

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 3

Application Number: C24/0684/38/LL

Date Registered: 23/08/2024

Application Type: Full

Community: Llanbedrog

Ward: Llanbedrog with Mynytho

Proposal: A retrospective planning application to re-build a cottage with two-storey side extensions and a rear single-storey extension.

Location: Glan Y Gors, Llanbedrog, Gwynedd, LL53 7UB

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

1. Description:

- 1.1. This is a retrospective application involving the demolition of the existing dwelling and construction of a new house in its place. Externally, the new house comprises a pitched roof on the main elevation which had re-used the original slates with the external walls in a combination of smooth render and natural stone. At the rear there is a flat roof extension extending out of the main structure which also has rendered external walls.
- 1.2. The site is located on the outskirts of the village of Llanbedrog and is therefore outside any current development boundary and within an area of open countryside. The site is surrounded by extensive established woodland with the land level rising in height to the back and side of the property. An extensive curtilage surrounds the property with a private drive leading to the site off the nearest public highway located to the northwest of the house namely, the busy A499. The site and the wider area are within the Llŷn AONB and the Llŷn and Enlli Landscape of Outstanding Historic Interest designations.
- 1.3. The following information was submitted with the application:
 - Bat Survey
 - Planning Statement
 - Design and Access Statement
 - Structural Report
 - Biodiversity Enhancement Plan and Green Infrastructure Statement
- 1.4 Internally, the roof space comprises an en-suite bedroom and the ground floor has three en-suite bedrooms, kitchen/dining room and a lounge. There is no change to the bedrooms from the existing and what was there prior to the demolition of the previous building. Confirmation is given in the information submitted that the building is used as a holiday cottage, and this is what it is proposed for the building's future use.
- 1.5 This application is submitted to the Planning Committee for a decision at the local member's request due to concern that the size of what has been built is bigger than what was approved and to scrutinise in detail the pattern of developments that appear in the Llanbedrog ward.

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 Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. 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 reaching 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.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

PCYFF 4: Design and landscaping

PS 5: Sustainable development

PS 6: Alleviating and Adapting to the Effects of Climate Change

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

TAI 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 13: Rebuilding of residential dwellings

AT 1: Conservation Area, World Heritage Sites and Landscapes, Registered Historic Parks and Gardens

Also relevant in this case are:

Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - 2024)

Technical Advice Note 12: Design

Technical Advice Note 5: Planning and Nature Conservation

3. **Relevant Planning History:**

3.1 Application number C21/0276/38/DT- Single-storey rear extension to replace the existing structure - Approved 20/07/21.

3.2 Application C13/0040/38/LL - Demolition of existing annexe and construction of new annexe - Approved 06/03/13 .

3.3 Application C12/0365/38/LL - Demolition of existing annexe and construction of new replacement annexe - Glan Gors, Llanbedrog - Approved 25 May 2012.

3.4 Application C96D/0112/18/CL - Retain demolition work and reconstruction of house annexe - Glangors, Llanbedrog - Approved 22 July 1996. There was a section 106 agreement with this permission which bound the annexe to the main dwelling and was not to be sold, leased or disposed of separately to the remainder of the Glangors land.

3.5 Application 96/00018/FUL18 - Retain demolition work and reconstruction of house annexe - Glangors, Llanbedrog - Refused 4 March 1996.

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

3.6 Application 2/18/126 - Retain the bathroom and kitchen in the former cowshed for domestic use - Glan y Gors, Llanbedrog - Refused 22 January 1981.

4. Consultations:

Community/Town Council:	No objection to the original application, however, more work has been done than what was on the original plan. The work done is more extensive than what was agreed. The new building is significantly larger than the original. A considerable amount of tree clearing has been undertaken in an AONB - this was not agreed. Local and national councils are expected to promote and increase biodiversity. The work done thus far is contrary to this.
Natural Resources Wales:	We do not oppose the proposed development as submitted and we provide the following advice: Protected species; Protected Sites; Protected landscape.
Welsh Water:	Standard response and advice in relation to drainage arrangements noting the need for a condition to agree on the site's drainage plan, SUDS matters and the location of the company's equipment on another part of the site.
Public Protection Unit:	Not received
Rights of Way Unit:	It does not appear that there are any Rights of Way recorded that will be affected by this proposal.
Biodiversity Unit:	This development has taken place within a candidate Wildlife Site: Glan-y-gors mosaic 279 selected for its broad-leaved woodland habitat. The applicant has submitted the following ecological document: Biodiversity Enhancement Plan & Green Infrastructure Statement 21st June 2024 Prepared by Mark Percival. The desk based search failed to find that the site is a candidate Wildlife Site nor did they consult Cofnod for local wildlife records. I have search data on this site and found a recent record of an otter within 100 meters of the property and a sedge warbler also. The ecological report recommends biodiversity enhancements for this site: house sparrow (<i>Passer domesticus</i>) colony boxes, swift (<i>Apus apus</i>) bricks, and bee hotels, bat boxes and hedgehog boxes. It is possible that the works to extend the house may have damaged bat roost and reptile habitats. I recommend that the applicant creates reptile hibernation sites and plants native broad leaved trees. I recommend the following condition: Within one year of this permission the following must be

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

provided: bat boxes, house sparrow boxes, reptile hibernation habitat, bee houses and plant native broad leaved trees and a report to the LPA must be provided to demonstrate that this has been completed.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and no observations or objections to the application were received.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The proposal involves demolishing the existing house on the site and erecting a new house in its place. The site in question is located outside the Llanbedrog development boundary. The requirements of policy PS 5 note that priority should be given to the effective use of land and infrastructure, prioritising the re-use of previously used land and buildings, wherever possible. In this case, residential use has been established and the site has already been developed and therefore the proposal satisfies the general requirements of policy PS 5 of the Anglesey and Gwynedd Joint Local Development Plan (JLDP).

5.2 Policy TAI 13 of the JLDP specifically deals with the rebuilding of houses and lists a series of criteria that must be adhered to (where appropriate) in order to approve such plans. Below, this application is discussed in the context of the relevant criteria:

1. Outside development boundaries ... the existing house has a lawful residential use;

This site is located outside the development boundary and the legal residential use of the existing house remains valid. Therefore, it is considered that the proposal complies with this criterion.

2. The building is not listed;

The existing building is not listed and neither was the previous building.

3. The existing building is of no architectural and/or historical and/or visual special value that would mean it should be retained;

The previous property was of a relatively simple design and conveyed a building dating from the previous century. Extensive extensions had been added to the original building shell in the rear, sides and front. There are no prominent features worth keeping in the building. Therefore, we must acknowledge that the permission given to undertake the changes and include extensive extensions at the rear of the property that would have introduced comparatively modern additions to the appearance of the rear of the property.

4. Outside development boundaries, it is not possible to retain the existing building through renovation or extension and/or it can be demonstrated that repairing the existing building is not economically feasible;

A Structural Report was submitted by a qualified engineer which noted that there were substantial defects in the building that would need to be considered prior to carrying out further work on the building. The costs of improving, repairing and altering in order to meet the requirements of the

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

owner and current standards would be likely to be substantial and prohibitive. The viability of retaining the existing building and improving it, instead of re-building is questioned, and in this respect, consideration must be given to the demolition and construction of a new building that would create less structural risk. Undertaking the work without formal permission is far from ideal however, it can be seen that the inspections made to the building and the decision to undertake the demolition work had been made for sensible reasons. Therefore, it is believed that there is justification via the structural inspection to demolish the building as it was and to erect a new building in its place.

5. Outside development boundaries, the proposed house does not replace a caravan or a holiday chalet which has lawful residential use;

This criterion is not relevant to this application.

6. Outside the Coastal Change Management Area, a house to be rebuilt must be located within the same footprint as the existing building unless relocating within the curtilage can be shown to reduce its visual impact and its impact on local amenities;

The new house would be located on the footprint of the current building, with the part to the rear extending out slightly more than what previously existed with an area of external terraces to the rear of the building. Although larger, the difference in scale is not big, bearing in mind that permission was given to extend the original building, and what can be currently seen would be in keeping with that permission in terms of appearance, elevation and size and it is considered acceptable as it is.

7. Outside development boundaries, the layout and design of the whole new development should be of a similar scale and size and should not create a visual impact that is significantly greater than the existing dwelling, so that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well-designed dwelling that does not lead to significant greater visual impact could be supported;

The site to all intents and purposes cannot be seen from public viewpoints due to its location, nature of surrounding land and woodland with mature trees surrounding the site. The design is in keeping with what was here previously and to this end there is no obvious substantial change. The size is not substantially more or prominent compared with the original building with a small difference only between what would have been possible to erect if permission to extend had been implemented.

8. Areas at risk of flooding and outside the Coastal Change Management Area;

This criterion is not relevant as the site is not at any risk of flooding.

9. Exceptionally, when a house is suitable to live in, or a house had people living in it recently is destroyed by accident, planning consent for a new, replacement house can be given.

This criterion is not relevant in this case.

10. The original building is demolished and, where appropriate, external buildings are demolished when the new house is completed:

It can be seen that the original building has nearly been completely demolished with only a section of the original stone walls retained.

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

11. That permitted development rights are removed.

It is deemed that there is justification to include such conditions to ensure an orderly development of the site and to protect the amenities of nearby residents.

5.3 Given the above, it is considered that the principle of demolishing a house and constructing a new house on the site is acceptable in respect of Policy TAI 13. Although it is not an ideal situation that this application is retrospective, we have to consider what has been applied for and it is considered that the application as it stands is acceptable in terms of principle.

Visual amenities

5.4 Policy PCYFF 3 of the Local Development Plan promotes good building design by ensuring that proposals conform to a series of criteria that aim to safeguard the recognised features and character of the landscape and the local environment and to protect the visual character by ensuring that building materials are of a high standard and in-keeping with the character and appearance of the local area.

5.5 Policy PCYFF 3 of the LDP states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context. It also emphasises that proposals will only be permitted if they can comply with a series of criteria.

5.6 In terms of the size of the building that is subject to the current application, in this case the application approved for extensions to the property must be considered. It is completely obvious that extensive changes have been undertaken to the building over the years with extensions and adaptations undertaken on the front, rear and side. Permission was granted to extend the property via planning application C21/0276/38/DT which would have meant an increase in building's floor area as a result. Whilst commencing the work of extending the property it became evident that there were significant defects in its construction. Based on these defects, it was determined that there was a need to undertake substantial work to the property to reach the current building standards. Therefore, it can be seen, although the building that was erected was larger than the original it is only slightly bigger than what would have been constructed if the application for extensions would have been fully implemented. This difference here is considered as a menial change and it is not deemed excessive considering the site's context, what could have been developed via permission given and even the potential additions without formal permission through the permitted development arrangements. Given the proposed work done in terms of scale and appearance, the native character of the building has been reflected in the elevations of the main element of the house, it conveys the appearance of a 'traditional cottage' and is considered acceptable based on the visual amenities of the site and the nearby area.

5.7 Currently, this is a building with 4 bedrooms, as the previous building. Therefore, although sections of the building have increased in size, it is not an increase that has seen significant change in terms of provision and the internal arrangements of the property.

5.8 The external materials chosen are a mixture of render and natural stone that suit the location and convey the general appearance of nearby buildings as well as the wider area. It is not considered that the proposed new house will have an impact on the character and appearance of the site or on the surrounding area in terms of appearance, scale, height or mass.

5.9 Although a public footpath runs alongside the northern/northwest boundary of the site, the view from the path is limited due to the volume of trees between the path and the site. It is likely that it would be partly visible at times when the trees are not in leaf, but it is not believed that it would be excessive within public views in the nearby area.

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 5.10 Having weighed up all relevant considerations, it is believed that the proposal is acceptable and complies with the requirements of criteria 1 and 2 of policy PCYFF 3.
- 5.11 The site and wider area lie within the Llŷn AONB. However, the AONB Unit was not asked for their comments in this case due to the closed nature of the site and the presence of several trees causing a local impact only without an obvious impact on the wider landscape. Therefore, there is no concern in terms of the requirements of policy AMG 1 in terms of its impact on the wider landscape. In terms of the development itself regarding form, finishes and the type of development within the AONB, it is believed as outlined in paragraph 5.6 above, that the development is acceptable on grounds of form and the type of development as undertaken within the AONB area. The materials, design, scale and form are appropriate to such a building and in such a location and it would not be a negative contribution within the AONB. Therefore, it is considered that the building is in keeping with the area in terms of design and materials and the alterations made to the building are in-keeping with the original.
- 5.12 The site is also located within the Llŷn and Enlli Island Landscape of Outstanding Historic Interest. It is considered that the impact of the proposal would be local and would not have a wider impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

General and residential amenities

- 5.13 The nearest residential dwelling is approximately 70m away to the east on higher ground with both sites basically hidden from each other due to the existence of a woodland and mature trees. It is not believed that there is a direct impact on the residential amenities as a result of the work undertaken and it is unlikely to have a greater impact than the impact it had in the past. It is not believed that the long-term impact would be unacceptable, and therefore it is believed that the proposal is acceptable based on the relevant requirements of policy PCYFF 2.

Language Matters

- 5.14 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is further reiterated in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.15 It is noted that there are some specific types of development where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds for submitting a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing, retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should show how consideration has been given to the language.
- 5.16 The proposal before you is to undertake work within an established residential site. Planning consent has already been given in the past for work associated with the residential use, and the proposal before the committee involves carrying out further work. It is not considered that the proposed developments are likely to have a detrimental impact on the Language as a result of the

PLANNING COMMITTEE	DATE: 03/02/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

proposal, therefore it is considered that it complies with the requirements of policy PS1 in that respect.

Transport and access matters

- 5.17 Matters relating to vehicular access and parking provision are not entirely relevant in this case due to the location of the site. It is not believed that there is a fundamental change in the proposal from what has been established with the existing arrangement continuing in terms of vehicle use; which also means that the substantial turning and parking space continues to be available within the site and that there is considerable distance between this provision and the nearest public highway. Consequently, it is considered that the proposal is acceptable based on the requirements of Policies TRA 2 and TRA 4.

Biodiversity matters

- 5.18 There is no doubt that what was undertaken on the site was done without formal control and could have impacted on local ecology and it is deemed reasonable to raise concerns regarding these matters. However, the situation as it is and the assessments made to the impact of the proposal clearly notes what is expected and as per usual, strict conditions are imposed to ensure that the development is maintained in full compliance with the findings and recommendations of the ecological assessments and the Green Infrastructure Statement. It is seen that appropriate and additional enhancements to what would have existed are provided and therefore this means that there will be an improvement to local biodiversity benefits. The enhancements proposed mean that appropriate measures are proposed to mitigate the impact of what has been done while also offering appropriate measures to improve the site's biodiversity.
- 5.19 These measures have been assessed by the Biodiversity Unit and NRW who accept that relevant conditions can be included to regulate the situation. Consequently, it is believed that the proposal is acceptable on the grounds of the relevant requirements of policy AMG 5 of the relevant advice in TAN 5 together with the update to chapter 6 of Planning Policy Wales relating to the green infrastructure and the phased approach.

6. Conclusions:

- 6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as all the observations and objections received, it is believed that the proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve – conditions
1. In accordance with the plans
 2. Biodiversity Matters
 3. Landscaping details
 4. Removal of permitted development rights in terms of maintaining further extensions without a formal permission.