

PLANNING COMMITTEE	DATE: 03/04/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	SIAMBR DAFYDD ORWIG, CAERNARFON

Number: 5

Application Number: C16/1684/35/LL

Date Registered: 23/12/2016

Application Type: Full - Planning

Community: Cricieth

Ward: Cricieth

Proposal: Application for the erection of five houses including one affordable house

Location: White House, Roadcliffe Road, Cricieth, Gwynedd, LI52 0LB

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to erect five two-storey residential houses on a plot of land to the rear of an existing dwelling known as White House, which is located off the Tŷ'n Llan unclassified road in the coastal village of Cricieth. An outline application for the proposal was previously approved.

1.2 The land forms part of the White House's substantial gardens and, at one time, a tennis court. As a result of a site visit, it is noted that site clearance work was conducted recently, including tree felling within the site. The plot of land is located on a slope with other residential houses to the rear and to the side on a slightly higher level than the site. The site is located within the development boundary of Cricieth.

1.3 The proposed development includes the following elements:

- Widen the existing access and access road, adding to this road and creating a new estate road
- Individual accesses to the five houses off the estate road with formal gardens to their fronts, sides and rears
- Two types of houses are to be erected on the site -
- Type 1 - ground floor - three bedrooms, an integrated garage, utility, bathroom and 'snug'
first floor - a living room/kitchen, bedroom, bathroom, external balcony
- Type 2 - ground floor - three bedrooms, bathroom, utility
first floor - a living room/kitchen/lounge, bathroom, external balcony

Externally, the buildings are to be finished with a mix of render and bricks with a natural slate roof with a timber fence erected on the individual boundaries of the houses.

1.4 The following information has been submitted with the application:

- Community and Language Impact Statement - February 2017 update
- Trees Assessment
- Drainage Strategy Report

1.5 The application is submitted to the Planning Committee as the size of the proposed development is greater than that which can be dealt with under the delegated procedure. The application has been amended since its original submission by extending a part of type one's first floor to include part of the external balcony. It was noted here also that another element of the application has also been amended, namely to decrease the whole affordable property's size (namely type two plan on the plans) so that it conforms with the three bedroom affordable housing measurements as outlined in the Supplementary Planning Guidance: Affordable Housing.

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 Unitary Development Plan.

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2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 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 set out below, 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.

2.3 **Gwynedd Unitary Development Plan 2009:**

POLICY A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS

Ensure that sufficient information is provided with the planning application regarding any environmental impacts or other likely and substantial impact in the form of an environmental assessment or assessments of other impacts.

POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

POLICY B19 – PROTECTED TREES, WOODLAND AND HEDGEROWS

Proposals which will lead to the loss or damage of a protected tree, woodland or hedgerow will only be permitted when the development's economic and/or social benefits outweigh any harm.

POLICY B22 - BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

POLICY B23 - AMENITIES

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

POLICY B25 - BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B27 – LANDSCAPING PLANS - Ensuring that permitted proposals incorporate soft/hard landscaping of high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY C1 - LOCATING NEW DEVELOPMENT

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

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POLICY CH4 - NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES

Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

POLICY CH33 - SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 - PRIVATE CAR PARKING FACILITIES

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

In addition to GUDP policies, full consideration is given to the Authority's adopted Supplementary Planning Guidance (SPG), which are material and relevant considerations. The following are considered to be relevant in this case:

- Affordable Housing
- Planning and the Welsh Language
- Gwynedd Design Guidelines

2.4 Gwynedd and Anglesey Joint Local Development Plan (Composite Version including Matters Arising Changes, January 2017)

TAI 1: An Appropriate Mix of Housing

TAI 15: Housing in Local Service Centres

PCYFF 1A: Development Boundaries

PCYFF 1: Development criteria

PCYFF 2: Design and place shaping

PCYFF 3: Design and landscaping

TRA 2: Parking standards

2.5 National Policies:

Planning Policy Wales, Edition 9 2016.

Technical Advice Notes (TAN)

- TAN 12: Design
- TAN 20: Planning and the Welsh Language

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3. Relevant Planning History:

- 3.1 Application C12/1529/35/AM - an outline application to erect four dwellings and one affordable dwelling and create a new vehicular access - approved 14.12.16

4. Consultations:

Community/Town Council: No objection

Transportation Unit: As a result of amending an aspect relating to the access and the access road, there are no objections and it is asked include standard conditions.

Biodiversity Unit/Trees: The tree survey meets the relevant standards, suggest including relevant conditions.

Welsh Water: Standard conditions and advice.

Natural Resources Wales: No observations

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and correspondence was received objecting on the following grounds:

- Detrimental impact on the amenities of neighbouring houses

As well as the objections above, objections were received which were not valid planning objections and these included:

- Matters relating to access use/ownership
- Work has already taken place
- Site is marketed under an English name only
- Boundary treatment issues

5. Assessment of the material planning considerations:

5.1 The principle of the development

5.2 It is believed that the main consideration in relation to this application is the suitability of the proposed scheme in terms of the details of the proposed dwellings, taking into account that an outline application has already been approved and consequently the principle of a residential development for five dwellings has been supported. Due to it being a full application, all relevant planning considerations need to be assessed once again. However, it must be acknowledged that the outline application has already established the development's principle for five new dwellings and it would, therefore, be very difficult to object on the basis of matters that have already been approved such as the vehicular and road access.

5.3 Policies C1 and CH4 of the GUDP are relevant to this application. Policy C1 relates to locating new developments, and the main focus of the policy is to support developments within the development boundaries of towns and villages. The application site is within the development boundary of Cricieth, therefore the

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application complies with policy C1. Policy CH4 permits constructing new housing on unallocated sites within the development boundaries of local centres and villages, provided the proposal satisfies the criteria in the policy.

- 5.4 Policy CH4 seeks for sites to provide a percentage of affordable units unless, having considered all the relevant factors, that it would not be appropriate to provide affordable housing on the site. In this case, it is seen that the outline application has approved to include one affordable house (through a formal 106 agreement), it is considered that this proportion is acceptable and therefore meets the policy needs of CH4. It is also confirmed that, as a result of amendments made to the number of affordable units, this aspect conforms with relevant requirements relating to the size of affordable units as noted in the Supplementary Planning Guidance: Affordable Housing.
- 5.5 It is therefore considered that the principle of the application is acceptable and complies with policy C1 and CH4.
- 5.6 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless material considerations state otherwise. The current 'Development Plan' is the Gwynedd Unitary Development Plan (2001 - 2016) and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) will replace the Unitary Plan as the 'development plan' once it is formally adopted. It is likely that the JLDP will be adopted during July 2017.
- 5.7 When dealing with any planning application the statutory test should be your first consideration at all times, i.e. it is necessary to determine planning applications in accordance with the development plan, unless other relevant considerations state otherwise. The JLDP is now a material planning consideration for the purposes of development control. Paragraph 3.1.3 of Planning Policy Wales states:
- "Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies ..."*
- 5.8 Although many policies have been discussed in detail during the Gwynedd and Anglesey Joint Local Development Plan Hearings, we will not know for certain what the contents of the Plan will be until the Inspector presents his binding report.

Paragraph 2.14.1 of Planning Policy Wales states:

"...thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances."

In this case, the JLDP policies as noted in 2.4 above are material and as these policies are consistent with the policies of the Unitary Development Plan and the relevant National Advice included in PPW, it is considered that the above assessment and the recommendation of this report are consistent with the emerging policy.

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5.9 Visual amenities

- 5.10 The site's layout was approved including the location of the houses for transport on the previous outline application. Due to the location of the site around other houses, it was not considered that there would be an unacceptable detrimental impact on the form and character of the townscape. It is believed that, as the existing arrangements will continue as approved, the arrangement is unacceptable.
- 5.11 Locally, there is a mix in terms of sizes, forms and finishes to residential houses, mainly, it is seen that individual houses are the most prominent within the nearby area with established gardens. It is considered that the general layout of the site continues to be acceptable, and that the size of the houses are suitable in terms of keeping with the area's general appearances. Some general features are included in this applications, namely natural slate roofs, render and bricks, whilst other features such as the use of glass is reasonable to the type of proposed houses.
- 5.12 It is therefore considered that the application is acceptable and consequently meets the relevant requirements of policies B22, B23 and B25.
- 5.13 A landscaping plan was not submitted as part of the application, although it would usually be expected. Nevertheless, it is believed that it is acceptable (and a general arrangement) to include a landscape condition in order to agree on these details in due course. In doing so, it is believed that the requirements of policy B27 will be met.

5.14 General and residential amenities

- 5.15 Policy B23 is relevant to this aspect of the application. Policy B23 states that proposals which would cause significant harm to the amenities of the local neighbourhood should be refused. It is acknowledged that there will be some degree of noise disturbance should the development be approved, based on daily movements in and out of the site itself, however, it is believed that this degree of noise would not be unacceptable or significant given the existing residential dwellings around the site and the proximity of the site to the A497 which is a busy road.
- 5.16 It is considered that the height and location of the houses, as well as the location of their windows, is acceptable considering any impact relating to overlooking that satisfies the requirements of policy B23 in this respect. As has been noted, the site's layout is in accordance with what was considered at the time of determining the outline application, and it is not considered to cause overlooking and loss of unreasonable privacy for the nearby houses. It is not believed that the proposal is contrary to the development pattern and housing density in this part of Cricieth due to the variety that already exists.
- 5.17 Because of the location of the site and because the type, size, design and finishes of nearby houses vary, the proposal is considered to be acceptable and, as a result, complies with the requirements of policies B22 and B23.

5.18 Transport and access matters

- 5.19 Policies CH33 and CH36 relate to safety on roads and streets and private car parking facilities. The transportation unit has responded to the consultation and, originally, concern was highlighted for the layout of the access to the site off the Tŷ'n Llan Road. Consequently, an amended plan was received showing an improvement to the layout, and as a result, there were no objections to the proposal. The submitted site plan

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shows that turning spaces and enough parking spaces can be provided for vehicles within the site.

- 5.20 By including appropriate conditions, it is considered that this element of the proposal complies with policies CH33 and CH36.

5.21 Trees Matters

- 5.22 Policy B19 safeguards trees, woodlands and hedges. Tree felling work has already been carried out on the site but not on the trees to the east side of the site that is protected by a tree preservation order. The trees that have been felled are not subject to a preservation order. A trees assessment was received from a specialist as part of the application.

- 5.23 Subject to appropriate conditions to safeguard the trees, the Council's Biodiversity Officer did not have any objection to the proposal. It is therefore believed that the application complies with the requirements of policy B19.

5.24 Linguistic Matters

- 5.25 Policy A2 states that proposals which would cause significant harm to the social, linguistic or cultural cohesion of communities, due to their size, scale or location, will be refused. In accordance with the 'Planning and the Welsh Language' supplementary planning guidance, an update to the community and linguistic impact assessment was submitted with the previous application which included specific information regarding the area and local population and the development's impact on relevant matters. The report acknowledges the importance of the Welsh language and the consideration that should be given to all relevant issues.

- 5.26 The information was assessed by the Joint Planning Policy Unit, and it was confirmed (as was confirmed in the outline application which has already been approved) that the proposed development is not likely to have a detrimental impact on the Welsh language. Consequently, it is not considered that the proposal is contrary to Policy A2 as it is not considered that there would be pressure on the language or a negative effect on the community. This is also in accordance with the Supplementary Planning Guidance: Planning and the Welsh Language.

- 5.27 It is noted here that observations have been received by a neighbour, claiming that the site is marketed by a local estate agent under an English name only. Naming new estates is a matter that is dealt with by the Building Control Service but, in this case, the agent's attention was drawn to the matter and, as a result, a confirmation was received on the owner's intention to discuss a suitable name with the local Community Council.

5.28 Relevant planning history

- 5.29 It is considered that appropriate consideration has been given to the site's planning history and it is noted again that developing this site has already been considered and approved and that the principle, therefore, has been established.

5.30 Section 106 agreement matters

- 5.31 As has already been noted, a 106 agreement has been completed that protects one property on the site as an affordable unit.

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5.32 Response to the public consultation

It is considered that due attention has been given to all the relevant planning observations as received as part of the public consultation.

6. Conclusions:

- 6.1 The outline permission has approved the principle of a residential development on this site. This current application has been submitted in the form of a full application and therefore, the development must be considered as a whole.
- 6.2 We see that what is proposed here is in accordance with what has already been approved in terms of the number and likely layout of the houses, the location of the entrance and the road. The details are acceptable and, on this basis, the entire application is also acceptable.
- 6.3 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as the observations received, it is believed that the proposal is acceptable and complies with the requirements of the relevant policies as noted.

7. Recommendation:

- 7.1 To approve – conditions
 - 1. Time
 - 2. Comply with plans
 - 3. Materials including natural slate material
 - 4. Highways
 - 5. Protecting trees
 - 6. Welsh Water Note
 - 7. Landscaping
 - 8. Boundary treatment details
 - 9. Removal of the affordable unit's PD rights