

11.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **36C351A/VAR** Application Number

Ymgeisydd Applicant

Mr Roberts

Cais o dan Adran 73 i ddiwygio amod (12) o caniatâd cynllunio rhif 36C351 (rhaid ymgymryd a'r datblygiad a ganiateir gan y caniatâd hwn yn fanwl yn âl y cynlluniau) er mwyn codi lefel llawr gorffenedig yn / Application under Section 73 for the variation of condition (12) of planning permission reference 36C351 (the development by this consent shall be carried out strictly in accordance with approved plans) so as to allow the raising of the finished floor levels at

Ty Llwyd, Rhostrehwfa



Planning Committee: 04/10/2017

Report of Head of Regulation and Economic Development Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant is a close friend to a 'relevant officer' as defined within paragraph 4.6.10.2 of the Constitution.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

1. Proposal and Site

The proposal is an application under Section 73 for the variation of condition (12) of planning permission 36C351 in order to increase the height of the finished floor level of the proposed dwelling. The dwelling approved under planning application reference number 36C351 had a finished floor level of 76.15 and the scheme currently under consideration is for the increase in the approved finished floor level of 1 metre to 77.15m AOD.

Planning application reference number 36C351 was an application for the demolition of the existing dwelling together with the erection of a new dwelling, closure of the existing access and the construction of a new vehicular access and the erection of a garage together with the extension to the curtilage.

The site lies between the settlement of Rhostrehwfa and Llangefni. The dwelling which previously occupied the site was a single storey cottage which had previously been extended and had outbuildings located to the rear of the site. The site lies fronting the B4422.

2. Key Issue(s)

The application's key issue is whether the increase in the height of the finished floor from 76.15 to 77.15 will detrimentally harm the surrounding landscape or the amenities of the surrounding properties.

3. Main Policies

Gwynedd and Anglesey Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF 2 – Development Criteria

PCYFF 3 – Design and Place Shaping

PCYFF 4 – Design and Landscaping

TAI 13 – Replacement Dwellings

AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Planning Policy Wales, 2016, 9th Edition

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Community Council – No response to date

Local Member, Cllr D Roberts – No response to date

Local Member, Cllr E W Jones – No response to date

Response from members of the public

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 25th August, 2017 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

36C351 - Full application for the demolition of the existing dwelling together with the erection of a new dwelling in its place, the erection of a garage, closure of the vehicular access serving the existing dwelling, extension to the curtilage, alterations to the existing agricultural access to serve the proposed dwelling and the creation of a new agricultural access into the adjoining field at Ty Llwyd, Rhostrehwfa – Approved 06/07/2017

6. Main Planning Considerations

Effect on surrounding Area – The proposal lies in an open countryside location. There is no distinct pattern of development in the locality and the surrounding area has a mixture of house types, scale and design.

The original planning application for the demolition of the existing dwelling and the erection of a new dwelling was considered acceptable under the policies in force at that time. Those relevant at the time were Policy 54 of the Ynys Mon Local Plan and Policy HP9 of the stopped Unitary Development Plan and Policy TAI 7 of the emerging Joint Local Development Plan.

The former cottage and ancillary buildings have been removed from the site and works have commenced on the foundations of the proposed dwelling.

Following the commencement of works on the site the developer found that the details submitted as part of planning application reference 36C351 were incorrect and that the finished floor level of the proposed dwelling should have been set at 77.15 m AOD and not 76.15m AOD as stated on the approved plans.

This application has been submitted in order to rectify the discrepancy and to ensure that the finished floor level of the proposed dwelling is not lower than the proposed ground levels.

Policy PCYFF 3 of the JLDP states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged. Proposal, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to all of the following criteria, where relevant:...

2. It respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;

Whilst the scale of the previously approved dwelling was 4.1m higher than the ridge level of the former cottage and is to be increased further by 1 metre, this increase, when looking at the

proposal in the context of the street scene, will not have a detrimental impact on the surrounding area due to the scale of the proposed unit being similar in height to the surrounding properties.

Policy PCYFF 4 of the Joint Local Development Plan states that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused. A landscape scheme should, where relevant

3. Demonstrate how the proposed development respects and protects local and strategic views;
7. Provide details of any proposed new landscaping together with a phased programme of planting;
8. Demonstrate that any proposed new planting includes plants and trees of mainly native species of local provenance and does not include any non-native invasive species;
9. Ensure that selection of species and planting position of any trees allows for them to grow to their mature height without detriment to nearby buildings, services and other planting;...

During the course of determining the original application, the scheme included details for the retention of / and planting of new hedgerow species along the boundary of the curtilage of the proposed dwelling. The proposal also includes the same landscaping scheme as that previously approved.

Views from the A5 (from the A55/Junction 6 roundabout to Cefn Cwmwd are restricted by roadside hedges (when in leaf). Views where available would be of the roof and associated dormer windows.

Due to intervening vegetation (off site) and local landform, views from the A5114 are likely to be limited to oblique glimpses, greatest during the winter months.

In relation to visual effects the extent (200m radius) of local prominence would be unchanged by the increase in the height of the proposed dwelling although the additional height would **marginally** increase the prominence of the dwelling on the approaches from Rhostrehwfa and Llangejni.

In relation to views from the nearby A roads, the additional height will **marginally** increase the prominence of the proposed dwelling and thereby cumulative effects of the dwelling in relation to surrounding properties. Although not all the dwelling will be visible (the ground floor will be screened in views from the South); the complete ridgeline, first floor and roofspace will be visible as a skyline feature. The increase in floor level will therefore lead to a marginal increase in the height, reinforcing its likely prominence in relation to dwellings immediately surrounding the site.

Supporting documents submitted as part of the application illustrate the proposed dwelling in the streetscene as previously approved and as proposed. The drawing illustrates that the proposed dwelling will remain lower than the ridge line of the neighbouring property known as Penterfyn which lies to the south west of the application site and therefore will not be a prominent feature in the skyline.

Due to the above the increase in the height of the proposed dwelling by one metre will not detrimentally harm the surrounding landscape to such a degree as to warrant the refusal of the application.

Effect on surrounding Properties – The nearest neighbouring property is situated on the opposite side of the B4422 and is located more than 25 metres away from the proposed dwelling and is not located directly opposite the proposed unit. Due to these distances it is not considered that the proposal will harm the amenities of the neighbouring properties.

7. Conclusion

Whilst the increase in the finished floor level, of the proposed dwelling will marginally increase the prominence of the proposed dwelling due to the scale being lower than the immediate neighbouring property known as Penterfyn the proposal will not be a prominent feature in the wider landscape.

Having considered the above and all other material consideration it is recommended that the application be approved subject to conditions.

As an application under Section 73 is in effect the granting of a wholly new planning permission, consideration should be given as to what other conditions on the original grant of planning permission need to be included in the new permission. As the works have commenced on the site condition (01) of planning application 36C351 is not required however the remainder of the conditions will be included.

8. Recommendation

To **permit** the development subject to conditions.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(03) The proposed development site is crossed by a combined public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commences and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(04) The development shall take place in accordance with the reasonable avoidance measures for bats and birds outlined in Section 9 of the Cambrian Ecology Ltd Protected Species Survey report submitted under planning reference 36C351.

Reason: To ensure that any protected species which may be present are safeguarded.

(05) Both accesses shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(06) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining carriageway.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(07) The access shall be constructed with 2.4 metre by 90 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(08) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(09) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(10) No surface water from within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B and E of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of amenity.

(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:

Drawing / Document number	Date Received	Plan Description
2445:16:P2	31/01/2017	Existing site plan
2445:16:P7	31/01/2017	Existing plans and elevations
2445:16:P1c	01/08/2017	Location plan
2445:16:P3f	01/08/2017	As approved site plan
EL(95)01 - A	31/01/2017	Drainage details
Cadarn Report	22/02/2017	Drainage report
2245:16:P6d	03/07/2017	Proposed Garage floor plans and elevations
Cambrian Ecology Ltd	10/05/2017	Protected Species Survey
Cadarn Report	31/01/2017	Structural Report
2445:16:P4	31/01/2017	Proposed Floor Plans
2445:16:P5	31/01/2017	Proposed Elevations
2445:16:5	07/08/2017	Street View
2445:16:4	01/08/2017	Site Plan

under planning application reference 36C351 and 36C351A/VAR.

Reason: For the avoidance of doubt.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.