

PLANNING COMMITTEE	DATE: 18/12/17
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

**Number: 3**

**Application Number:** C17/0844/09/LL

**Date Registered:** 01/09/2017

**Application Type:** Full - Planning

**Community:** Tywyn

**Ward:** Tywyn

**Proposal:** Full application for the demolition of a former health centre and erection of 12 dwellings (8 flats and 4 semi-detached houses) along with an access, parking and associated infrastructure

**Location:** Land at Former Medical Centre, Pier Road, Tywyn, Gwynedd LL36 0AT

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

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## 1. Description:

1.1 It was not possible to discuss this application at the Planning Committee held on the 27/11/17 as there was no quorum. This is a full application for the demolition of a former health centre and erection of a residential development of 12 dwellings. The houses would be laid out in one block of eight flats in the form of a three/two-storey buildings, and four two-storey semi-detached dwellings. The houses would have slate roofs with exterior walls to finish with render and bricks. The development would include:

- 4 two-bedroom houses;
- 4 two-bedroom flats;
- 4 one-bedroom flats.

1.2 It is proposed to provide 18 parking spaces as part of the development, with three spaces for the disabled as part of this provision, and it is proposed to provide a bin/recycling storage provision and a bicycle storage area. The following were also submitted as part of the application:

- A Community and Linguistic Statement;
- An Affordable Housing Statement;
- A Design and Access Statement;
- A Habitats Survey Report;
- A Pre-application Consultation Report;
- A Planning Statement;
- A Drainage Strategy.

1.3 The site is located within the development boundary of the town of Tywyn. The site has not been earmarked for any use and it has not been protected in the LDP, and the site was previously used as a health centre. The current single-storey dwelling on the site has a flat roof, brick walls and three cherry trees are located on the western boundary of the site. The site lies within the Dysynni Landscape of Outstanding Historic Interest. The site is served by three unclassified county roads (Talyllyn Drive, Pier Road and Llewelyn Road to the west, north and east of the site. The area is a mixture of three-storey, two-storey and single-storey buildings, residential houses are located to the south, and west of the site, with a church to the east, and residential houses/residential home for the elderly to the north.

1.4 The application is submitted to Committee as it is an application for five or more houses, the application is a large development as defined by the Planning (Wales) Act 2015.

## 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 Act (Wales) 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

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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.

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

STRATEGIC POLICY PS 1 - The Welsh Language and Culture  
 STRATEGIC POLICY PS 2 - Infrastructure and developer contributions  
 ISA 1 -  
 ISA 2 - Community Facilities  
 ISA5 - Provision of open spaces in new housing developments  
 TRA 2 - Parking Standards  
 TRA 4 - Managing transport impacts  
 PCYFF 1 - Development boundaries  
 PCYFF 2 - Development Criteria  
 PCYFF 3 - Design and Place Shaping  
 PS 17 - Settlement Strategy  
 TAI 2 - Housing in Local Service Centres  
 PS 18 - Affordable housing  
 TAI 15 - Threshold of Affordable Housing and their Distribution  
 PS 19 - Conserving and enhancing the natural environment  
 AMG 5 - Local Biodiversity Conservation  
 AT 1 - Conservation Areas, World Heritage Sites, Parks and Registered Historic Gardens.

Supplementary Planning Guidance: Affordable Housing (November 2009)  
 Supplementary Planning Guidance: Housing Developments and Open Spaces of Recreational Value (November 2009)  
 Supplementary Planning Guidance: Planning and the Welsh Language (November 2009)  
 Supplementary Planning Guidance: Planning for sustainable building (April 2010)

### 2.4 **National Policies:**

Planning Policy Wales (Edition 9, November 2016)  
 Technical Advice Note 2: Planning and Affordable Housing  
 Technical Advice Note 5: Planning and Nature Conservation  
 Technical Advice Note 12: Design  
 Technical Advice Note 16: Sports, Leisure and Open Spaces  
 Technical Advice Note 18: Transportation

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

3.1 TYW.U.1360 - Construction of new health centre – Approved - 21 October 1968

C96M / 0071/09 / CL - Extension to the health centre - Approved with conditions - 18 October 1996

A pre-application consultation was held and it was advised that the development was acceptable in principle in February this year.

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#### 4. Consultations:

Community/Town Council: No objection.

Transportation Unit: I refer to the above application, and confirm that I have no objection to the proposal.

The proposal includes an extension to the footway along the edge of the junction, which helps define the turning in the road. The parking provision proposed for the houses and flats is sufficient and conforms with parking standards.

It is recommended that standard conditions / notes are included if the application is approved.

Natural Resources Wales: No objection.

Welsh Water: Observations recommending a condition to submit drainage details for the site.

As a result of receiving these observations, the drainage plan was received for the site and a second consultation was undertaken with Welsh Water but no further response was received.

Biodiversity Unit: No concerns regarding biodiversity.

Housing Strategic 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.

#### **Suitability of the Scheme:**

Based on the above information it appears that the Plan:-

#### **Addresses**

The need in the area

The Housing Association is a partner for this development and the development will meet the Development Quality Requirements (*DQR*). It was included within the programme to receive a Social Housing Grant from Welsh Government.

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- Public Consultation: A notice was posted on site and nearby residents were informed. The advertising period has ended. Correspondence and a petition was received objecting the proposal on the following grounds:-
- The density of the development would affect the quality of local residents' lives;
  - Concerns regarding lack of visibility for vehicles leaving the houses on Talyllyn Drive which is a very narrow road;
  - Traffic concerns;
  - Lack of parking spaces;
  - Noise concerns;
  - Visual amenities;
  - Over-development of the site, the three-storey element would dominate other nearby properties;
  - Loss of light for nearby properties;
  - Loss of privacy to nearby residential houses and gardens;
  - Property depreciation as a result of the development;
  - Lack of children's play provision in the development;
  - The development not in keeping with nearby properties;
  - Houses for young families would disturb the amenities of nearby residents and the area in general;
  - Lack of provision for renewable energy generation

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The proposal is for the construction of 12 dwellings. The site is located within the development boundary of Tywyn and therefore the principle of developing the site meets the requirements of policy CYFF 1 of the LDP. Policy TAI 2 of the LDP also supports the provision of houses within the development boundaries of local service centres. This includes houses on designated sites and windfall sites as in the case of the current application. The policy identifies an indicative provision of 68 residential units on windfall sites in Tywyn during the plan period. Between 2011 and 2016, 30 units were developed in Tywyn, and 27 of these derived from windfall sites. Therefore, these 12 units would make a positive contribution towards the windfall housing provision within Tywyn. It is therefore considered that the proposal is acceptable in relation to Policy TAI 2 of the LDP.
- 5.2 As the proposal is a housing development of two or more units, Policy TAI 15 of the LDP ('Threshold of Affordable Housing and their Distribution') notes that at least 10% of the units are expected to be affordable. The applicant is Cartrefi Cymunedol

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Gwynedd, and the intention would be for all units to be affordable for social renting purposes. In addition, the affordability of these houses are managed and reflected in the size and design of the houses themselves and therefore in accordance with the guidance included in Supplementary Planning Guidance: Affordable Housing (November 2009).

- 5.3 In the context of the need for a housing development of this type, the application includes an Affordable Housing Statement which notes that data from the Gwynedd Housing Options Team notes that there is a need for units of this size in the town of Tywyn. The development will provide four two-bedroom dwellings for general social rent, along with four two-bedroom flats, and four one-bedroom flats for social rent for residents aged over 55 years. It is considered that the development will meet the shortfall in the provision of housing of this size and type in the town. In response, the Council's Strategic Unit notes that the information relating to the need is consistent with the need in the area, and that the development would address that need. In addition, their response notes that the proposal is included within a programme that would receive a grant from Welsh Government. Therefore, it is considered that the proposal complies with Policy TAI 15 of the LDP without the need to manage it by means of a Planning Act 1990 Section 106 Agreement but rather by imposing a standard condition as recommended in TAN 2 and Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management. This way of dealing with social housing developments is also consistent with the way this Authority has dealt with similar applications in the past. In order to ensure that the four proposed dwellings remain affordable in the future, it is considered reasonable to withdraw some permitted development rights from them by means of a condition associated with any planning permission granted.
- 5.4 As already noted, the current building on the site was used as a health centre to serve the town of Tywyn in the past. Policy ISA 2 of the LDP states that the loss of any community service or facility should be refused unless a suitable facility is provided to meet the need. As a similar facility was built as part of the extension and refurbishment of Tywyn Hospital, the building on this site has remained vacant since mid-2016. It is considered that the new provision on the site of the new-look Tywyn Hospital meets the needs of the area and is accessible to its users. Therefore, it is not considered that the proposal would lead to a loss of facility and that it complies with policy ISA 2 of the LDP.
- 5.5 This is an application to erect 12 dwellings; however, eight of the units provided would be for residents aged over 55 years. Policy ISA 5 of the LDP requires new housing proposals for 10 or more houses in area where existing open spaces cannot satisfy the needs of the proposed housing development to provide a suitable provision of open spaces. In circumstances where it is not possible to provide outdoor open play spaces as part of new housing developments, an alternative provision can be provided off the site or a financial contribution can be made towards improving facilities in existing open spaces. The proposed plan does not show an open space within the site, however, there are open spaces / play areas in the area and it can be seen that facilities are located approximately 200 metres (within walking distance) of the site, in a western direction. In addition, there are a number of other playing fields within reasonable walking distance in the town. It is considered that these facilities are within reasonable walking distance of the site, and considering that the vast majority of the development is for people aged over 55 years, it is considered that the proposal would be acceptable from the perspective of Policy ISA 5 of the LDP.

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## Linguistic and Community Matters

- 5.6 This is a proposal to build 12 new dwellings. In accordance with criterion 1(b) of Policy PS1 'The Welsh Language and Culture', as this development, collectively, provides more than the total indicative housing provision for Tywyn, there is a requirement for a Linguistic and Community Statement for the proposal. A statement of this type has been included with the application, and the observations of the Planning Policy Unit was received on its contents. In general, the development is likely to keep the population local in the community and could make a positive contribution to the Welsh language. According to the 2011 Census, 37.5% of the population of the Tywyn ward spoke Welsh compared with 65.4% in Gwynedd. In 2014, 74.5% of households were priced out of the housing market in the ward compared with 59.7% in the whole of Gwynedd. The median house price in the ward was £144,000 compared with £136,375 in Gwynedd. Therefore, this suggests that it is important that a sufficient provision of affordable housing for the local population is constructed in the area so that housing affordability does not worsen. It is likely that the development will be very attractive to families with children and older people (over 55 years old). The applicant's conclusions in terms of how constructing the houses could have a positive impact on local residents are agreed with. It is suggested that the applicant has a discussion with HunanIaith on how awareness could be raised of opportunities in the local area for adults to learn Welsh if the applicant does not have packages to give to new tenants about the local area. Therefore, it is not considered that there are community and linguistic implications deriving from the current application and that the proposal is acceptable in terms of Policy PS 1 of the LDP.

## Visual amenities

- 5.7 Policy PCYFF3 of the LDP relates to the design of buildings and it includes general criteria regarding character, form and design. This area of the town is a mixture of three-storey, two-storey and single-storey buildings. In terms of the buildings' design, the block of flats has two prominent elevations in the development that faces the busiest roads abutting the site. The front elevation facing Pier Road has been designed to reflect the design of the three-storey dwellings located across the road, opposite the site. According to the Planning Statement submitted, the elevation to the front of Llewelyn Road was designed to continue with the three-storey aspect with the element to the rear of the site stepped down to two-storeys in order to reflect the lower height of the houses on the initial section of Llewelyn Road. The semi-detached houses are in keeping with nearby residential houses along Talyllyn Drive. It is considered that the development integrates well with the existing buildings in the area. Although concerns have been received that the site will lead to an over-development, it is considered that the development of the site will be in keeping with the character of the existing area and that it would not cause excessive harm to the visual features of the area or broader townscape. Indeed, it is considered that what is proposed is a substantial improvement to the flat-roofed single-storey building that is an eye-sore at present.
- 5.8 In terms of finishes, the semi-detached dwellings would be finished in light-coloured bricks on the ground floor and lightly coloured render on the first floor, a slate roof with grey coloured uPVC windows and doors, along with black coloured uPVC rainwater goods. Similar to the houses, the proposed block of flats would be finished in lightly coloured bricks on the ground floor and lightly coloured render on the first and second floors, slate roof, grey coloured uPVC windows and doors along with black coloured uPVC rainwater goods. A bins/recycling storage area would be located in the south-eastern corner of the site to serve the residents of the flats. It is considered

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that the colour of the exterior finishes proposed are in keeping with the character and appearance of the nearby area and broader area.

- 5.9 Policy PCYFF 2 of the LDP notes that housing developments should have a density of at least 30 living units per hectare. The site measures 0.21 hectares in size and therefore it complies with this required density. It is considered that developing this number of residential units and including the required infrastructure and landscaping for such a development is acceptable. It is considered that the layout of the site has been designed to create a high-quality and modern development whilst retaining the character of the local area. Furthermore, the various boundary treatments proposed for the development are in keeping and reasonable for a development of this type. To ensure that planting and landscaping work is undertaken, it is considered reasonable to ask for details of the planting for written approval to ensure that the finished development is acceptable and in keeping with the area. It is considered that the proposal is acceptable in respect of Policies PCYFF 3.
- 5.10 The site lies within the Dysynni Landscape of Outstanding Historic Interest. The proposal for the construction of houses is within the development boundary and in the middle of other buildings. 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 therefore that the proposal is acceptable in terms of Policy AT 1 of the LDP.

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

- 5.11 The development has been planned to ensure a good privacy distance between the proposed dwellings and existing buildings, also the distance of the buildings from existing houses near the site ensures that it will not affect the flow of natural light into those dwellings. The four proposed two-storey dwellings have sufficient rear gardens that provide a private and desirable amenity space for the residents of the houses. A concern has been raised regarding the development leading to over-looking into nearby gardens; however, it is important to note that over-looking into nearby gardens in an urban setting is unavoidable. Private gardens will be provided for the houses and they will be enclosed and therefore safe. However, due to the location of the proposed houses and flats and the fact that there are no windows in the gable ends of the proposed houses, it is not considered that the proposal would have a detrimental impact on the amenities of the residents of nearby houses.
- 5.12 Concern has been raised that families and children who could reside in the development could disturb and disrupt the amenities of nearby residents who are mainly elderly; however, it is not considered that such an objection is reasonable and it is believed that the development would contribute towards a community of a varied nature. In order to protect the amenities of the residents of the existing residential houses surrounding the site, it is considered appropriate to impose conditions restricting the hours of construction work on the site. Therefore, it is considered that the proposal is acceptable in terms of Policy PCYFF 2 of the LDP.

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

- 5.13 The site is located centrally in the town of Tywyn with good access to local services, public transport, as well as walking and cycle paths. Therefore, it is considered that the proposal complies with Policy PS4 of the LDP which promotes access to public transport.



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- 5.14 Access to the site for the flats would be provided by means of the existing vehicular access on Llewelyn Road. Concerns have been received regarding the suitability of providing access from the 4 semi-detached houses on Tallylyn Drive; following the observations, the plan was amended for the house closest to the junction with Pier Road to ensure that the access led to Pier Road rather than Tallylyn Drive. Following a second consultation on the amended plan, some observations were received noting that they were not happy with this amendment. Nevertheless, following this amendment, it is considered that the visibility is safe and acceptable when entering and exiting the proposed development. The plans indicate an intention to have two parking spaces at the front of each house, creating ten parking spaces for the proposed flats. The observations of the Transportation Unit were received on the proposal and they did not object provided that standard conditions/notes were included on any permission. It is considered that the proposal is acceptable in terms of road safety and complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.15 As the proposal relates to the demolition of an existing building, it was required to submit an ecological report with the application, a report carried out by AES Ltd was submitted and it is intended to fell three cherry trees that currently exist on the site. The conclusions of the report notes that the site is not included in any statutory conservation designation and that no protected species are located on the site. Observations were received from the Biodiversity Unit noting that they had no biodiversity observations to make on the application, and also Natural Resources Wales did not have any concern either. It is considered that the proposal is acceptable in terms of Policy PS 19 and AMG 5 of the LDP.

### **Drainage**

- 5.16 The details submitted with the application state that a *sustainable urban drainage system hierarchy (SuDS)* had been followed when planning the development. As the ground conditions of the site were not appropriate to use permeation to dispose of surface water, the report from Cadarn Consulting Engineers have concluded that connecting to the existing drainage network (as is the case of the existing building on the site) is the most reasonable way of disposing of surface water, as well as foul water. In response to a consultation, Dŵr Cymru state that they cannot agree to the method of disposing of surface water from the site as the developer has not provided evidence that all other means of disposal of surface water have been considered. Further to a second consultation with Dŵr Cymru regarding the surface water drainage scheme a letter dated 17.11.17 was received and continued to indicate that surface water from the development should not be connected to the public sewer. To this end they offer a standard condition that surface water emanating from the development should not connect to the public sewer, unless it is agreed in writing to be disposed of alternatively. Natural Resources Wales did not have any concern regarding drainage or flood risk as a result of the proposal. It is considered that including any potential relevant conditions from Welsh Water would be sufficient to ensure that the drainage of the site is acceptable.

### **Educational Provision**

- 5.17 Policy PS 2 and ISA 1 of the LDP aim to ensure that existing schools can cope with any increase in the number of pupils that derive from new residential developments. Supplementary Planning Guidance (SPG) 'Housing Development and Educational Provision' also applies to this aspect of the application. The Joint Planning Policy Unit

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has noted that when using the formula and information noted in Supplementary Planning Guidance 'Housing Developments and Educational Provision', that the development would mean that the number of pupils in the catchment area's schools would remain lower than the capacity available within those schools.

- 5.18 Therefore, it is considered that the application complies with policies PS 2 and ISA 1 of the SPG: Housing Developments and Educational Provision and based on the evidence available there is no justification to request an educational financial contribution.

### **Response to the public consultation**

- 5.19 An observation was received in response to the public consultation noting that the development would lead to the depreciation of nearby properties; the depreciation of properties is not a material planning consideration. Reference was made in response to consultation that there was insufficient provision for renewable energy generation as part of the proposal, it is considered that permitted development rights would exist for the addition of such measures to the development following its completion so there is no concern to this end. It is considered that the other matters deriving from the public consultation have been considered in the body of this report.

### **6. Conclusions:**

- 6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as all the observations received, it is believed that the proposal is acceptable to be approved subject to relevant conditions. It is also considered that the development makes good use of a brownfield site.

### **7. Recommendation:**

- 7.1 To approve – conditions:
1. Commencement within five years.
  2. In accordance with the plans.
  3. Slate roof to be agreed.
  4. Agree on the finish of the external walls.
  5. Removal of permitted development rights for extensions and curtilage buildings for an affordable house.
  6. No surface water shall be discharged to the public sewer unless agreed in writing by the local planning authority beforehand.
  7. Parking spaces and accesses to be completed in accordance with plans and to be operational before the houses are occupied for the first time.
  8. Submit details of landscaping for approval within two months of the commencement of the development.
  9. Timetable to implement landscaping plan
  10. Standard condition to restrict the development to affordable housing only.
  11. Working hours on the site to be restricted.