to the amenities of the local neighbourhood.

Transport and access matters

- 5.8 It is proposed to gain access to the site along a private road from the second class road that runs through Llanbedrog. This private road serves a number of other houses. The application proposes two parking spaces within the application site. The Transportation Unit does not object to the proposal on grounds of road safety. It is considered that the proposal provides sufficient parking spaces for the scheme and a suitable turning space. Also, although the access to the road that leads to the site is opposite the school, in accordance with the Transportation Unit's observations, it is not considered that the proposal would cause any concerns in terms of road safety. The proposal is acceptable in respect of Policies CH33 and CH36 of the GUDP.
- 5.9 Application C16/1347/38/LL, on land adjoining the site, included plan number P059_m1_04a This plan was received as part of the said application following observations made by the Transportation Unit to provide greater explanation of the parking and turning space for that particular application. A copy of the plan has been included with the plans for this application. The plan not only included parking spaces and turning spaces for application C16/1347/38/LL but also indicated the location of the parking and turning space for this current application as well as the property known as Pennant, which is located near the site. The concern of one of the objectors derives from the fact that a parking space (number 1 on the plan) has been indicated near the garden of Pennant. This parking space is located on public land and has been designated as space that could provide an additional parking space should the need arise from time to time. This parking space has not been shown to be directly linked to this current application or to the recently approved application for the other site. The two parking spaces for the current application (number 5 on P059_m1_04a) and the two parking spaces for application C16/1347/38/LL (numbers 3 and 4 on

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P059_m1_04a) along with the turning space would all be included within the land owned by the applicant. It would not be possible to manage the parking space indicated as number 1 on the plan as it is located on public land and is not within the applicant's ownership. This plan was not submitted for the current application as the Transportation Unit had no concerns regarding the proposal and therefore there was no need for further information regarding the parking and turning spaces. However, the objector has objected to both applications on grounds of concerns relating to his own turning space because of parking space number 1 on the P059_m1_04a plan. Application C16/1347/38/LL was approved as the proposal had not received three objections, however in light of receiving this objection, there are three objections for this current application and it is therefore required to submit it to Committee for a decision. It is considered that the proposal is acceptable, as explained above, in respect of road safety and that sufficient parking and turning spaces will serve this proposal and the nearby approved application.

- 5.10 A public footpath runs near the site. The Footpaths Unit is eager to ensure that public footpath no. 12 Llanbedrog is protected during and at the end of the development. As the path is located within very close proximity to the development and it could be affected by the building work, it is considered appropriate in this case to include a condition on the application to ensure that the path is safeguarded. It is considered that including a condition to ensure that the footpath is protected during and after the development makes the proposal acceptable in relation to Policy CH22 of the GUDP.

Biodiversity Matters

- 5.11 The Biodiversity Unit was consulted on the application and it was confirmed that it did not have any biodiversity concerns about the proposal. Following a site visit there was also confirmation that it did not consider that the existing building on the site was suitable for bats. Trees would be felled as part of the proposal but it was considered that these trees were of a low value and there were no concerns about the proposal. Natural Resources Wales has noted that care should be taken when building in order to avoid polluting the nearby stream. It recommends that the work be undertaken in accordance with the conditions stipulated on the SEPA website and it is intended to include a planning note on the approval with a copy of Natural Resources Wales' observations in order for the developer to be aware of these conditions for working on developments located next to a watercourse. It is not considered therefore that the proposal would affect biodiversity.

Any other business

- 5.12 One of the objections refers to the fact that the proposal would affect the aspects they currently have of a wooded area. Matters related to views are not planning matters and therefore the fact that they would lose views is not a consideration when dealing with the application.

6. Conclusions:

- 6.1 It is considered that the proposal to build a new house on this site is acceptable in respect of the relevant policies noted above and it is not considered that it would have an adversely harmful impact on the area's amenities, on the Landscape Conservation Area or on neighbouring residents. Furthermore, it is considered that the location, design, finish and form of the development are acceptable and correspond with the context of its location. Having given full consideration to all the relevant planning

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matters it is considered that the development is suitable and acceptable for the site and that it complies with the local and national policies and guidelines noted.

7. Recommendation:

7.1 To approve – conditions

1. Commencement within five years.
2. In accordance with plans.
3. Agree external finishes.
4. Welsh Water condition.
5. Safeguard Public Footpath No. 12 Llanbedrog nearby.
6. Complete the parking and turning spaces in accordance with the plan, and they must be operational before the property is occupied for the first time.
7. Landscaping.
8. Removal of permitted development rights for additional windows.

Note:-

1. The observations of Natural Resources Wales and the need to comply with the guidelines they refer to.