

PLANNING COMMITTEE	DATE: 14/07/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 5

Application Number: C24/0804/03/DT

Date Registered: 29/10/24

Application Type: Householder

Community: Ffestiniog

Ward: Bowydd and Rhiw

Proposal: Proposed siting of a twin lodge as an annex with decking.

Location: Glan Dwyryd Pencefn, Tanygrisiau, Blaenau Ffestiniog, Gwynedd, LL41 4BW

Summary of the

Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application to site a chalet in the form of a twin lodge for use as an associated annex to the main property, and to install decking and a ramp measuring approximately 0.5m in height at its highest point, to surround the southern and western elevations of the proposed chalet. The decking and ramp will be constructed from treated timber.
- 1.2 It is noted that the application form states that it is intended to site a chalet in the form of a twin lodge on the site, and the agent has confirmed that the exact chalet has not yet been chosen. This type of accommodation falls under the definition of a caravan within Part III of the Caravan Sites Act 1968 (amended 15/11/2019), subject to appropriate sizes. It is proposed to site the chalet within the curtilage of the property, with its use being ancillary to the use of the main property, and therefore this element of the application does not require planning permission. To this end, the assessment of this application is solely for the installation of the decking and ramp.
- 1.3 The proposed development is located outside any development boundary, is within a Landscape of Outstanding Historic Interest area and within 500m of a scheduled Monument. It is served by the A496 class I road.
- 1.4 This application is submitted to the Planning Committee as a member of the Planning Department's staff has submitted observations on the application.

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 Act (Wales) 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**
- PS1: The Welsh Language and Culture
- PCYFF 2: Development criteria
- PCYFF 3: Design and place shaping
- PS 19: Conserving and where appropriate enhancing the natural environment
- PS 20: Preserving and where appropriate enhancing heritage assets
- TRA 2: Parking standards
- TRA 4: Managing transport impacts
- AMG 5: Local Biodiversity Conservation

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2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

3. Relevant Planning History:

3.1 C15/0635/03/LL - Erection of two storey extension - Approved with Conditions 28-10-2015

4. Consultations:

Community/Town Council: The Town Council has discussed the above application and has decided to raise an objection. The Council has received letters of objection from the site's neighbours, and also believes that the site is located outside the development boundaries. The plan is not in keeping with the area, and the Council is concerned that it could open the door to several other applications in the area.

Transportation Unit: I refer to the above application and I confirm that the transportation unit does not have any objection to the proposal.

CADW: Not received.

Welsh Water: We advise that the proposed development site is in close proximity to a 1.5 inch public watermain, with the approximate position being marked on the attached Statutory Public Sewer Record. Having reviewed the application, it appears that no new operational development would be situated within the protection zone of the public watermain measured 3 metres either side of the centreline.

Notwithstanding this, we would advise of the need to accurately locate the asset on site as our record plans are a general guidance only and should not be relied upon in the event of excavations or other works made in the vicinity of the asset. We would need to carry out the survey work and would suggest that the developer contact our colleagues at PlanandProtect@dwrwymru.com for a quotation.

We enclose our Conditions for Development near Watermains and advise that the developer must contact Dwr Cymru Welsh Water before any development commences on site. Should the proposed development be located within the protection zone of the public watermain, there would be a requirement to divert the public watermain under Section 185 of the Water Industry Act 1991.

Our response is based on the information provided by your

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application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Public Protection Unit:

Observations 17/04/25

Having assessed the attached additional information regarding the septic tank, provided by Don Westeley, the Public Protection Service is of the opinion that the septic tank is insufficient for the proposed development. As Mr Westley's calculations show, it does not appear that the existing septic tank is sufficient for the addition of a 2-bedroom lodge.

We suggest that you consult the Building Regulation Service regarding this matter.

Comments 22/01/25

It is essential to ensure that the size of the septic tank is sufficient to comply with building regulations and to perform in the long-term.

According to the British Water's Flows and Loads code of practice, the following figures are used: "For a single house with up to and including a minimum population (P) of 5 people should be calculated. For each additional bedroom in a property, you should calculate for 1 additional person". For example, a house with 4 bedrooms requires a system for 6 people. Multiple houses are sized individually and are then added together.

The details in the application are insufficient to assess whether the tank is sufficient. The applicant must ensure that the existing system is in a good condition and is sufficient to deal with any possible increase in flow and loads as a result of the development. I request that the applicant provides a report showing that the calculations have been made to ensure that the existing tank is sufficient to deal with any increase. The report must show that any stone ditch is suitable for the increase in use and that percolation is sufficient.

The applicant should provide details that the unit complies with Building Control requirements and Natural Resources Wales' rules.

Guidelines are available at:

- British Water's Flows and Loads 4: This essential document provides detailed regulations and standards
<https://www.septic-tank.co.uk/british-water-flows-and-loads.pdf>
- General Binding Rules:
These are UK-specific rules that ensure that septic tanks are of the

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correct size and environmentally safe. You are advised to obtain guidance from Building Control and Natural Resources Wales.

Public Consultation:

A notice was posted at the site and nearby residents were notified. The advertisement period ended on 29/11/24 and correspondence was received objecting on the following grounds:

- Objection to the annex based on it being a new house in the countryside, its design, size, noise impact, overlooking neighbouring land, insufficient cesspit and septic tank with incorrect details, reduction in light, incongruous in the area, light pollution
- Changing the chalet from two bedrooms to one bedroom will make no difference to the cesspit and its impact on amenities.
- Undulating ground levels will lead to additional height
- Untruths in the supplementary documents and plans
- Impact on neighbours' privacy
- The applicant has installed floodlights, objection to more lights being added
- Sets a precedent for such developments
- The applicant is unlikely to follow the mitigation plans in the green infrastructure statement
- Housing the elderly family member will lead to their isolation
- The extension to Glandwryd dwelling has not been completed in accordance with the plans

Correspondence was received supporting / providing observations on the grounds of:

- The family member's existing home is not suitable for them, the chalet would enable the family to provide them with care.
- A shortage of care packages currently available to the family member, and the chalet would enable the applicant to provide care there.

5. Assessment of the material planning considerations:

The principle of the development

5.1 As noted above, the proposal involves the siting of a chalet in the form of a double unit for ancillary use to the main property, and therefore this element does not require planning permission. A letter of justification for the chalet was received from an occupational therapist for the ancillary use of the chalet as supplementary to Glan Dwyrd to provide care for a family member, and the LPA is satisfied with the submitted evidence. If circumstances meant that the chalet / proposed use fell outside the definition noted in Part III of the Caravan Sites Act 1968 (amended 15/11/2019), or was used separately to the ancillary use by the main property (e.g. for holiday accommodation or a stand-alone dwelling), planning permission would be required and this situation would be dealt with at that time.

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- 5.2 However, the decking that would surround the proposed chalet would not be the subject of the application if it were not for the chalet, and therefore the plans for the chalet are included within this application, and as the decking is higher than 30cm, planning permission is required, and the proposal is assessed below.

Visual amenities

- 5.3 The proposal entails the erection of decking and a ramp to provide accessible access to the proposed chalet, a building of substantial size and height on the western outskirts of an industrial estate. In terms of scale and size, the development is commensurate to the chalet which it surrounds. Two sets of French doors lead out to a section of the decking, where it will be possible to stand on the decking which faces to the south, where there is no dwelling directly in front of it. However, the dwelling of Tyn-y-cefn Bach is to the south-west of the site, but the row of small trees mitigates the visual impact of the decking to the dwelling of Tyn-y-cefn Bach. The development also uses timber, which is a suitable material given its surroundings. The development is also in accordance with criterion 7 of policy PCYFF3 as the development delivers an inclusive design by ensuring environments that enable access for all and provides full provision for people with disabilities. It is considered that the proposal is acceptable in the context of Policy PCYFF3 of the LDP.
- 5.4 The site is located within a Landscape of Outstanding Historic Interest and in terms of its location and size it is considered that its impact would be local and that it would not have a wider impact on the historic landscape. Cadw was consulted as the site location is within 500m of a scheduled monument but no response was received. Due to its distance from the nearby monument, and given the nature and size of the development, it is considered that the proposal is acceptable in terms of Policy PS 20 of the LDP.

General and residential amenities

- 5.5 Several objections were received from the site's neighbours based on the siting of the chalet on the site. However, only the decking requires planning permission, and as already noted, such a chalet can be sited on the site's curtilage for ancillary uses to the main dwelling without permission, and therefore only the impact of the decking on the neighbouring amenities can be assessed here.
- 5.6 It is not considered that the decking would have a significant detrimental impact on the amenities of nearby residents. It would be located on the side of the chalet facing the curtilage of the property that is the subject of this application. The closest dwelling is approximately 15m away from the proposed decking, and it is noted that an objection has been received on the grounds of installing additional lighting on the site. It is acknowledged that light can lead to a nuisance for neighbouring residents, and to this end it is considered that it is appropriate to set a condition to agree upon any external lighting on the decking. To this end, it is not considered that it would have a significant detrimental impact on the amenities of these residents, as the application is considered in accordance with the requirements of policy PCYFF 2.
- 5.7 It is noted that objections have been received about the suitability of the property's existing sewerage system. Consultation has taken place with the Public Protection unit, and it was stated "Having assessed the attached additional information regarding the septic tank, provided by Don Westley, the Public Protection Service is of the opinion that the septic tank is insufficient for the proposed development. As Mr Westley's calculations show, it does not appear that the existing septic tank is sufficient for the addition of a 2-bedroom lodge."
- 5.8 This response was sent on to the application agent and amended plans were submitted for a one-bedroom chalet. It is noted that the LPA has no control over the number of bedrooms in the

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chalet, or any potential problem from the sewerage system. It is considered that the application's agent has considered the observations made by the public and Public Protection, and that a one-bedroom chalet is sufficient for their needs as supplementary accommodation to the main property.

Transport and access matters

- 5.9 The Transportation Unit was consulted and had no objection to the proposal. The proposal is therefore considered to be in accordance with policy TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.10 On 07 February 2024, the Welsh Government published an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, biodiversity net gain, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. A green infrastructure statement was received as a part of the application, the design and access statement demonstrates a commitment to the protection of biodiversity and the intention to improve the site for biodiversity by creating a wildlife pool and planting of a bund with wildflowers. The green infrastructure statement notes the intention to plant a hedge to the east of the site and wildflowers to the south of the site, and therefore it is considered that it is appropriate to set conditions in relation to these biodiversity improvements, and that it complies with the requirements of Policy AMG 5 of the LDP and the principles of PPW.

Language Matters

- 5.11 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.
- 5.12 It is noted that there are some specific types of developments 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.
- 5.13 The proposal entails the construction of decking and a ramp to provide accessible access to the proposed chalet on the site. It is not considered that the proposed developments are likely to have a detrimental impact on the Language as a result of the proposal as it is an additional and comparatively small resource within the curtilage of the existing property to provide supplementary accommodation for a member of the main property's family, and it is therefore considered that it complies with the requirements of policy PS1 in this respect.

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Public consultation

5.14 Objections were received objecting to the application, which have been summarised in the consultation table in part 4 of the report. It is considered that these matters have been addressed in full in the report.

5.15 It is noted that the planning system cannot control matters that are not subject to planning permission, and that any inconsistency or non-compliance with existing planning permission on the site is also beyond the scope of this planning permission and would be a matter for the Planning Enforcement Unit to investigate.

6. Conclusions:

6.1 Given all the relevant matters, including the observations received, it is not considered that the proposal is contrary to the local and national policies and guidelines noted in the assessment, nor are there any material planning considerations that state otherwise.

7. Recommendation:

7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions

1. 5 years
2. In accordance with plans
3. Agreement on any external lights
4. Green Infrastructure Statement Condition