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| PLANNING COMMITTEE | DATE: 16/04/2018 |
| REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER | PWLLHELI |

Number: 9

Application Number: C14/0999/40/AM

Date Registered: 16/11/2017

Application Type: Outline

Community: Llannor

Ward: Abererch

Proposal: Construction of 10 detached dwellings (with 20% being affordable), layout for an access road and creation of an entrance, with a parking and pick-up area for Ysgol Gynradd y Ffôr

Location: Land adjacent to Ysgol Hafod Lon, Caernarfon Road, Y Ffôr, Pwllheli, Gwynedd LL53 6UP

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is an outline application for a residential development to construct 10 detached dwellings with 20% being affordable, together with the layout for an access road, creation of an entrance and a parking and pick-up area for Ysgol Gynradd y Ffôr. This is an outline application but with the access, layout and scale to be considered as part of the application. The appearance and landscaping are reserved matters. However, an indicative plan of the appearance of the dwellings had been submitted as part of the application. This indicative plan shows the possible location of the plots. It also gives an idea of the size of the dwellings which would be approximately 9m to 11.5m long, 10m to 11m wide with a height of approximately 8.5m to the top. It is also understood that the dwellings would have slate roofs and the external walls would include a combination of stone, render and pebble-dash. As part of the proposal it is also proposed to create parking spaces for Ysgol Gynradd Bro Plennydd together with a walking path from the car park to the school. There would be a parking area for approximately 16 cars in this car park.
- 1.2 When the application was originally submitted, in the days of the Gwynedd Unitary Development Plan, the site was located within the Ffôr development boundary and the site was designated for housing. That original application was to construct 40 houses. However, during the consultation period on this application it became evident that there was a lack of capacity for Welsh Water to deal with sewerage from the proposal. Discussions proceeded between the applicant and Welsh Water to try and resolve the situation. A day before the Local Development Plan was formally adopted by the Council, information was received from the applicant stating that it would be possible, via a financial contribution from him to Welsh Water, to connect to the public sewer. By now the Local Development Plan (LDP) has been adopted by the Council. In the LDP the site is located outside the development boundary but is directly adjacent to it. In addition, the site has no housing designation. As a result of this the applicant decided to amend the application for 10 houses rather than 40 and that 20% of these would be affordable. Therefore the application will be assessed on the grounds of the proposal for 10 houses with 20% being affordable dwellings.
- 1.3 The site is located in the countryside and directly adjacent to Y Ffôr development boundary. The site lies within a Landscape of Outstanding Historic Interest. South of the site is Ysgol Gynradd Bro Plennydd and the site of the former Hafod Lon school. There are fields to the west and north of the site. To the east the site borders the A499 class 1 highway. It is proposed to create an entrance as part of the application and a walking path would be created near the county highway into Y Ffôr.
- 1.4 The application is submitted to Committee as it is a residential development for five or more dwellings.

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 **Anglesey and Gwynedd Joint Local Development Plan 2011-26 adopted 31 July 2017**

PS 2 - Infrastructure and developer contributions

ISA 1 - Infrastructure Provision

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

PCYFF 4 - Design and Landscaping

PS 13 - Housing provision

PS 17 - Settlement Strategy

TAI 3 - Housing in Service Villages

TAI 16 - Exception sites

PS 19 - Conserving and enhancing the natural environment

AMG 5 - Local Biodiversity Conservation

AT 1 - Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance: Affordable Housing (November 2009)

2.4 **National Policies:**

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12: Design

Technical Advice Note 18: Transportation

3. **Relevant Planning History:**

3.1 The application has no relevant planning history.

4. **Consultations:**

Community/Town Council: Support - need to be clear where the boundary is between the development and the school.

Transportation Unit: **Observations 24 November 2017**
 Observations and conditions / notes as previously given continue to be valid. In addition, I recommend additional notes regarding providing the entrance and adoption of the estate road.

Observations 3 August 2017
 I refer to the above application, and confirm that the previous observations of the Transportation Unit continue to be relevant.

The width of the entrance has been reduced on the amended plans and now includes a radius of approximately 6 metres

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either side, it is recommended that the radius is increased either side to 8 metres in order to facilitate the flow of traffic through the entrance near the A499.

Observations 24 December 2014

The site currently borders a section of the A499 where a national speed restriction is in force. However, it is proposed to extend the 30mph restriction past the site and introduce a 40mph restriction on the outskirts of the village early in the new year, therefore I will consider the application in relation to the proposed restrictions.

As a site near a 30mph restriction, visibility splays of 40 metres should firstly be provided in built-up areas. The applicant has gathered evidence to indicate that the actual traffic speed is currently more similar to 37mph (currently in a 60mph restriction) and in accordance with TAN 18 guidance visibility splays of 59 metres can be introduced in both directions. I confirm that the proposed splays are sufficient for the site once the new speed restriction comes into force.

The application includes a proposal to provide a new footway up to the school entrance, by restricting the width of the A499 to provide the footway within the highway boundaries. No changes to restrict the width will be allowed and I recommend that the footway is provided on the applicant's land and through agreement on school land. In addition a 2.0m wide path should be provided rather than 1.8m as proposed.

The application also includes a note regarding the relocation of the bus stop north of the site. As this is the bus stop that leads towards Pencaenewydd and Llangybi, I recommend that it should be retained and for the applicant to provide an additional bus stop with a shelter and appropriate road markings as part of the new path.

A proposal is shown to provide a drop off and pick up car park for school children within the estate. Although I support the proposal, I question if the location is suitable if it is proposed to close Ysgol Hafod Lon and where is the path to link the car park with the School? If this is the best location for the car park then I recommend that a two way road should be provided in and out of the site rather than a single road that may lead to vehicles queuing back to the estate entrance, or choosing to park on the estate for convenience.

On the whole, the design of the rest of the estate is acceptable with a proposal to provide a 5.5 metre road with footways on both sides. A standard sized turning area should be provided at the top of the estate and I recommend that traffic calming measures are provided within the estate

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if it is intended to keep the road straight as indicated on this outline application. There are no details regarding the gradient of the estate road or of the surface water drainage system and further details will be awaited on these elements as part of any full application.

There are not many parking details on the plans and therefore I recommend that standard conditions are included regarding the number of parking bays for each house.

I recommend that further details are requested regarding the car park to drop off schoolchildren and an amendment to the plans to locate the footway on the applicant's land rather than within the highway and I recommend conditions / notes concerning the entrance, footway, parking and turning areas.

Welsh Water:

Further to our previous letter, it is noted that the number of houses has been reduced from 40 to 10 as part of the amended details. In light of this we have the following comments to make.

Sewerage

Having assessed the proposed development it is noted that it is proposed for the foul and surface water flow will be disposed via the public sewer. Because of the sensitivity of allowing surface water to gain access to the public sewer system the developer will be required to show that all other options for surface water drainage have been fully investigated. Consideration should be given to including sustainable methods of drainage within the plan. From the information submitted, it does not appear that any justification has been given to support discharging surface water to the public sewer. We therefore recommend that if the application is approved that a condition is imposed regarding surface water / land drainage.

It is noted that the applicant may need to make an application to Welsh Water for any connection to the public sewer. Also, it is noted that every public sewer and drain have not been shown on Welsh Water records.

Sewerage Treatment

No problems are anticipated regarding the treatment of waste water to treat domestic discharges from the site.

Water Supply

A water supply would be available for the development.

A decommissioned mains water pipe crosses the site.

Natural Resources Wales:

Protected Species

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We are satisfied that the Part One Greenman Ecology (Extended) Survey and the Report on Protected Species, 6 February 2015 have been undertaken to an acceptable standard. Although the survey was not conducted during the Summer and is now two years old, we do not need a recent survey as the site is improved grazing land with young 'cloddiau' of poor quality around the perimeter.

The report includes sufficient mitigation for any loss of forage area for bats, namely more 'cloddiau' and wildlife strips, including bat boxes (1 per 10 houses) as part of the plan that would be a positive addition.

However, we would request an external lighting plan to show that the plan's external lighting does not throw light onto the existing or just planted 'cloddiau' / vegetation.

Foul Water Drainage

We understand that foul water continues to drain into the main sewer. If this changes then we should be informed. As the site is within a sewerage area, Natural Resources Wales would object any private foul water drainage system at this location.

Biodiversity Unit:

My previous observations expressed concern due to the loss of 'cloddiau' that this development would cause. The proposal has now been amended, reducing the number of houses from 40 to 10, however, my comments about safeguarding the 'cloddiau' continue to be relevant. I recommend that plans are provided that indicate that 'cloddiau' and hedgerows are retained along the outskirts of the site and to relocate 'cloddiau' and hedgerows near the road. A wildlife buffer should be retained near the 'cloddiau'. This will ensure that a wildlife corridor is retained and improved.

'Cloddiau' and hedgerows are a habitat for wildlife and form the unique character of the local landscape.

The proposal should not be determined until further information has been provided to ensure that the 'cloddiau' and hedgerows are safeguarded and improved.

Housing Strategic Unit:

Information about the need:

The following shows the number of applicants who wish to live in the area: -

- 32 applicants on the Tai Teg register
- 47 applicants on the common housing register waiting list

(the above figures may have been duplicated)

Information on the type of need:

The following shows the number of bedrooms that the applicants wish to have:

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Number of bedrooms (owned or part-owned) - Tai Teg

| Choice | Two-bedroom | Three-bedroom | Four-bedroom |
|--------|-------------|---------------|--------------|
| 1st | 1 | 2 | 0 |
| 2nd | 3 | 5 | 0 |
| 3rd | 1 | 3 | 1 |
| 4th | 5 | 11 | 0 |

Number of bedrooms (Housing Options Team) - Gwynedd Council's Common Housing Register

| Number of bedrooms | Number noted as choice |
|--------------------|------------------------|
| 2 | 37 |
| 3 | 28 |
| 4 | 7 |

(The above figures may have been duplicated)

Suitability of the Scheme:

Based on the above information it seems that the plan partly addresses the need in the area.

If a Housing Association was a partner for this development, the design of the property would be required to conform to WG standards (DQR). I see no record that a Housing Association is part of the affordable developments. I wish to encourage the developer to work jointly with a housing association in order to ensure that the houses are suitable for use and address local need.

On average, a property in Y Ffôr sells for approximately £167,000. (Zoopla)

There would be a need to consider awarding a discount of approximately 30% if they are not initially affordable.

61% of people are priced out of the market in this area. (Caci paycheck)

Public Consultation:

A notice was placed in the press and on the site and nearby residents were informed. The consultation period has expired.

An objection was received to the proposal on the grounds of the original plans for 40 houses. This objections related to:-

- Increase in traffic.
- No need for the houses.
- Impact on the Welsh Language.

5. Assessment of the material planning considerations:

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The principle of the development

- 5.1 The LDP proposals maps for the village of y Ffôr show that the site lies outside the village development boundary and it is considered that this is tantamount to erecting a new house in the countryside. Strategic Policy PS 17 - Settlement Strategy concerns the distribution of housing. In terms of a site in the countryside, only housing development that comply with Planning Policy Wales and TAN 6 will be permitted in the Open Countryside. In accordance with TAN 6, one of the few circumstances in which a new residential development in the open countryside can be justified is when accommodation is required to enable a rural enterprise worker to live at, or close to, his workplace. The current application is not an application for a rural enterprise dwelling and therefore it is considered that it is contrary to Strategic Policy PS 17 and Policy PCYFF 1, together with Planning Policy Wales and TAN 6.
- 5.2 Policy TAI 16 involves proposals for affordable homes on rural exception sites. The purpose of policy TAI 16 is to free up sites on the outskirts of settlements to provide affordable housing where houses would usually not be approved.
- 5.3 Firstly, Policy TAI 16 requires that a proven local need has been demonstrated for affordable housing that cannot reasonably be delivered within a reasonable time-scale on a market site inside the development boundary. As part of the Design and Access Statement submitted with the application a section deals with the local needs housing survey and an affordable housing statement. The information submitted refers to the fact that they had made enquiries with local estate and land agents and understood that affordable housing at Bro Aber, Abersoch and Llys Madryn, Nefyn had all been sold within a period of 12-16 weeks and the houses in question would be just as attractive as they would be close to the village and facilities. No details have been submitted of waiting lists or of any additional effort made by the applicant to see if there was a need for the houses, and if it was possible to satisfy the need on alternative sites within the development boundary. Three sites have been designated for housing within the Ffôr development boundary and in accordance with the figures in Policy TAI 3 it is estimated that they would have a total of 37 dwelling houses. One of these sites has received planning permission and the houses are in the middle of being constructed. Also, in accordance with Policy TAI 3 it is seen that the indicative supply provision for random sites for Y Ffôr is 0 and therefore the Plan does not anticipate that there is a need for random sites within the village. It is therefore considered that insufficient evidence has been submitted to demonstrate a local need and it would not be possible to address this need on a market site within the development boundary. In addition, the application is for the construction of 10 houses with only 20% of these being affordable. Policy TAI 16 enables as an exception to develop a site outside the development boundary for a development that is 100% for affordable housing. To this end, it is considered that the proposal is contrary to Policy TAI 16 of the LDP.
- 5.4 Policy TAI 16 also requires that an exception site is directly adjacent to a development boundary and forms a reasonable extension to the settlement. The application site is directly adjacent to the development boundary. South of the site there are built forms including Ysgol Gynradd Bro Plennydd and the site of the former Hafon Lon school. It is likely, if there is a suitable layout for the site, that the site could form a reasonable extension to the settlement.
- 5.5 As this is an outline application, there are no full details about the size of the houses. Indicative measurements have been regarding the size of the houses that would be approximately 9m to 11.5m long, 10m to 11m wide and with the height of approximately 8.5m to the top. If the application is approved it would be necessary to ensure as part of the reserved matters application that the size of the affordable

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houses would correspond to the sizes given in the Supplementary Planning Guidance for Affordable Housing. The size of the houses would depend on the number of bedrooms and if they are one or two-storey.

Community matters

- 5.6 Policy PS 2 and ISA 1 of the LDP require that a sufficient infrastructure provision exists to cope with developments, such as sufficient educational facilities to cope with any increase in the number of pupils emanating from new residential developments. Supplementary Planning Guidance (SPG) 'Housing Development and Educational Provision' also applies to this aspect of the application. Information was received from the Education Department back in 2014, when the application was originally submitted, regarding the capacity of Ysgol Bro Plennydd but not if there was sufficient space available for an increase in pupil numbers as a result of the development. If the application is approved it would be necessary to ensure that there is capacity or otherwise now at Ysgol Bro Plennydd to serve the development, and if there is no capacity then it would be necessary to ensure a financial contribution towards educational facilities via a 106 agreement to meet with the requirements of Policies PS 2, ISA 1 of the LDP and the SPG.
- 5.7 Policy ISA 5 of the LDP requires that new housing proposals for 10 or more dwellings, will be expected to provide suitable provision of open spaces to serve the proposal. If the current provision within the area is not sufficient then they will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust benchmark standards of 2.4 hectares per 1,000 population. If the provision cannot be provided on the development site then the developer will need to provide suitable provision off the site or make a financial contribution towards new facilities. Contributions from developers will be subject to a legal agreement in accordance with Policy ISA 1. An existing play field is situated near the application site. No play area has been included as part of the development. However, there is sufficient land remaining on the development field to make a play area provision for the development. The Joint Planning Policy Unit was contacted to see if the existing provision is sufficient and their response is awaited. If there is no sufficient provision and that the Committee approve the application then it would be necessary to ensure that the developer either provides a provision of outdoor play areas as part of the development or suitable provision off the site or makes a financial contribution towards play area /open space facilities within the community to ensure the proposal meets with the requirements of Policy ISA 1 and ISA 5 of the LDP.

Visual amenities

- 5.8 As the application before you is an outline application, it is not possible to carry out a full assessment of the design as appearance and landscaping are reserved matters. However, the proposed layout on the plans indicate a development that to all intents and purposes has been scattered within the site with five houses to be located facing the highway and then a row of five houses in the field. When the application was amended from 40 houses to 10 houses it appears that all that was done was to take 30 houses from the plan and the layout of the site was not amended to take into consideration that the application was now only for 10 houses. It is considered that a tighter and more compact layout would be possible for the development of 10 houses compared to what is indicated on the plans. The indicative appearance of the houses has taken into consideration the design of the existing dwellings in the vicinity and in the Design and Access Statement the agent has explained the concept behind the design and where he found inspiration for the design. It is considered that an external appearance similar to what is shown on the indicative plans could be acceptable. In addition, it is considered that a slate roof and an element of stone on the external walls

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would be acceptable and the materials would be a matter to be controlled by means of conditions. Having agreed a suitable design and materials it is considered that it would be possible to have a development that would be in accordance with the requirements of Policy PCYFF 3 of the LDP. It would also be necessary to ensure a suitable programme of landscaping work by means of a condition if the application is approved and in compliance with Policy PCYFF 4 of the LDP.

- 5.9 The site lies within the Llŷn and Bardsey Island Landscape 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. Therefore it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

General and residential amenities

- 5.10 Policy PCYFF 2 requires that consideration is given to the effect of the proposal on nearby residential amenities. As the application in question is an outline application, the full design of the houses in terms of location of the windows etc does not form part of the application. However, having considered the location of the houses compared with existing housing and with suitably designed housing it is considered possible to site houses on the land in a way that would not cause significant harm to the amenities of the local neighbourhood. It is considered that the proposal satisfies the requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.11 It is proposed to have access to the site from the A499. The observations of the Transportation Unit on the application have been received. These observations state that it would be possible to have sufficient visibility splays to serve the proposal. However, it is a requirement that the proposed footway to link the development with the village is constructed on the applicant's land and not on the highway and the Transportation Unit has suggested a condition to this end. The Transportation Unit also recommends a number of conditions for the entrance and also for parking and turning areas. In addition, it would be necessary for the applicant to provide a new bus stop. The proposal would also include creating a parking area for the use of the primary school and a footpath from this car park to the school. The car park could accommodate approximately 16 cars. It is considered that the proposal could be developed without having a detrimental impact on road safety. It is considered acceptable in terms of Policy TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.12 As part of the application a Part One Survey (Extended) document and a Protected Species Report were received. Observations were received on the application from the Biodiversity Unit and Natural Resources Wales. Natural Resources Wales consider that the report includes sufficient mitigation for any loss of forage area for bats, namely more 'cloddiau' and wildlife strips including bat boxes that would be a positive addition. However, they request an external lighting plan to show that the plan's external lighting does not throw light onto the existing 'cloddiau' / vegetation or those that have just been planted. The observations of the Biodiversity Unit require further details in terms of showing which 'cloddiau' / hedgerows will be retained / lost. The mitigation measures submitted in part 6 and 7 of the ecology report refer amongst others to the submission of information to indicate which 'cloddiau' will be retained and a condition may be imposed regarding this as part of a planning permission. These mitigation measures also include erecting 'cloddiau' on boundaries. It would be possible to impose conditions on a planning permission to carry out the work in accordance with the mitigation measures in the ecology report. Also, it will be necessary to submit

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landscaping details as part of any reserved matters application that would also be a means to ensure that sufficient 'cloddiau' remain on the land. It is considered that the proposal is acceptable in terms of Policy AMG 5 of the LDP.

6. Conclusions:

- 6.1 The site lies outside the development boundary of Y Ffôr and is therefore in the countryside. Therefore the proposal would entail building new houses in the countryside where they are not needed for a rural enterprise. The site however is located near the boundary and it may then be considered under Policy TAI 16 as an exception rural site. However, the proposal is not 100% for affordable housing, local need for affordable housing has not been proven and no evidence has been submitted to show that it would not be possible to provide this housing provision within the development boundary. Therefore, the proposal cannot be treated as a rural exception site and is contrary to the requirements of policy TAI 16 of the LDP and also to national planning guidance in Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities.

7. Recommendation:

- 7.1 To Refuse – reasons

The proposal would entail building new houses in the countryside where they are not needed for a rural enterprise. Therefore, the proposal is contrary to Strategic Policy PS 17 and Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (31 July 2017) together with Planning Policy Wales (9th Edition, November 2016) and Technical Advice Note 6: Planning for Sustainable Rural Communities.

2. The proposal is not 100% for affordable housing, local need for affordable housing has not been proven and no details have been submitted to show that it would not be possible to provide this housing provision within the development boundary. The proposal is considered to be contrary to the requirements of Policy TAI 16 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (31 July 2017).