

PLANNING COMMITTEE	DATE: 05/06/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	SIAMBR DAFYDD ORWIG, CAERNARFON

Number: 9

Application Number: C17/0257/14/LL

Date Registered: 17/03/2017

Application Type: Full - Planning

Community: Caernarfon

Ward: Seiont

Proposal: Redevelop the site including the creation of 19 artisan workshops, manufacturing retail on a small scale, refurbish and adapt existing buildings, change of use to create three holiday units along with extensions to existing structures

Location: Harbour Office, Slate Quarry, Caernarfon, LL55 2PB

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to redevelop a site which was a mixed use site including a B1 Class Use (light industry and office use), B2 (general industry) and D2 (assembly and leisure) along with ancillary retail in order to create 19 artisan workshops manufacturing and retail on a small scale, refurbish and adapt existing buildings, change of use to create three holiday units along with extensions to existing structures. The development can be split into the following elements:

- Provide 19 artisan workshops by using new buildings and adapting the existing buildings. Locate 15 units on the ground floor with four units on the first floor with a lift/stairs connecting the floors for the public. The units will vary in size with some of them including bathrooms/toilets, exhibition rooms along with a seating area for a refreshment. The units are serviced by four passageways that connect the Island site with the road/path network surrounding it.
- Provide two one-bedroom holiday units within the harbour master's building and one one-bedroom unit within a connected building (Beics Menai). The harbour master building is a grade II* listed building and this element of the proposal is subject to a separate listed building application (reference C17/0258/14/CR which has, by now, received listed building approval).
- Extensions and adaptations along with erecting new buildings which fill empty spaces between the existing structures.
- Keep part of the harbour master building for the Harbour Trust meeting room along with keeping the reception/office by the main entrance and placing an interpretation board there.
- Landscape around the site including *soft* landscaping (plants) and *hard* landscaping (path surfaces and public spaces of various stones based on colour and texture).
- Flood impact mitigation measures based on raising the ground levels of some units/workshops and build a flood wall on the site's southern outskirts, facing the south and the river Seiont.

1.2 The size of the application site is 0.29ha with the floor surface area of the existing buildings being 1,030m². The proposal would provide an additional floor surface area of 637m² which would bring the development's total floor surface area to 1,667m². The site is located on the western outskirts of St. Helen's Road, forming part of the Old Slate Quarry area. North of the site is a terrace of grade II listed buildings of various uses, St. Helen's Road and the railway station's redevelopment site is located to the east, to the south the river Seiont is located and to the west, there are parking spaces and the castle is located further along.

1.3 The application site is located within the Caernarfon Conservation Area and within the Crucial Setting of the World Heritage Site - the Town Walls and Castles of King Edward I in Gwynedd (CADW). The majority of the site is within a C2 Flood Zone as defined in the Development Advice Maps, Technical Advice Note 15 "Development and Flood Risk" (2004). The site, along with the rest of the river Seiont waterfront, adjacent to St. Helen's Road is designated as a redevelopment site in the Supplementary Planning Guidance: Development Briefs.

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1.4 The following documents were received as part of the planning application:

- Design and Access Statement
- Community and Linguistic Statement
- Foul Water and Surface Water Drainage Strategy Report.
- Flood Consequence Assessment
- Ecological Surveys
- Heritage Impact Assessment

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.

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 (GUDP):**

- Strategic Policy 1 - adopting a precautionary approach
- Strategic Policy 3 – protecting the built and historic heritage
- Strategic Policy 4 – design standards
- Strategic Policy 5 – developments that create risk
- Strategic Policy 6 - redeveloping and reusing previously used land
- Strategic Policy 11 - accessibility
- Strategic Policy 16 – employment
- Strategic Policy 17 – tourism
- Policy A2 – protect the social, linguistic and cultural fabric of communities
- Policy A3 – precautionary principle
- Policy B3 – developments that affect the setting of a listed building
- Policy B4 – developments within or that affect the setting of conservation areas
- Policy B6 – Caernarfon Castle and Town Walls World Heritage Site
- Policy B20 – species and their habitats of international and national importance
- Policy B22 – building design of a high standard
- Policy B23 - safeguarding the amenities of the local neighbourhood
- Policy B24 – changing and extending buildings within development boundaries, rural villages and rural areas
- Policy B25 – building materials of a high standard
- Policy B29 – development on land at risk from flooding
- Policy B32 – increasing surface water
- Policy C1 - locating new developments within development boundaries
- Policy C3 – re-using previously developed sites
- Policy C4 – adapting buildings for re-use
- Policy C5 – redevelopment sites

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Policy C7 – building in a sustainable manner
Policy CH30 – access for all
Policy CH33 – safety on roads and streets
Policy CH36 – private car parking facilities
Policy D6 – industrial/business units within development boundaries
Policy D15 – self-serviced holiday accommodation

Gwynedd Design Guidance (2003).
Supplementary Planning Guidance (SPG): Planning and the Welsh language
SPG: Holiday Accommodation.
SPG: Development Briefs.

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

Policy Theme1 - maintain and create safe, healthy, distinctive and lively communities
Policy Theme2 - sustainable living
Policy Theme3 - support growth and regeneration which will transform the local economy
Policy Theme5 - protect and enhance the natural and built environment
PS1 - the Welsh language and culture
Policy AMG4 - local biodiversity conservation
Policy ISA1 - infrastructure provision
Policy PS5 - sustainable development
Policy PCYFF1 - development criteria
Policy PCYFF2 - design and place shaping
Policy CYF6 - urban regeneration sites
Policy PS11 - the visitors' economy
Policy TRA2 - parking standards
Policy TRA4 - managing transport impacts
Policy TWR2 - visitor accommodation
Policy MAN3 - retailing outside Defined Town Centres and within Development Boundaries
Policy PS17 - safeguarding or enhancing heritage assets

2.5 **National Policies:**

Planning Policy Wales, Edition 9 (2016).
Technical Advice Note (TAN) 12: Design (2016).
NCT13: Tourism (1997).
TAN15: Development and Flood Risk (2004).
NCT20: Planning and the Welsh Language (2013)
TAN23: Economic Development.

Welsh Office Circular 61/96: Planning and the Historic Environment:
World Heritage Site Management Plan - the Town Walls and Castles of King Edward I in Gwynedd.

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3. Relevant Planning History:

- 3.1 Application number C13/1236/14/CA - partly demolish some of the buildings in order to safeguard them to redevelop in the future, approved in February 2014.
- 3.2 Following extensive discussions with the applicant's agent, an enquiry was received before submitting the application under reference C16/1519/14/YM on the principle of redeveloping the Island's site for work spaces for artisans, manufacturing and retail on a small scale. The response stated:
- The economic, educational and cultural importance of redeveloping this site for Gwynedd was recognised (hand in hand with the Ffestiniog and Welsh Highland Railway site).
 - Amendments and improvements are needed for the proposal's design on the basis of its impact on nearby listed buildings, the conservation area and its setting near the World Heritage Site and the Castle.
 - Need to respond to the concerns of Natural Resources Wales in relation to flood mitigation measures.
- 3.3 Running alongside the pre-application consultation, the proposal was submitted to Design Commission Wales by the applicant's agent. It was recognised that the plan was a strong and interesting one for such a challenging and important site within the town but amendments were needed, relating to: (i) the importance of choosing appropriate colours for the elevations; (ii) the need to change the form and design of some new structures; (iii) the need to show more of the site's context by submitting axonometric plans and cross-sections and (iv) the need to respond to Natural Resources Wales concerns relating to floods.
- 3.4 As a result of the extensive consultations above and the responses received from the Local Planning Authority, Design Commission Wales and Natural Resources Wales, this current application is submitted.

4. Consultations:

Community/Town Council: Support.

Transportation Unit: Following approving amended plans relating to reducing the size of the structure further away from the nearby pavement as well as removing a stone boundary wall opposite the St. Helen's Road roundabout, there is no objection to the application subject to including appropriate conditions.

Natural Resources Wales: The application should only be approved subject to the inclusion of conditions relating to flood mitigation measures.

Welsh Water: Need further details regarding the status of the local public sewer system along with details of existing and proposed influx of foul and surface water from the application site.

Public Protection Unit: No response.

Biodiversity Unit: No Biodiversity concerns.

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Conservation Officer:	No objection to redevelop the site in principle as extensive discussions have taken place in order to agree on a suitable design for the development. It is not believed that this proposal would have a detrimental impact on the layout of the listed building (the Harbour Master's building), the conservation area
Caernarfon Civic Society:	No response.
Gwynedd Archaeological Planning Service:	No response.
North Wales Police (Community Safety):	No objection as the proposal will be following the <i>Secured by Design</i> procedure.
Fire and Rescue Service:	No observations regarding the access to fire vehicles and water supply.
National Health Service:	No response.
CADW (Conservation and Policy Unit):	Confirm that the development would only have a very minor impact on the castle and town wall monuments as well as the World Heritage Site's Outstanding Universal Values. The observations from CADW have been restricted to the development's impact on the World Heritage Site only, and the development's direct impact on the grade II* listed building (the Harbour Master's office) is subject to a listed building application and CADW will respond to this application separately.
Public Consultation:	<p>A notice was placed in the press and on the site and nearby residents were informed. The notification period has already ended but no response had been received from the public to the proposal following the statutory notification period.</p> <p>In addition to the above statutory notification from the Local Planning Authority, a meeting and a public presentation was held by the applicant's agent in January 2017 in order to inform local businesses of the details of the proposed development.</p>

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Decisions about planning applications must be made in accordance with the adopted development plan, unless other material considerations state otherwise. The Gwynedd Unitary Development Plan (2001-2016) is the current 'Development Plan' and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) replaces the UDP as the 'development plan' once it is adopted. The hope is that the JLDP will be adopted during July 2017.

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- 5.2 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 - see paragraph 3.1.3 Planning Policy Wales that 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 ...".
- 5.3 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 submits his binding report.
- 5.4 Paragraph 2.14.1 of Planning Policy Wales states:
- "...thus in considering what weight to give to the specific policies in an emerging JLDP 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."
- 5.5 The principle of redeveloping the Island Site is based on a number of policies, including Policy C1 of the GDUP which states that land within town and village development boundaries will be the main focus for new developments. Policy C3 notes that proposals will be approved if they give priority, wherever possible, to re-using previously developed land or buildings that are located within or near development boundaries. Policy C4 states that proposals to adapt buildings for re-use rather than demolishing them will be approved provided they conform to a number of criteria which include that the buildings are suitable for the proposed use and that the design (including any changes and extensions) respect the structure, form and character of the original buildings and the surrounding area and keeps any traditional, historical or architectural indigenous features.
- 5.6 Policy C5 permits development proposals on sites noted on the Proposals Maps as redevelopment sites, provided they are consistent with the development briefs prepared for the sites. In this case, the development brief for the site and the river Seiont waterfront supports creating an exciting and enticing development which is attractive to local residents and tourists which will be a catalyst to develop the town and its catchment area's economy. To this end, it is believed that the type of regeneration plan submitted here is to be welcomed and complies with the Council's general strategy of approving developments that will strengthen the local economy by developing and enhancing the variety and standards of facilities and tourist attractions in the County. It is also noted that the content of the above policies reflects the policies of the LDP as well as Welsh Government's national guidance.
- 5.7 It is believed that the principle of redeveloping the site for holiday, artisan workshops as well as manufacturing and ancillary retail on the proposed scale is acceptable, considering the adjoining land uses. In addition to this, it is not believed that the proposed development would involve intensifying the site's current use, which includes B1 use (light industry), B2 (general industry) and D2 (assembly and leisure) and it appears to be possible to continue with these uses without the need for further planning permission. It could also be argued that the proposed development included in this planning application offers the potential of having comprehensive management

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of the development in general by, for example, including conditions relating to flood mitigation measures, opening hours etc.

Visual amenities

- 5.8 As referred to above, the Island Site is a prominent and important site which abuts Caernarfon's historic core, namely the castle and the town walls with a vast number of adjacent structures overlooking the site itself. It would be required for any development or redevelopment on this site, along with its design, to protect the built quality and setting of the castle, the town walls, the World Heritage Site and the conservation area. Following receiving a pre-application enquiry, concern was expressed by officers regarding a number of the development's design elements relating to (i) layout - the plans submitted originally affected the setting of the site opposite the World Heritage Site and (ii) design - the planning officers, the Design Commission and CADW had concerns regarding the elevations/materials of the structure facing the river Seiont and creating oppressive structures facing St. Helen's Road.
- 5.9 The latest plans submitted with this application respond positively to these concerns, and amendments have been made to the development's following elements:
- Scale - the latest design includes a structure which corresponds to the scale and mass of existing industrial buildings with the new buildings having been designed as separate units, continuing with the site's ad-hoc character which creates new views of the castle and the harbour master's listed building.
 - Elevations - the latest plan creates new buildings and structures within the site's existing empty spaces which are modern and colourful in order to differentiate between the site's industrial and historic uses, and modern artisan uses. The mindset behind this plan shows the site's natural evolution from the old to the new.
 - Materials – existing structures on the site have a rich variety of external materials and the intention is to continue with this unique character, using green, red and black steel profile covers, glass panels on the front elevations of the workshops set within steel frames, restoring existing slate roofs and walls, re-rendering the structures' walls with lime and restoring clean brickwork.
 - Landscaping - the objective of the landscaping plan is to improve the grade II* listed building's setting (Harbour Master's office), create an attractive public circle and introduce half-suggestive flood mitigation measures and, to this end, the plan would include changes to the surfaces of footpaths, low walls of natural stone on the peripheries and installing plant containers.
- 5.10 By considering the above, it is believed that this latest plan is acceptable on the grounds of its impact on visual amenities, the surrounding area's historic and conservational assets and, therefore, conforms to the requirements of Strategic Policy 3 and 4, B3, B4, B6, B22, B23, B24, B25, C3, C4 and C5 of the GUDP and Policy Theme 5, PCYFF1, PCYFF2, CYF6 and PS17 of the LDP.

General and residential amenities

- 5.11 There are a variety of land/building materials located not far from the Island Site, including residential dwellings (Segontium Terrace and flats within the Square's buildings), shops, offices, holiday accommodation, public houses, seasonal dry boat storage, workshops, tourist attractions and a railway station. In considering (i) the area's current business (which is possibly going to increase when the new nearby railway station is completed); (ii) the site's existing industrial use and the intention to

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set-up a use of a lighter nature and (iii) that the site is already located within a busy commercial area, and it is not believed that approving this application would substantially impact or undermine the residential and general amenities of nearby residents and tourists apart from, possibly, during the building period which will be temporary only. In addition to this, no responses to the proposal were received from the public following the statutory notification period. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy B23 of the GUDP and Policy PCYFF1 of the LDP.

Transport and access matters

- 5.12 The site is serviced off a nearby unclassified county road (St. Helen's Road) with private parking spaces nearby. There is also a public path network around the site which connects the site itself with the rest of the town. Following discussions with the Transportation Unit, amended plans were submitted which includes placing the buildings back from the footpath along St. Helen Road and removing part of the small stone wall between the site and the roundabout to the east. Considering the site's central location, it is believed to be a very accessible area in terms of the use of private vehicles, public transport, walking and cycling, with the town's main bus station within a convenient walking distance as well as the Lôn Eifion cycle path and railway station being close by. Therefore, to this end, it is believed that the proposal is acceptable based on the requirements of Policy C5, CH30, CH33 and CH36 of the GUDP and Policy TRA2 and TRA4 of the LDP.

Biodiversity matters

- 5.13 Ecological Surveys were submitted with the planning application which comes to the conclusion that the potential for nesting birds in the current structure was very low and, therefore, it is not believed that the proposed development would have ornithological implications. However, it was suggested to include a condition should the application be approved which prevents any demolition/building work during the nesting season (April - September). If this is not possible, it is suggested to carry out an additional bird survey in order to ensure that those birds that nest are not disturbed by the building work. In addition to the above assessment, the surveys came to the conclusion that there was not much wildlife interest on the site considering its town location. However, it would be good if a licensed bat worker was on site during any demolition and re-roofing work. The Biodiversity Unit has no concerns regarding the application. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy B20 of the GUDP and Policy AMG4 of the LDP.

Linguistic matters

- 5.14 Policy A2 of the GUDP 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. These objectives are also reflected nationally in Strategic Policy PS1 of the LDP. SPG: Planning and the Welsh Language states that there will be a need to look carefully at how new developments will affect the current pattern of the fabric of society and that developments are required to comply with the requirements of local and national language policies.
- 5.15 For this purpose, the applicant has submitted a Linguistic and Community Statement to support the proposal and the Joint Planning Policy Unit has reached the following conclusions:

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- It is believed that the development will offer economic benefits to the local area, leading to additional expenditure in the local economy.
- It is believed that the proposal will also lead to a direct investment and create jobs on the site with these jobs likely to be suitable for the local population and, to this end, the proposal will contribute towards keeping the current population in the area and, in turn, is likely to have a positive impact on the viability of the Welsh language.
- On the whole, it is not believed that the nature or scale of the proposed development is likely to have a detrimental impact on the Welsh language.

5.16 Given this assessment and the abovementioned observations of the Joint Planning Policy Unit, it is believed that the proposal is in accordance with Policy A2 of the GUDP, Strategic Policy PS1 of the LDP in addition to the SPG: Planning and the Welsh Language.

Infrastructure matters

5.17 The relevant local planning policy in the context of infrastructure is Policy CH18 of the GUDP and Policy ISA1 of the LDP that states that development proposals will be refused unless there is adequate capacity/provision of infrastructure for the development, which includes power and water supply, means of disposing of water and sewage, means of disposing of surface water and other essential services, unless one of the following criteria can be met:

1. That appropriate arrangements are made in order to ensure adequate provision, or
2. The development takes place in phases in order to accord with any proposed scheme to provide additional infrastructure.

5.18 The explanation to these policies states that where there is inadequate infrastructure, development will not be permitted unless the situation can be rectified satisfactorily. As referred to above, Welsh Water objected to this application originally on the grounds of lack of information relating to the status of the existing local public sewer system and the need for further details regarding the existing and proposed flow rate of surface water and foul water from the site, considering that the existing public system has a restricted capacity for receiving additional flow. It is also important that the infrastructure provision for the development site is located and designed in a way that reduces the impact on the natural and built environment.

5.19 In addition to the above local planning policy, consideration should also be given to national advice in Planning Policy Wales, Edition 9, Chapter 12 Infrastructure and Services. It states *that the adequacy of water supply and the sewage infrastructure are material in considering planning applications and appeals ... these issues require early identification when locating future development. Local planning authorities should therefore ... seek to avoid the use of sites where adequate water supply and/or drainage provision is unlikely to be achieved.*

5.20 Therefore, to this end, it is believed that the proposal does now comply with the requirements of Policy CH18 of GUDP together with the advice in Planning Policy Wales subject to including a condition regarding the submission of a land drainage

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plan to be agreed with the Local Planning Authority before any development on the site begins.

Sustainability matters

- 5.21 The development has been designed with environmental sustainability in mind and it is hoped that the development itself reaches the BREAAAM standard of *Very Good* given that the restrictions involve changing and extending the existing historical structure that is within the site. It should also be remembered that the site is very accessible for a number of different types of travelling modes as referred to in the above assessment and it is also an appropriate use of a site that was previously used. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Strategic Policy B23 of the GUDP.

The economy

- 5.22 The development includes two holiday units within the listed building of the Harbour Master's office as well as a holiday unit within the building of Beics Menai which is opposite the listed building. It also means creating 19 light industry units/workshops (B1 Class Use) to design crafts, manufacture and retail on a small scale. It was noted that creating holiday accommodation was vital to the plan's viability. The land uses associated with this application is a reflection of the land use that is not only currently on the site but is also within the site's catchment area and the Development Brief states that new activities should be encouraged, such as provide for work and leisure and qualities to develop the tourist sector throughout the year. The aim is to optimise the site's use and location in order to create an attractive and dynamic environment. The site should also meet the needs of local people in terms of leisure and eating establishments and shops. Developing this site could be a boost and a trigger to further develop the economy of the town and its catchment area. To this end, therefore, it is believed that the proposal conforms to the requirements of Strategic Policy 16 and 17, D6 and D15 of the GUDP, SPG: Development Briefs and Holiday Accommodation and Policy Thema1 and 3, CYF6, PS11, TWR2 and MAN3 of the LDP.
- 5.23 National guidelines and guidance relating to developments for promoting and strengthening the local economy states: *Local planning authorities should consider dealing with economic development applications in a positive and constructive manner...In determining planning applications for tourist developments, local planning authorities need to consider the impact of the proposals on the environment and the local community.* Given the content of this assessment, it is believed that the proposed development complies with the objectives of the national guidance which have been included in PPW Chapter 7 Economic Development, Chapter 11 Tourism, Sport and Recreation and NCT23 Economic Development.

Flooding matters

- 5.24 Considerable discussions have taken place between the applicant's agent, officers from the Local Planning Authority and Natural Resources Wales with regard to the implications of developing on a large part of the site which is within a C2 Flood Zone as defined in Technical Advice Note 15 – Development and Flood Risk (2004). The site is open to tidal floods from the Menai Straits and, as a result to these discussions as well as submitting a Flooding Consequences Assessment, raising the floor surface levels, re-locating the development which is most sensitive and open to floods (the

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three holiday units) to a site which is outside the C2 Zone, as well as including material conditions relating to mitigation measures, it is believed that, by now, the development is acceptable based on the ability to manage flooding risks. Therefore, to this end, it is believed that the proposal, with appropriate conditions, is acceptable based on the requirements of Strategic Policies 5, B23, B29 and B32 of the GUDP, in addition to complying with the requirements of Policy Theme 1, Policy PCYFF1 and ISA1 of the LDP and national guidelines and advice as included in TAN15 and Chapter 13 Planning Policy Wales Minimising and Managing Environmental Risks and Pollution.

6. Conclusions:

6.1 Having considered the assessment above and all the relevant planning matters including the local and national planning policies and guidance, as well as the observations received from the statutory consultant, it is believed that the proposal is acceptable based on the matters noted in the assessment and that it would, consequently, comply with the requirements of the relevant policies as noted above.

7. Recommendation:

7.1 To approve – conditions:-

1. Five years.
2. In accordance with the plans.
3. Agree with external elevation details, including samples of the different materials before starting on the work on the site.
4. Natural Resources Wales conditions in relation to flood prevention mitigating measures.
5. Highway conditions.
6. Protected species condition.
7. Restrict the retail use to be ancillary to the use of the workshops only.
8. Welsh Water conditions
9. Restrict the use of the development to the use of Class B1, B2 and C3 (holiday units).