

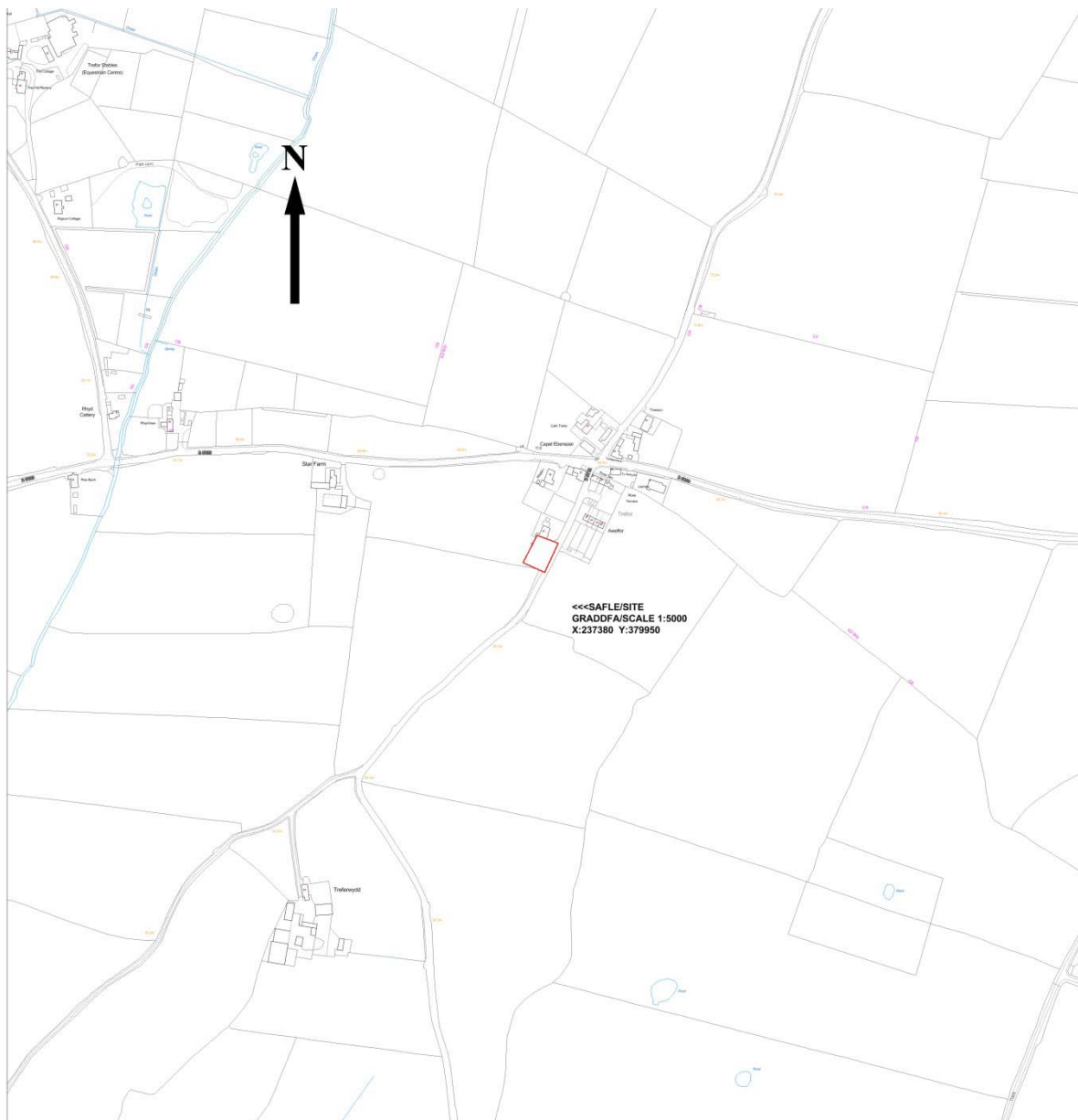
Rhif y Cais: **14C164E** Application Number

Ymgeisydd Applicant

**Mr Ian Edwards**

**Cais llawn i godi bar o anheddau, creu mynedfa newydd i gerbydau ynghyd a gosod tanc trin carffosiaeth ar dir ger / Full application for the erection of a pair of dwellings, creation of a new vehicular access together with the installation of a package treatment plant on land adjacent to**

**Tryfan, Trefor**



## **Planning Committee: 01/04/2015**

### **Report of Head of Planning Service (SCR)**

#### **Recommendation:**

Permit

#### **Reason for Reporting to Committee:**

The applicant is a friend of 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.

Members will recall that at its meeting held on the 4<sup>th</sup> February, 2015 it was resolved to approve the application subject to drainage matters being resolved. Additional drainage details have been received and the Drainage Section have confirmed that the scheme is acceptable.

However additional correspondence have been received from members of the public and in order that their concerns are given due consideration the application is being referred to the Planning and Orders Committee for determination.

No changes have been made to the previously approved scheme and the only matter to be considered is the additional issues raised by the occupiers of the neighbouring property.

#### **1. Proposal and Site**

The proposal is a full application for the erection of two semi-detached, two storey dwellings together with the construction of a new vehicular access and the installation of a package treatment plant.

The land is currently used for agricultural purposes. The site lies adjoining the property known as Tryfan and lies on the edge of the settlement of Trefor.

#### **2. Key Issue(s)**

The applications main issues are whether the proposal complies with current policies, will the proposal affect the amenities of the neighbouring properties and whether the proposal will harm the surrounding landscape and highway safety.

#### **3. Main Policies**

##### **Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 42 – Design

Policy 50 – Listed Settlement

##### **Gwynedd Structure Plan**

Policy A2 – Housing

Policy D4 – Location, Siting and Design

Policy D28 – Design

Policy D29 – Design

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance Policy GP2 – Design

Policy HP5 – Countryside Hamlets and Clusters

**Technical Advice Note 12: Design**

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

**4. Response to Consultation and Publicity**

**Local Member, Cllr. D Rees** – No response to date

**Local Member, Cllr. N Roberts** – No response to date

**Local Member, Cllr. B Parry** - No response to date

**Community Council** – No objection

**Highways** – No response to date

**Drainage** – Drainage details satisfactory

**Welsh Water** – Standard comments

The application was afforded two means of publicity these were; the posting of a site notice near the site and the serving of personal notifications on neighbouring properties. Following the receipt of amended plans the publicity process was carried out twice. The latest date for the receipt of representations was the 3<sup>rd</sup> February, 2015 and at the time of writing this report numerous e-mails had been received from the owners of the neighbouring property known as Tryfan. The main issues raised can be summarised as follows:

- i) Concerns that the proposed fencing will be located too close to their boundary which will result in loss of light and restrict the owners of Tryfan from maintaining their wall. Also query whether the land where the foundations of their wall lie is within the applicants or adjoining properties ownership. If the fence is removed in the future they may cause damage to the foundations of the existing boundary wall.
- ii) Requested that a condition be imposed on the permission stating that the fencing will be retained and maintained.
- iii) Concerns were raised regarding the proposed visibility splay and that although the hedge has been cut it has not been reduced to 1 metres high. The proposal will therefore will result in road accidents.
- iv) During the outline stage it was stated that no windows would be located in the elevation facing Tryfan, however there is a side door containing a glass panel. It was also stated during the outline stage that the dwellings would not be situated as far back as the utility room in the adjoining property.
- v) Query regarding scale of the plot.
- vi) The dwellings have not been placed centrally within the plot. Their re-location to the centre of the

plot would give maximum distances

vii) Loss of light from the proposed dwellings

viii) Can the hours of construction works be conditioned

ix) The car parking facilities have been amended since the original submission and this will result in noise and pollution to the adjoining property. Preferred the parking to be situated to the front of the properties.

Other concerns were also raised however these were non-material planning issues.

In response to these comments I would state:

i) Following the concerns raised by the occupants of the neighbouring property the applicant has set the fencing back, (by 150mm) in order to overcome their concerns in terms of maintaining their existing boundary wall and in regards to their query whether the land is within the applicants ownership. The location plan submitted as part of the application states that the land is within the applicants ownership and no contrary evidence has been received at the department. In terms of the concerns that the fencing will be located close to the fenestration of the adjoining property and result in loss of light and views I would state that the owner of the land presently has the right to erect fencing along the boundary and that a 2 m high fencing would not require the benefit of planning permission

ii) A condition will be imposed on the permission requesting that the proposed fencing be retained.

iii) The proposal has been forwarded to the Highway Authority for consideration. To date the Highway Authority have not commented on the application, however the means of access to the site has been considered and approved under planning application reference 14C164C/VAR. The reduction in the height of the hedge is one of the conditions imposed on the previous application, however as the development has not commenced to date there is no reason for the hedge to be reduced at present.

iv) As stated above the current application is a full application and therefore the details of the proposal do not have to comply with the requirements of the outline permission. However no fenestrations are proposed in the side elevation facing Tryfan and it is not considered that the glass panel in the side door will harm the amenities of the occupants of Tryfan. The proposed dwellings have been set further back into the site than that illustrated during the outline stage, however the rear part of the building is of a single storey height and located 9 metres away from the gable of Tryfan. Due to this distance and the fact that a fence will be erected along the boundary of the site the proposal will not detrimentally harm the amenities currently enjoyed by the occupants of the dwelling.

v) The size of the plot has not changed since the submission of the outline application.

vi) There is a distance of nine metres between the side of the proposed dwelling and the adjoining property. These measurements comply with the recommendations of the document titled Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment in terms of proximity between developments.

vii) Due to the distances between the properties the proposal should not result in the loss of light to the neighbouring property to such a degree as to warrant the refusal of the application.

viii) The planning authority is unable to include conditions on the permission to regulate the hours of

construction works as this matter is regulated by a different act under Environmental Health. Following the receipt of these concerns the applicant has confirmed verbally that they will be operating under normal working hours.

ix) Whilst dealing with the previous applications a number of representations were received by the correspondent citing that the proposal would be detrimental to highway safety.

The current application has been amended due to the proposed parking being located at the front of the units with no turning areas for vehicles within the site and therefore the scheme did not comply with the requirements of the Highway Authority as the vehicles would need to reverse onto the highway and would be detrimental to highway safety.

Parking provision for one of the dwellings will be located to the side of the dwelling which lies immediately adjoining the property known as Tryfan. However a 1.8 metre high fence will be erected along the boundary between both properties and therefore it is not considered that the parking area will detrimentally affect the amenities of the occupants of Tryfan to such a degree as to warrant the refusal of the application.

## **5. Relevant Planning History**

14C164A – Outline application for the erection of a dwelling on land adjacent to Tryfan, Trefor - Approved 16/10/2012

14C164C/VAR – Application for the variation of condition (04) and (05) from planning permission 14C164A so as to create a new vehicular access and the creation of a new boundary wall on land adjacent to Tryfan, Trefor – Approved 02/04/2014

14C164D – Outline application with some matters reserved for the erection of a pair of semi-detached dwellings and the creation of a vehicular access on land adjacent to Tryfan, Trefor – Approved 04/09/2014

### **Site history of neighbouring land**

14C164 – Extension to the existing agricultural building on land at Star Farm, Trefor – Approved 23/10/2001

14C164B – Full application for alterations and extensions, conversion of outbuilding into an annexe, together with the extension of the curtilage at Star Farm, Trefor – Approved 13/09/2013

## **6. Main Planning Considerations**

**Policy Context** - Trefor is defined as a Listed Settlement under Policy 50 of the Ynys Môn Local Plan and as a countryside hamlet and cluster under Policy HP5 of the stopped Unitary Development Plan.

Policy 50 of the Ynys Môn Local Plan states that planning permission will 'normally only' be granted for single dwellings within or on the edge of the settlement. The site lies immediately adjoining a dwelling and is therefore considered as an edge of the settlement proposal. Although the proposal is for the erection of two units they are semi-detached. It is also considered that the proposed units will be more affordable as they are semi-detached units.

**Effects on neighbouring properties** – The proposed dwellings are situated at a distance of between 10 and 9 metres away from the side elevation of the immediate adjoining property (Tryfan) and

therefore the proposal complies with the guidance contained within the document 'Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment.

No fenestration are proposed in the side of the proposed dwelling however a side door with a glass panel is to be installed in this elevation. Due to the distances between both properties, the siting of the proposed fence between the properties and as the glass panel is only 200mm wide it is not considered that the proposal will harm the amenities currently enjoyed by the occupants of the neighbouring properties to such a degree as to warrant the refusal of the application.

Concerns have been raised by the occupants of the adjoining property that the provision of parking facilities to the side of the proposed dwelling which lies adjoining their boundary as it will result in more noise and pollution to their property. The scheme has been amended to provide parking facilities to the side of the dwellings in order that cars may drive onto and exit the site in forward gear in order to ensure that the scheme complies with the requirements of the Highways and will not have a detrimental impact on existing highway users. The provision of parking facilities for two cars to the side of the dwelling will not have a detrimental impact on the occupants of the adjoining property due to the fact that a 1.8 metre high fence will be erected along the boundary of the site

**Effect on surrounding area** – As stated above the site lies on the edge of the settlement of Trefor and lies immediately next to the dwelling known as Tryfan. There is a mixture of house types in the locality. The immediate neighbouring property known as Tryfan is of a single storey, however there is a row of two storey terraced properties located further towards the junction of the B5112 and B5109. The land that forms the application site includes a small percentage of the adjoining field, this has been done in order to square-off the plot. The existing hedge that lies between both fields is to be retained and a new hedge will be planted in order to distinguish the land ownership. The proposal therefore is a logical minor extension to the village and will not harm the character of the surrounding area.

**Highway Safety** – As stated above the Highway Authority have not made any formal comments on the application to date, however the access to the site has been considered during the process of determining planning application 14C164C/VAR and 14C164D, which were applications for the variation of conditions so as to create a new vehicular access and the creation of a new boundary wall and an outline application for the erection of two dwellings on the site.

## **7. Conclusion**

The scheme has not been amended since the Members resolved to approved the application at the meeting that was held on the 4<sup>th</sup> February, 2015. As stated above the reason for reporting the application to the Planning and Orders Committee is in order that the additional concerns raised by members of the public are taken into account.

In this instance I have considered the substance of representations made by the public, the applicant and their agent together with the statutory consultees alike and have balanced these against the advice contained within the relevant policy documents.

The objections received to this proposal are restricted to the adjoining property only. These objections are nevertheless material planning considerations of significance which have been addressed within the representations section of this report. Although careful consideration has been given to the matters raised by the objectors it is considered that the objections raised carry insufficient weight to warrant the refusal of the application.

## 8. Recommendation

### Permit

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.

**(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) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).**

Reason: In the interests of visual amenity.

**(03) Screening shall be provided from point A to B to C, as delineated in green on the attached plan, drawing number 94514/01/C, Rev C, details of which shall be submitted as part of any full or detailed application.**

Reason: In the interests of residential and visual amenity.

**(04) The fencing hereby approved, as outlined in red on the attached drawing (drawing reference 94514/02/D) shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position unless otherwise agreed in writing by the local planning authority.**

Reason: In the interest of amenity

**(05) The development hereby approved shall be carried out in strict conformity with the details shown on the submitted plans and contained in the form of application and in any other documents accompanying such application, unless conditions of this permission stipulate otherwise.**

Reason: For the avoidance of doubt.