



MR DAVID TAYLOR

Rhif Cyngor / Advice No.: Y19/001209

14-Nov-2019

Ymholiad / Enquiry: Proposed conversion into 25-30 residential units

Lleoliad / Location: Plas Gwynfryn, Llanystumdwy, Gwynedd, LL520LU

Dear Sir / Madam,

PRE-APPLICATION ADVICE SERVICE

I refer to your pre-application enquiry and the details submitted in respect of the above. The following advice is based on the information you have provided and is given in accordance with Gwynedd Council guidance on pre-application advice.

- Description of proposal and where relevant, reference to site visit
The proposal is described as a conversion into 25-30 residential units.
- Relevant planning history of the site:
No previous planning history.
- Planning constraints:
The site in question is located within open countryside outside any defined development boundary. A class 3 highway runs close to the site and the building is a Grade II listed building. The site is also located approx. 150m from Talhenbont SSSI.
- Appropriate links to other departments or organisations, in order to enable you to contact them directly before submitting a planning application:
Gwynedd Council's Biodiversity team 01766 771000 or Bioamrywiaeth@gwynedd.llyw.cymru
Natural Resources Wales 0300 065 3786 or NorthPlanning@cyfoethnaturiolcymru.gov.uk
Gwynedd Council's Planning Policy Unit 01766 771000 or polisicynllunio@gwynedd.llyw.cymru
Gwynedd Council's Highway's Unit 01286 679615
- Relevant planning policies and guidelines:
For ease of reference I have listed a short description of each relevant policy, and the full version can be found on our website. [Link](#) attached.

TAI7 – Conversion of traditional buildings in the open countryside to residential use

TAI9 – Subdivision of existing properties to self-contained flats and houses in multiple occupation (HMO's)

CYF6 – Reuse and conversion of rural buildings, use of residential properties or new build units for business/ industrial use
TAI15 – Affordable housing threshold and distribution
PS5 – Sustainable development
PS4 – Sustainable transport, development and accessibility
PS1 – Welsh language and culture
AT2 – Enabling development
ISA5 – Provision of open spaces in new housing developments
PCYFF6 – Water conservation
PS2 – Infrastructure and developer contributions
ISA1 – Infrastructure provision
TRA2 – Parking standards
TRA4 – Managing transport impacts
PS6 – Alleviating and adapting to the effects of climate change
PCYFF2 – Development criteria
PCYFF3 – Design and place shaping
PCYFF4 – Design and landscaping
PS20 – Preserving and where appropriate enhancing heritage assets

Supplementary Planning Guidance – Replacement dwellings and Conversions in the Open Countryside
Supplementary Planning Guidance – Housing mix
Supplementary Planning Guidance – Affordable housing
Supplementary Planning Guidance – Maintaining and creating distinctive and sustainable communities
Supplementary Planning Guidance – Open spaces in New Housing Developments

The supplementary planning guidance can be found via this link:

<https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Environment-and-planning/Planning-policy/Supplementary-Planning-Guidance.aspx>

Planning Policy Wales (Edition 10, 2018)
Technical Advice Note 2 – Planning and affordable housing
Technical Advice Note 12 – Design
Technical Advice Note 20 – Planning and the Welsh Language
Technical Advice Note 24 – The historic environment

5. Response to consultation:

Natural Resources Wales

Protected Sites

The site is approximately 150m from Talhenbont Site of Special Scientific Interest (SSSI).
The Wildlife and Countryside Act 1981 (as amended) places a duty on public authorities in exercising their functions, so far as this is likely to affect the flora, fauna, geological or physiographical features of a SSSI, to take reasonable steps consistent with the proper exercise of their functions to further the conservation and enhancement of those features.

Protected Species

Our records show there may be protected species on the site (bats). We advise liaison with your ecologist to discuss and agree the scope of any surveys required.

Foul Drainage

Gwefan / Web site: www.gwynedd.llyw.cymru
E-bost: Cynllunio@gwynedd.llyw.cymru
E-mail: Planning@gwynedd.llyw.cymru
Ffôn / phone: 01766 771 000

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Gwasanaeth Cynllunio
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Pwllheli
Gwynedd
LL53 5AA

We recognize that before deciding a planning application, the Local Planning Authority needs to be satisfied that the foul drainage arrangements are suitable. No details have been provided at this stage as to the method of foul drainage. The first presumption for a method of foul drainage will always be to the main sewer, and the applicants should firstly investigate the possibility of connecting to the main sewer.

We refer you to the hierarchical approach to foul drainage and requirements for non-mains drainage assessment described in Planning Policy Wales (PPW) and Welsh Office Circular 10/99 (Planning Requirement in respect of the Use of non-Main Sewerage incorporating Septic Tanks in New Development).

The applicant should be made aware that where a property has a septic tank or package sewage treatment plant, it is a legal requirement for the discharge to be registered with NRW. Subject to certain criteria being satisfied, the applicant may be able to register for an exemption. However, if this criteria is not met then an Environmental Permit should be obtained from us. The applicant should be aware that a permit may not be granted.

An owner might be eligible for an exemption rather than an Environmental Permit, where:

- Treated sewage effluent is discharged to a river, stream, estuary or the sea and the volume is 5 cubic metres per day or less; or
- Sewage effluent is discharged to groundwater via a drainage field or infiltration system and the volume is 2 cubic metres per day or less.

We recommend that the applicant undertakes porosity tests to assess the suitability of the ground for soak away, if it is deemed that connection to the main sewer is not feasible.

Waste Management

Any waste excavation material, demolition or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitable permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

We recommend that a Site Waste Management Plan (SWMP) is drawn up prior to scheme's commencement in order to ensure full duty of care is complied with. Waste should be reused on site where possible. The SWMP should incorporate a monitoring system for wastes removed from site for reuse or disposal.

The Council's Biodiversity Unit

- The applicant should submit a protected species survey (bats and nesting birds) of the building.
- In addition, the building should include nest boxes for swifts and features for roosting bats.
- There is a record of lesser horseshoe bat roosting in the cellar. The bat surveys must include the winter and summer.
- A preliminary ecological appraisal is required that covers habitats, protected species, protected sites and non-native invasive species.
- Talhenbont SSSI is 150 meters from Plas Gwynfryn. The woodland contains lichen species that are sensitive to pollution.
- A tree survey and impact assessment is required that has followed BS 5837.

The Council's Highways Unit

The access arrangements for the Plas Gwynfryn site are unclear from the information provided in the Pre-Application advice. It is assumed sole access would be via the tarmac splayed access directly to the Llanystumdwy to Rhoslan road, however the applicant should confirm whether the site is also accessible via other tracks.

Detailed drawings should also be provided with any formal application to demonstrate the main entrance is of sufficient width to accommodate two way traffic for the first twenty metres from the roadside, and consideration should be given to providing passing places at appropriate intervals along any single track sections of access track. It is recommended that parking should be provided on the ratio of 1 space per bedroom and full details relating to parking should be submitted with any formal application.

The applicant is also advised to provide a Transport Statement with any formal planning application to consider the impact of the proposals on the local highway network both during the construction and operation phases.

The Council's Policy Unit – A summary of the policy unit's comments have been given in the separate assessment below.

6. *A written informal and unbiased summary of the opinion of the Case Officer.*

The site in question is defined within the Joint Local Development Plan (JLDP) as open countryside, away from any defined settlement boundary. Policy TAI7 refers to the conversion of traditional buildings in the open countryside to residential use, and will be permitted when all the following criteria has been met:

1. There is evidence that employment use of the building is not viable;
2. The development provides an affordable unit for local need (in accordance with the Glossary of Terms) or the residential use is a subordinate element associated with a wider scheme for employment re-use;
3. The structure is structurally sound;
4. No extensive alterations are required to enable the development;
5. Any architectural characteristics of merit and traditional materials are retained and that the proposal does not lead to the loss of the original structures character.

As per the criteria as set out in Policy TAI7 above, evidence would first need to be provided that an economic use was not viable for the site. Policy CYF6 relates to the reuse and conversion of rural buildings, use of residential properties or new build units for business / industrial use. Part 3.4 of the above SPG states "*The demand for alternative uses of these buildings include a wide range of uses. Despite the pressure to convert rural buildings for residential purposes there is a presumption against this use locally and nationally, with economic use being favoured. Examples of alternative economic uses include business, leisure, industrial, tourism and sports use*".

The Local Planning Authority must be confident that every effort has been made to market the site / building for an economic use before consideration will be given to residential. No definitive time frame is provided for this marketing, however, it is noted that the site should be marketed for a minimum period of 12 months. If the above can be demonstrated successfully, residential use will be considered subject to the above criteria.

Policy TAI9 relates to the subdivision of existing properties to self-contained flats and houses in multiple occupation, and will need to follow the below noted criteria:

For property in the open countryside,

1. Consideration has been given to commercial / tourism / care accommodation in the first instance;
2. Property is of a size suitable for conversion and it is not viable to retain it as an individual dwelling;
3. The proposal does not have a detrimental impact on residential amenity;
4. Dependent upon viability evidence an affordable housing provision is given on an increase above one extra unit;
5. The site is located in a sustainable location.

Similar to the policies noted above, the criterion set out in Policy TAI9 should once again demonstrate that another use is not suitable for the site, such as commercial, tourism or a care accommodation. As the building is not currently a dwelling, criteria 2 is not relevant here. There are a small number of other residential units

within the immediate vicinity of the site, and due consideration should be given to any conversion on the possible impact on the amenities of these dwellings.

Policy AT2 relates to enabling development, which aims to secure the preservation and / or alternative use of a listed building subject to the following criteria:

1. It will not materially harm the heritage values of the heritage asset or its setting,
2. It avoids detrimental fragmentation of management of the historic asset.
3. It will secure the long-term future of the heritage asset and, where applicable, its continued use for a sympathetic purpose.
4. It is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid.
5. Sufficient subsidy is not available from any other source.
6. It is demonstrated that the amount of enabling development proposed is the minimum necessary to secure the future of the heritage asset, and that it causes minimal harm to other public interests.
7. The public benefit of securing the future of the heritage asset through such enabling development decisively outweighs the disbenefits of breaching other public policies.

Enabling development is development that can deliver substantial heritage benefit that would usually be contrary to other criteria of national or local planning policy. It is advised that further discussion on this aspect of the JLDP is considered within any scheme.

Criteria 4 relates to the affordable housing provision, where it would be expected to contribute towards providing affordable housing in line with the requirements of policy TAI15. As per the policy, and based on the figures given it would be expected that between 7.5 and 9 of the 25-30 units would need to be affordable.

Being located in open countryside, the site should also be located in a sustainable location which would be close to a service centre or on a public transport route.

As per the Highway Unit's comments, in the absence of plans, additional information would be required as to the access to and from the site as well as adequate parking provisions. Again it is unclear from the details provided how much land is provided with the site, but the requirements for parking would be on the ration of 1 space per bedroom, which would equate to between 25-30 cars for each single bed unit and could be potentially more. A Transport Statement would be required with any application.

In terms of the conversion of the building, the relevant policy and SPG makes reference to the building being structurally stable. As the building is also a grade II listed structure and has suffered significant fire damage in the past, any structural report should be comprehensive, and a report that is only based on a visual inspection of the building will not be acceptable.

As no sketch plans were submitted with the enquiry, an assessment cannot be provided on the principle of the conservation of the building into 25-30 units as it is unknown how the building would be divided and whether there would be any major structural alterations internally or externally.

The building was listed in 1999 as a "grand country mansion in the castellated style popular in the mid-later C19. The building retains a strong architectural character in its consciously picturesque massing and silhouettes" although notwithstanding its current condition. It is strongly advised from the outset that a qualified Conservation Architect be approached in any proposal for the building, should the building be structurally sound and capable of conversion so that all historical features are retained and / or replaced. It is advised also that sketch plans would be produced prior to the submission of any application in order to discuss the merits of any proposal to the heritage asset.

Summary

As discussed above there are numerous policies relevant to your proposal. One of the most fundamental issues to the identify whether an economic use of the site is viable first, and if evidence can be provided (in line with the guidelines) that an economic use is not viable for the site, then the principle to convert the site into

residential units could be acceptable subject to the relevant criteria regards structural stability, alterations and also the affordable housing element. The Authority is aware however of the precarious condition of the building, which is also included on the buildings at risk register, and therefore every effort should be made to find a use for the building.

7. The planning fee and the necessary information to validate the application:

The fee for a planning application is currently £380 per dwelling. Application forms can be found on the following [link](#).

You would need to submit a full planning application form as well as listed building consent. The application would be classed as a major development (as it exceeds 10 dwellings) and as a result you will have to complete a public consultation. Guidance can be found within the Development Management Manual which can be found on the Welsh Government website [here](#).

To validate a planning application, it would have to be supported by:

- Location plan scaled 1:2500 (or similar) with the site outlined in red and any other land outlined in blue (must show the direction of North)
- Site plan 1:500 (or similar) as proposed and as existing.
- Existing and proposed floor plans and elevation drawings drawn to a metric scale.
- Tree survey and tree impact assessment that has followed BS 5378
- Pre-application consultation report.
- Protected species surveys
- Relevant fee
- Application forms

In addition to the above validation requirements, the following information would also be required:

- A comprehensive structural report
- Appropriate mitigation for impacts identified in the above assessments.
- Information to inform a Habitat Regulation Assessment.
- Transport statement and parking details as noted above.
- Welsh language impact assessment report
- Planning statement to justify proposal

A listed building application would additionally require:

- A historic impact assessment. [Link](#)
- Detailed plans of any internal alterations.
- Detailed plans and cross sections of any new openings within the building.
- Details plans and cross sections of any new windows and glazing.
- Details of all ventilation and flue's within the building.

Noder: Nid yw'r uchod yn rhoddi hawl Cynllunio ffurfiol, dim ond darparu barn anffurfiol ynglŷn â'ch ymholiad a ble'n briodol yn rhoi cyngor ar sut i sicrhau fod eich cais Cynllunio yn ddilys / Note: The above information does not provide formal planning consent, and offers an informal opinion regarding your enquiry and where relevant provides advice on how to ensure that your planning application is valid.

Yr eiddoch yn gywir / Yours faithfully



RHEOLWR CYNLLUNIO / PLANNING MANAGER

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E-bost: Cynllunio@gwynedd.llyw.cymru

E-mail: Planning@gwynedd.llyw.cymru

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YMWARTHODIAD / DISCLAIMER

Rhoddir unrhyw farn neu safbwynt a fynegir yn ddidwyll, ond heb ragfarnu'r ystyriaeth a roddir i gais cynllunio. Ni all cyngor a ddarparwyd cyn gwneud cais glymu'r awdurdod cynllunio lleol i ddeiliant penodol. Pan gyflwynir cais cynllunio ffurfiol ni ellir gwneud y penderfyniad terfynol hyd nes bod y Cyngor wedi ymgynghori â phobl leol, ymgynghoreion statudol ac unrhyw barti arall â diddordeb. Yn unol ag Adran 38(6) o Ddeddf Cynllunio a Phrynu Gorfodol 2004, byddwn yn penderfynu ceisiadau yn unol â'r Cynllun Datblygu, oni bai bod ystyriaeth faterol cynllunio yn nodi fel arall. Hefyd, dylech fod yn ymwybodol na all swyddogion warantu'r penderfyniad ffurfiol terfynol a wneir ar gais.

Any views or opinions expressed are given in good faith, without prejudice to the consideration given to any planning application. Any pre-application advice provided does not bind the local planning authority to any specific outcome. When a formal planning application is submitted, the final decision cannot be made until the Council has consulted with local people, statutory consultees and any other interested parties. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, we will determine applications in accordance with the Development Plan, unless material considerations indicate otherwise. You should also be aware that officers cannot guarantee the final formal decision made on an application.

Mae gan Dŵr Cymru ran allweddol i'w chwarae yn y broses datblygu a chynllunio a byddem yn annog pob datblygwr i ymgysylltu â hwy mor fuan â bo modd er mwyn mynd i'r afael ag unrhyw faterion a allai godi yn ystod y broses cynllunio/adeiladu. I gynorthwyo, mae Dŵr Cymru yn gweithredu gwasanaeth cynllunio ymlaen llaw er mwyn asesu effaith y datblygiad arfaethedig. Darperir ymateb ysgrifenedig yn cynghori p'un a allai'r rhwydwaith/rhwydweithiau carthffos lleol, rhwydwaith/rhwydweithiau dŵr yfed a Gweithiau Trin Dŵr Gwastraff gefnogi'r cynnig ai peidio, a fydd angen darparu cyflenwad dŵr a/neu garthffosydd oddi ar y safle ac a oes unrhyw gyfarpar wedi'i leoli o fewn y tir yr hoffech ei ddatblygu, a'r gofynion ar gyfer y cyfarpar hwn. Darperir y gwasanaeth hwn am ffi o £149 + TAW a gellir ei gyflwyno drwy'r ffurflen ymholi ar-lein ar <http://www.dwrcymru.com/en/Developer-Services>. Gellir cael gwybodaeth bellach gan y tîm ymroddedig o swyddogion cynllunio yn Dŵr Cymru ar 0800 917 2652.

Dŵr Cymru Welsh Water has a key role to play in the development and planning process and we would encourage all developers to engage with them as early as possible in order to address any issues that may arise during the planning/construction process. To assist, Dŵr Cymru operates a pre-planning service in order to assess the impact of the proposed development. A written response will be provided advising whether the local sewer network(s), potable water network(s) and Waste Water treatment Works can support the proposal, whether off-site water mains and/or sewers will need to be provided and whether there are any apparatus located within the land you wish to develop and the requirements for these apparatus. This service is provided for a fee of £149+ VAT and can be submitted via the online enquiry form at <http://www.dwrcymru.com/en/Developer-Services>. Further information can be obtained from the dedicated team of planning officers at Dŵr Cymru on 0800 917 2652.

Gwefan / Web site: www.gwynedd.llyw.cymru
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