

<b>PLANNING COMMITTEE</b>	<b>DATE: 26/09/2022</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

**Number: 2**

**Application Number: C22/0571/45/MG**

**Date Registered: 17/06/2022**

**Application Type: Reserved Matters**

**Community: Pwllheli**

**Ward: Pwllheli**

**Proposal: Appearance and design of the dwellings to include materials, scale of dwellings and landscaping matters to include amended layout providing 14 dwellings rather than 15, to accommodate sustainable drainage system requirements**

**Location: Former hockey field, Allt Salem, Pwllheli, LL53 5UB**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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**1. Description:**

- 1.1 This application is a reserved matters application in relation to outline planning permission C18/1198/45/AM. Permission C18/1198/45/AM was for the erection of 15 houses, which included 5 affordable. The current application is for the provision of 14 dwellings rather than 15, in order to accommodate sustainable drainage system requirements.
- 1.2 The outline application was approved with scale, appearance and landscaping reserved, therefore the application before the Committee is for assessing these matters. The principle of the proposal and the matters relating to the access and layout have already been permitted under the outline application.
- 1.3 The plans submitted as part of the application before you confirm the access in accordance with what was approved under the outline permission. The layout of the site is also similar to what was approved on the outline application, with the exception that the house on plot 14 of the outline permission has been removed to make room for the installation of a surface water infiltration pool as part of a sustainable drainage system.
- 1.4 The design of the proposed dwellings is simple, and it is proposed to finish the dwellings with slate roofs, and the external walls covered in a mixture of render and stone. The houses would be a mixture of terraced single-storey and two-storey houses, two-storey semi-detached and detached houses that also vary in terms of size. It is intended to provide a total of 34 parking spaces within the site.
- 1.5 Plans of the drainage system were submitted as part of the application which indicate the method for dealing with surface water and foul water, which discharges the requirement of condition 12 which requires surface water drainage plans.
- 1.6 The site lies within the development boundary of Pwllheli and the land has been designated for housing in the LDP. The site is located within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. A public footpath lies north of the site. A class 3 road abuts the site to the east. There are three dwellings near the site and the Coleg Meirion Dwyfor site is opposite.
- 1.7 The application is submitted to the committee as it involves five or more houses.

**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 made 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 (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven 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.

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### 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PS 1 - The Welsh language and culture

PS 2 - Infrastructure and developer contributions

ISA 1 - Infrastructure provision

ISA 5 - Provision of open spaces in new housing developments

PS 4 - Sustainable transport, development and accessibility

TRA 2 – Parking standards

TRA 4 – Managing transport impacts

PS 5 – Sustainable developments

PS 6 - Mitigating the effects of climate change and adapting to them

PCYFF 1 – Development Boundaries

PCYFF 2 – Development criteria

PCYFF 3 – Design and place shaping

PCYFF 4 - Design and landscaping

PCYFF 5 - Carbon management

PCYFF 6 - Water conservation

PS 16 - Housing provision

PS 17 - Settlement strategy

TAI 1 - Housing in the sub-regional centre and the urban service centres

TAI 8 - An appropriate mix of housing

TAI 15 - Threshold of affordable housing and their distribution

PS 19 - Conserving and where appropriate enhancing the natural environment

AMG 5 - Local biodiversity conservation

PS 20 - Conserving and where appropriate enhancing cultural assets

AT 1 – Conservation areas, world heritage sites and landscapes, parks and registered historic gardens

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

Supplementary Planning Guidance - Housing Mix (October 2018)

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Supplementary Planning Guidance – Affordable Housing (April 2019)

Supplementary Planning Guidance – Planning Obligations

## 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales, Edition 11, February 2021.

Technical Advice Note 2 - Planning and affordable housing

Technical Advice Note 12: Design

Technical Advice Note 18 – Transport

## 3. **Relevant Planning History:**

- 3.1 C18/1198/45/AM - Build 15 new dwellings, of which five are affordable, create a new vehicular entrance and internal access road - Approved 18 June 2019.

## 4. **Consultations:**

Community/Town Council: Not received.

Transportation Unit: I refer to the application above and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development will not have a detrimental impact on any road, or proposed road.

Water and Environment Unit YGC: The drainage details provided in the recent drainage strategy (within FCA ref ECL.9196.R05.003, Egniol, June 2022) seem to be sufficient in order to deal with surface water from the development.

CONDITION: No building to be occupied until the sustainable water system for the site has been completed and is fully operational in accordance with the latest drainage plan (ECL.9196.D05.001, 09/06/2022). The sustainable drainage system will then be managed and maintained on behalf of the site owner, in accordance with the management and maintenance plan provided in Appendix 6 of the Flood Consequence Assessment.

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Welsh Water:

Having examined the drainage plans, it is noted that only foul flows connect to the manhole chamber reference SH37353301 and it is intended to discharge surface water flows into on-site soakaways. On the basis that foul only flows are proposed to connect into the public sewerage system, we have no objection to the proposal in principle. A condition is recommended to convey this in the planning permission.

**Sewerage Treatment**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from the site.

**Water**

Welsh Water have no objection to the proposed development. A water supply can be available to serve the proposed development.

Also provided advice for the developer.

Strategic Housing Unit:

**Information about the need:**

The information provided in the planning application by means of the affordable housing statement is consistent with the information regarding the need in the area. (**Source of data:** Tai Teg, Gwynedd Council's Common Housing Register)

**Suitability of the Scheme:**

Based on the above information it appears that the Plan **Meets** the need in the area.

The plan has been included within the programme to receive a Social Housing Grant from the Welsh Government.

These plans contribute directly to the aim of the Gwynedd Council's Housing Action Plan to provide more housing to meet with the current high demand that exists in the county.

Trees Unit:

The updated Arboricultural Impact Assessment (AIA) dated August 2022 is of an acceptable standard for this application.

Provided that this planning is conditioned in accordance with all of the tree protection requirements detailed in the method statement (appendix four of the AIA), I do not object to this application.

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Due to the scale of this project, I also advise that this planning is conditioned with the requirement for the applicant to commission a supervisory arboriculturist who will oversee the project, ensuring recommendations detailed in the AIA are being adhered to correctly, and to arrange a site meeting with a Biodiversity Officer in Cyngor Gwynedd Council prior to the commencement of work.

Any changes to the plans understood in the AIA would need to be brought to the attention of the supervisory arboriculturist and subject to further planning consent.

All proposed new trees which mitigate for losses should be sourced from local providence seed and planted in line with the recommendations detailed in BS 8545:2014.

Biodiversity Unit:

Observations on the amended site plan

Not received.

Observations dated 13 July 2022

I am concerned that this proposal will result in the loss of hedges and trees. I would like to remind to the applicant that trees and hedges should be retained. I would like plans showing which hedges and trees will be retained and which will be removed.

There does not appear to be any biodiversity enhancements.

I recommend that amended plans are provided showing biodiversity enhancements.

Footpaths Unit:

It does not appear that there are any Rights of Way recorded that will be affected by this proposal.

North Wales Fire Service:

Not received.

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Public Consultation:

A notice was placed in the press and on the site and nearby residents were informed. The consultation period came to an end and one objection was received on the grounds of:

- Road safety and traffic matters on Allt Salem and in the local area.
- Traffic increase worsening the condition of the road.
- Very prominent site and this is a very intense development for the local area and the skyline.
- The land is green / agricultural land.
- Erw Villa property not shown on the layout plan, only its boundary wall.
- The ridge height of the development shadows Erw Villa although there was a limit on the ridge height of Erw Villa's extension.
- Light pollution.
- Affects the privacy of the Erw Villa property.
- Questioned the drainage plan and the sustainable drainage plan.
- Increases flooding on the hill as water from Y Garn will have nowhere to go.
- The sewage system is old and ineffective.
- Noise pollution when developing the site.
- Impact on ecology and biodiversity.
- Redacted copy of the application form unacceptable to submit objection / observations.

**5. Assessment of the material planning considerations:**

**The principle of the development**

5.1 This application is in respect of reserved matters following the granting of outline permission to erect 15 dwellings, five of which will be affordable. The principle of the proposal has already been approved. The current application has been submitted by Adra and proposes to provide 100% affordable units, and following the support of Gwynedd Council's Strategic Housing Unit, it is intended to submit the plan to the Welsh Government for social housing grant approval. It is noted that the observations of the Strategic Housing Unit state that the proposal meets the need in the area and that the plan has been included within a programme to receive the Social Housing Grant from the Welsh Government; and that these plans contribute directly to the aim of the Gwynedd Council's Housing Action Plan to provide more housing to meet with the current high demand that exists in the county. However, the application in question is to agree on the reserved matters only and there is no intention to release the affordable homes condition as part of the application before the Committee. The affordable home matters will be considered in a separate request to release or amend a condition.

5.2 It is noted that the outline application is subject to a 106 agreement, which secured payment towards open spaces. The assessment of the contribution towards open spaces in 2018 was based on 15 houses. Observations were received from the Joint Planning Policy Unit for the current application, which are based on 14 houses. These observations state that a contribution of £4,752.14 would be required towards open spaces instead of the £5001.71 that was currently part of the 106 agreement. Should the developer wish to amend the agreement, then it would be possible for them to do so in

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a separate letter to the application in question and paying the reduced amount would be reasonable and be in accordance with the Policy.

- 5.3 Therefore, the principle of the development has already been discussed along with access and layout matters and, as a result, the only matters assessed in this application are scale, appearance and landscaping matters.

#### **Design and visual amenities**

- 5.4 The site is located on elevated land and houses on the southern side of the site would mainly be visible from Pwllheli itself with the site located between Coleg Meirion Dwyfor towards the east and Y Garn property to the west. The layout and access of the site formed part of the outline application when the layout was shown with a central estate road and the houses located around the periphery of the site. The layout in question in the current application is similar to what was put forward in the outline application. The size of the houses is acceptable in terms of affordable home size requirements as contained in the Supplementary Planning Guidance: Affordable Homes, and it is understood that all will be built in accordance with Welsh Development Quality requirements. The scale of the houses is similar to the maximum and minimum measurements received as part of the outline application and it is considered that the scale of the houses and the development in its entirety is suitable for this location, which is on land earmarked for housing in the LDP. In terms of appearance, the houses are quite simple in design and will be finished with slate roof and off-white render and include an element of stone. There is also a mixture of housing types in terms of their external appearance, size and height with single-storey and two-storey houses forming part of the proposal. There are various design features in the vicinity of the site and it is considered that the proposal in terms of its scale and appearance is acceptable for the site. Some trees would be felled and hedges cut back but it is proposed to plant new trees as part of the proposal. It is considered that trees, hedges and *cloddiau* that are to be retained and the new trees to be planted would soften the appearance of the site in the landscape. In terms of landscaping matters, it is considered that the proposal is also acceptable. The proposal is considered acceptable in terms of Policies PCYFF 3 and 4 of the LDP.
- 5.5 The site is located within the Llŷn and Bardsey Island Area of Outstanding Historic Interest. The proposal is for the construction of houses. It is considered that the impact of the proposal would be local and that it would not have an impact on the wider historic landscape. It is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

#### **General and residential amenities**

- 5.6 Residential dwellings are situated near the site. The site is currently on green land and, therefore, it is realised that adding a housing estate on the site would create a change in environment to some of the houses nearby. The residential dwellings toward the east are located on the other side of the county road and, therefore, there are no concerns about the impact of over-looking / loss of privacy from the development to those houses. The Erw Villa property lies north of the site. Plot 1 of the development is the closest to the Erw Villa property. Plot 1 is a single-storey house and therefore it is not considered that over-looking matters would arise from that property toward Erw Villa. It is intended to locate a terrace of four two-storey houses near the single-storey house, but from the site plan, it can be seen that there is approximately 13 metres from the rear of the house on plot 2 to the boundary wall of the Erw Villa property with the Erw Villa property further afield. In addition, there are trees / hedges and a public footpath between the site and the Erw Villa property and, taking this into consideration and the distances between the houses, it is not considered that



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the proposal would cause direct over-looking between the houses and, therefore, the proposal would not have a substantial detrimental impact in terms of over-looking on the amenities of the Erw Villa property. The proposed houses to the west of the site (plots 7-10) back onto Y Garn property, which also includes a holiday unit (Seabourne Cottage). However, there are approximately 17 metres between this holiday unit and the proposed houses. The Y Garn dwelling is farther still from the site. There are also trees and hedgerows along the western boundary. It is considered that there is reasonable distance between the proposed houses and Y Garn property and the Seabourne Cottage holiday unit and that the proposal would not have a substantial detrimental impact in terms of over-looking on the amenities of those properties.

- 5.7 It is realised that developing the site in question would mean changes for nearby residents and developing it for housing would create more traffic. However, it must be realised that the land has been earmarked for a greater number of houses in the LDP than what is proposed in the outline application. Inconvenience during the construction work is something that would naturally arise with any construction work and there is nothing out of the ordinary in that respect. There is a condition imposed on the outline permission which restricts the hours of construction work. It is not considered that developing this site would have a substantial detrimental impact on the amenities of the local neighbourhood and the proposal is acceptable in terms of Policy PCYFF 2 of the LDP.

#### **Transport and access matters**

- 5.8 The access to the site has already received planning permission under the outline application, and planning conditions for the work are involved with the creation of the access and the estate road on the outline permission. The Transportation Unit has no concerns regarding the proposal. It is considered that the proposal is acceptable and complies with the requirements of policies TRA 2 and 4 of the LDP.

#### **Biodiversity matters**

- 5.9 As part of the outline application, an Ecological Assessment was submitted and conditions have been included in the outline permission in terms of relocating reptiles, no clearing of the site during bird nesting season, adhering to the lighting details in the ecological report and protecting hedgerows during the construction period. These conditions would remain relevant to develop the site. Following the receipt of the Biodiversity Unit's observations on the current application, contact was made with the application's agent and an amended site plan was received. This plan shows what work will be carried out in terms of removing / cutting back trees and hedges and also refers to the location of bird and bat boxes that were proposed as mitigation / biodiversity enhancement measures as part of the Ecological Assessment submitted on the outline application. A further consultation was held with the Biodiversity Unit but their observations had not been received at the time of preparing the report. However, considering the conditions on the outline permission and what has been shown on the site plan, it is considered that the proposal is acceptable in terms of Policy AMG 5 of the LDP.
- 5.10 As part of the application, an update was received to the Flood Consequence Assessment that had been submitted as part of the outline application. The Trees Unit was satisfied with the assessment provided that a condition is imposed that work is undertaken in accordance with the method statement included in appendix 4 of the Trees Impact Assessment. As this report is an update on the outline application and is necessary due to a change in site arrangements, it is associated with reserved matters and therefore, should the application be approved it is possible to stipulate this. It

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would also be possible to impose a condition that trees to be planted as a mitigation measure to replace lost trees derive from local seed and are planted in accordance with BS 8545:2014 requirements. By imposing these conditions, it is considered that the proposal would be acceptable in terms of impact on trees.

### **Drainage Matters**

- 5.11 The information submitted as part of the application also includes a detailed drainage plan indicating that it is proposed to deal with surface water through porous paved surfaces, private soakaways, rain gardens and infiltration pool. Foul water would connect to the main sewer.
- 5.12 Welsh Water and YGC's Water and Environment Unit have confirmed that the submitted information is acceptable. It is noted that Welsh Water have confirmed that only foul water will be connected to the main sewer. YGC's Water and Environment Unit have proposed a condition that the sustainable drainage system is to be completed in accordance with the latest drainage plan and is then to be managed and maintained in accordance with appendix 6 of the Flood Consequence Assessment.
- 5.13 However, it is only possible to impose additional conditions on the decision of a reserved matters application for matters associated with reserved matters and not on matters that form part of the outline permission. Condition 12 of the outline permission requested the submission of a plan to remove surface water for the site. The information received shows that the drainage plan is acceptable and sufficient to discharge the condition. In accordance with condition discharging arrangements, the amended decision on the outline permission will be discharged with a note confirming that condition 12 of the outline permission has been discharged as part of this application.
- 5.14 Based on the information submitted and the comments received from the statutory consultees, it is considered that it is possible to deal with drainage matters in an acceptable and efficient way and therefore the proposal complies with the requirements of policy PCYFF6.

### **6. Conclusions:**

- 6.1 Therefore, in light of the above assessment, it is considered that the reserved matters in outline permission C18/1198/45/AM are acceptable and are in accordance with the planning policies noted above.

### **7. Recommendation:**

- 7.1 To approve subject to conditions -
1. In accordance with the plans.
  2. Work to be undertaken in accordance with method statement included in appendix 4 of the Trees Impact Assessment.
  3. New trees to derive from local seed and planted in accordance with BS 8545:2014 requirements.

A note that condition 12 of the outline permission relating to drainage matters has been discharged as part of this permission.