

Planning Committee: 07/03/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Robin Wyn Williams

At its meeting held on the 7th February, 2018 Members resolved to carry out a site visit prior to determining the application.

The site was visited on the 21st February, 2018 and Members will now be familiar with the site and its setting.

1. Proposal and Site

The proposal is an outline application for the erection of a dwelling with all matters reserved on land adjacent to 2 Glanrafon, Menai Bridge

The application site is a parcel of land between 2 Glanrafon and Menaifron. The application site is located north in an elevated position above Beach Road.

2. Key Issue(s)

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area, designated Conservation Area and highway safety.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF 2 – Development Criteria
PCYFF3 – Design and Place Shaping
PCYFF 4 – Design and Landscaping
PCYFF5 – Carbon Management
PCYFF 6 –Water Conservation
TAI 2 – Housing in Local Service Station
TAI 8 – Appropriate Housing Mix
TAI 15 – Affordable Housing Threshold and Distribution
AT1 – Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens
PS1 – Welsh Language and Culture
PS2 – Infrastructure and Developer Contributions
PS4 – Sustainable Transport, Development and Accessibility
PS 5 – Sustainable Development
PS 6 – Alleviating and Adapting to the Effects of Climate Change
ISA1 – Infrastructure Provision
TRA 2 – Community Facilities
TRA 4 – Managing Transport Impacts

Planning Policy Wales (9th Edition)

Technical Advice Note 5: Conservation and Planning

Technical Advice Notes 12: Design

Technical Advice Note 24: The Historic Environment

Conservation Area Character Appraisal – Menai Bridge (2004)

Supplementary Planning Guidance: Design Guide for the Urban & Rural Environment

4. Response to Consultation and Publicity

Councillor Robin Wyn Williams – Request that the application be referred to the Planning Committee for determination.

Councillor Alun Wyn Mummery – No response

Councillor Meirion Jones – No response

Town Council – Overdevelopment

Housing – The department have confirmed there is a high demand for local housing market within the settlement.

Drainage – No objection to the application.

Welsh Water – An agreement is in place to allow surface water run off to discharge into the combined public sewer. However, Welsh Water have requested that a condition be imposed requesting the no land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Built Environment – The application site is within the designated Conservation Area. Concerns were initially raised regarding a historic stone boundary wall fronting the site being removed. However, following receiving amended plans which alters the location of the access, the department are supportive of the application.

Environmental Health – The department have raised concerns with respect to rock excavations. A condition is attached to the recommendation requiring details of any proposed method of rock excavation.

Landscape Officer – None of the trees located at the site are individually prominent. The proposal is of a scale and impact below the requirements of the relevant JLDP policy.

Local Highways Authority – Following receiving amended plans, the department have no objection to the proposed development subject to conditions.

Housing - high demand of local housing market within the settlement of Menai Bridge.

Response to publicity:

The proposal was advertised with the posting of notifications to adjacent properties and the displaying of site notices near the application site. The application was also advertised within the local newspaper. Since receiving amended plans / further information the publicity period has been undertaken on four separate occasions.

At the time of writing this report, twelve letters of representations were received as a result of the publicity afforded to the application. The main points raised are summarised below:

- 'Alley' in which the application will be accessed will become a private driveway and prevent other road users from using the highway. The use will have an effect upon neighbouring properties. A public footpath is also located at the 'top of the alley'.

- The construction of the access will require excavation.
- Concerns regarding highway safety, turning and manoeuvring of vehicles.
- Proposal would result in the loss of on street parking.
- Concerns regarding drainage / sewerage system.
- Proposed development would adversely affect the amenity of adjoining properties in terms of loss of privacy, loss of light, overbearing structure
- The construction of the proposed dwelling would have an impact upon the stability of neighbouring properties and the drainage system.
- Concerns regarding fire safety.
- A dwellinghouse located in this position would not be in keeping with the nearby historic dwelling houses and conservation area.
- Concerns regarding noise from construction works and that public services would be affected.

In response to the points raised, the Authority comments as follows:

- The road in which is accessible by the proposed access is an adopted highway.
- The footpath officer has been consulted regarding the application and have raised no objection.
- A condition is attached to the recommendation requesting details of the method of rock excavations.
- The Local Highway Authority have been consulted regarding the application and have raised no objection.
- Welsh Water and the drainage section of the Authority have been consulted regarding the application and have raised no objection.
- It is not considered that the proposed development would affect unacceptably effect the amenities of neighbouring properties to warrant refusal of the application.
- Whether or not the development would have an effect upon the stability of adjoining properties and existing drainage system is a civil matter.
- Concerns regarding fire safety is a matter for the fire department.
- Following amending the location of the access, the Built Environment have raised no objection to the application.
- The Environmental Health department have been consulted regarding the application and have requested that details for the method of rock excavation be submitted and that the hours of construction are limited.

5. Relevant Planning History

No Planning History

6. Main Planning Considerations

The main planning considerations are whether or not the proposed development is acceptable with national and local policy, highway safety and whether the development will have a detrimental affect upon the amenities currently enjoyed by the occupants of the surrounding properties together with the designated Conservation Area.

The application is made in outline form with all matters reserved. However, details with respect to the scale of the development has been submitted as part of the current application. The application is accompanied by a site layout plan which includes cross sections.

The proposal is for the erection of a dwelling of 8 meters (length) x 7.5 meters (width). The ridge height is 10 meters.

Policy Considerations:

In the Joint Local Development Plan (JLDP) Menai Bridge is identified as a Local Service Centre under policy TAI 2. This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy. This site lies within the development boundary and is not allocated for a specific use.

In relation to Menai Bridge this means the site subject to this application falls within the development boundary and can be considered under policy TAI 2. The indicative windfall provision for Menai Bridge over the plan period stands at 45 units. This windfall provision includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc). In the period 2011 to 2016 a total of 24 units have been completed in Menai Bridge and 23 of these were on windfall sites. The windfall land bank, i.e. sites with existing planning consent, at April 2016 stood at 13 units. This means that at present there is capacity within the indicative provision for the settlement of Menai Bridge.

Policy TAI 15 of the JLDP seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Local Service Centres such as Menai Bridge. Since this is an application for a single unit policy TAI 15 and the provision of affordable housing is not applicable for this application.

Policy TAI 8 'Appropriate Housing Mix' of the JLDP seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market.

Affect upon Amenities of the Area and Neighbouring Properties:

The application site is located within a relevantly dense residential area of Menai Bridge. Two storey dwellinghouses are located each side of the application site with terraced housing located on the opposite side of Beach Road. Curtilages of Brynafon Terrace are located at the rear (north west) of the site.

An amended plan has been received which reduced the dimensions of the proposed dwelling. The upper limit of the length has been reduced from 10 meters to 8 meters whilst the upper limit of the width has been reduced from 10 meters to 7.5 meters.

Windows are located on side elevations of the dwellinghouses (site 2 Glanrafon and Menaifron) adjoining the application site. There is a distance of 2.5 between the upper limit of the proposed dwelling and 2 Glanrafon, whilst there is a distance of 7 between the upper limit of the proposed dwelling and Manaifron. The indicative minimum distances within the Supplementary Planning Guidance: Design Guide for the Urban & Rural Environment (SPG) from side to side is 3.5 meters.

Dwellings are also located on a lower level across the highway from beach road at a distance of 12.5 meters from the proposed dwelling. The indicative minimum distances within the SPG from ground floor main to ground floor main is 19 meters.

The curtilages of the dwellings at the rear of the property are measured at a distance of 16 meters from the proposed dwelling. The indicative minimum distances within the SPG from secondary aspect window to a boundary is 7.5 meters.

Given that the upper limits of the length and width of the proposed dwelling has been reduced, it is considered there is ample space within the application site to accommodate the proposal without appearing cramped or overdeveloped.

The proposed upper limit of the ridge height has been reduced from 14 meters to 10 meters. The ridge heights of adjacent properties are approximately 19.04AOD and 21.89AOD (2 Glanrafon and Menaifron respectively). The height of the proposed dwelling will be between both properties at 20.86AOD.

Given due consideration to these height, it is not considered that the proposed dwelling will have a detrimental affect upon the neighbouring properties. In addition, it is considered the proposed dwelling is sympathetic to the area and not considered out of character with the existing townscape.

The curtilage of Glanrafon is at a higher level than the application site, whilst the curtilage of 2 Glanafon is at a lower level than the proposed dwelling. Since the parking area is proposed at the rear of the site, a condition will be attached to the recommendation requiring that a 1.8-meter-high timber fence is erected along the length of the northern part of the car parking area in an order to safeguard the amenities of the neighbouring property.

Although the development does not fully comply with the guidance contained within Supplementary Planning Guidance in regards to separation distances, due to the fact there is currently a degree of overlooking, that the site lies within a relatively built up high density residential area and its relationship with existing properties are typical of the area, the proposal is considered acceptable and will not detrimentally harm the amenities currently enjoyed by the occupants of the surrounding properties to such a degree as to warrant the refusal of the application in which an appeal can be sustained upon this ground.

Built Environment:

The site lies within the Menai Bridge Conservation Area. Policy AT1 'Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens' states that proposals within or affecting the setting and / or significant views into and out of Conservation Areas should where appropriate have regard to adopted conservation areas character appraisals, conservation area plans and delivery strategies.

The Built Environment section was consulted in relation to any impact upon the conservation area. The section initially raised concerns with respect to a historic stone boundary wall fronting the site being removed. However, following receiving amended plans which alters the location of the access, the section is supportive of the application.

Local Highway Authority

The access was initially proposed south east of the application site, accessing the site from Beach Road. Following concerns being raised by the Built Environment section the scheme was amended in which the access is now proposed at the north west part of the site onto an unclassified highway. The Local Highway Authority are satisfied with the proposal.

7. Conclusion

The amenities of the area and neighboring properties have been taken into account, however it is not considered that the proposed development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application. Various material considerations have been considered and assessed by the specialist Officers of the Authority who have not raised any objection to the scheme subject to conditions. It is my recommendation that the application be approved.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

8. Recommendation

To **permit** the application for the reasons below:

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, appearance of the building, and the landscaping of the site.

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

(02) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.

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

(03) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted and as required to be approved under the conditions imposed below under planning application reference 39C592

Drawing/ Document Number	Date Received	Plan Description
A.SITE	12/07/2017	Location Plan
A.0.01 Rev H	20/12/2017	Site Layout
	12/07/2017	Design and Access Statement

Reason: For the avoidance of doubt.

(05) No land drainage shall be allowed to connect directly or indirectly with 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 pollution of or detriment to the environment

(06) The access shall be laid out and constructed strictly in accordance with the submitted plan (drawing number A.0.01 Rev H) 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 Local Highway Authority.

(07) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and in operational order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Local Highway Authority.

(08) 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 Local Highway Authority.

(09) No surface water from the 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. The 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 Local Highway Authority.

(10) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- I. The parking of vehicles for site operatives and visitors**
- II. Loading and unloading of plant and materials**
- III. Storage of plant and materials used in constructing the development**
- IV. Wheel washing facilities (if appropriate)**
- V. Hours and days of operation and the management and operation of construction and delivery vehicles.**

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

(11) Gable end ground and first floor windows of dwellinghouse hereby approved shall be obscure glazed at all times and openable in a manner to be agreed with the Local Planning Authority prior occupation of the dwelling. The windows shall not be glazed or re-glazed other than with obscure glass.

Reason: In the interests of amenity.

(12) Full details of any proposed method of rock excavation undertaken as part of the development shall be submitted as part of the full or reserved matters application. The method statement shall include;

- i) Details of the type and number of machines / equipment that are to be used in connection with any rock excavation**
- ii) Measures that shall be undertaken to mitigate and minimise noise vibration and dust impacts during the works**
- iii) The proposed hours of work**

The development shall thereafter be carried out in accordance with the approved method statement.

Reason: In the interest of residential amenity.

(13) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.

Reason: In the interest of amenity

(14) No development shall commence until full details of a 1.8-meter-high fence as delineated in blue between points A-B on the attached plan (drawing reference number A.0.01 Rev H) has been submitted and approved in writing by the Local Planning Authority. The fence shall be erected before the dwelling hereby approved is occupied. The fence shall not be removed at any time. If the fence needs to be replaced/changed for whatever reason the replacement shall be of the same specification, height and in the same position.

Reason: In the interest of amenity

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

9. Other Relevant Policies

Planning Policy Wales (Edition 9)

SPG: Design Guide for the Urban and Rural Environment