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| PLANNING COMMITTEE | DATE: 04/06/2018 |
| REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER | PWLLHELI |

Number: 5

Application Number: C18/0132/23/LL

Date Registered: 23/02/2018

Application Type: Full - Planning

Community: Llanrug

Ward: Llanrug

Proposal: Erection of 9 two-storey dwellings (including an affordable dwelling), new access, parking spaces and turning area

Location: Land at Cae'r Eglwys, Llanberis Road, Llanrug, Caernarfon LL55 4JA

Summary of the Recommendation: TO APPROVE SUBJECT TO COMPLETING A SECTION 106 AGREEMENT FOR THE PROVISION OF AN AFFORDABLE DWELLING AND TO RELEVANT CONDITIONS

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1. Description:

1.1 This is a full application for the erection of 9 two-storey dwellings to include one affordable home (plot number 1A) and eight open market houses and also to create a new access, estate road, driveways and associated infrastructure. The application can be divided into different elements which include:-

- Erecting 4 two-storey three bedroom semi-detached houses and erecting 1 two-storey three bedroom detached house in the form of a crescent.
- Providing accesses/driveways for parking that is separate from the houses off the estate road.
- Tree planting scheme and erection of 1.8m high fence enclosing some of the gardens within the site.
- Infrastructure including the installation of an underground water flow control chamber.

1.2 The nine houses will be two-storey in height and will consist of natural slate roofs, pebble-dashed walls in parts, partly of horizontal boards and partly of clean brickwork. The openings will be constructed of white UPV-c and the combination of these materials reflects the construction materials in the vicinity of this application site.

1.3 The houses will provide a living room, a shower room, kitchen/dining room on the ground floor with three bedrooms on the first floor together with a bathroom. The detached house will include a garage in addition to the above facilities. The site is level in nature and is located on a plot of open land in the centre of the village with residential dwellings to the north, east and to the west including the local surgery to the north and the primary school to the south on the opposite side of the county road. The site is located within the development boundary of Llanrug as contained in the Gwynedd and Anglesey Joint Local Development Plan, 2017 (LDP). The site would be served by a class I county road (Llanberis Road) which includes a nearby bus shelter.

1.4 Although there is no statutory requirement for a Design and Access Statement, the applicant has submitted this information as part of this current application.

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 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 (LDP) adopted 31 July 2017:-**

Policy ISA1 - infrastructure provision.

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Policy PS1 - the Welsh language and culture.

Policy TRA2 - parking standards.

Policy TRA4 - managing transport impacts.

Policy PS5 - sustainable development.

Policy PCYFF1 – development boundaries.

Policy PCYFF2 - development criteria.

Policy PCYFF3 - design and place shaping.

Policy PCYFF4 - design and landscaping.

Policy TAI8 - appropriate mix of housing.

Policy TAI15 - threshold of affordable housing and their distribution.

Policy AMG5 - local biodiversity conservation.

Supplementary Planning Guidance (SPG): Planning and the Welsh Language.

SPG: Planning Obligations.

SPG: Affordable Housing.

SPG: Housing Developments and Educational Provision.

2.4 **National Policies:**

Planning Policy Wales, Edition 9 (2016).

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006).

TAN 12: Design (2016).

TAN 20: Planning and the Welsh Language.

TAN22: Sustainable Buildings (2010).

3. **Relevant Planning History:**

3.1 Application number C12/0891/23/LL - construction of 10 houses, a roundabout, a new road and infrastructure works approved in December, 2012.

3.2 Application number C08A/0109/23/LL – construction of connecting road between Station Road and the A.4086 withdrawn in November, 2012

3.3 In addition to the above-mentioned applications, a pre-application enquiry was submitted under reference Y17/000258. The enquiry was responded to by referring to relevant local planning policies as well as the need to consider matters relating to:-

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- Principle - principle was acceptable based on density and that there was a need to include an affordable dwelling within any residential scheme on this particular site.
- Site plan - need to undertake improvements to the plan based on parking spaces, estate road design along with the layout of houses.
- Primary school capacity - need to examine the primary school's capacity in terms of pupil numbers that could derive from such development and whether or not a financial contribution will be required for this proposal.

4. Consultations:

Community/Town Council:

Object on the following grounds:-

- Creating a roundabout would slow traffic in front of the school and, therefore, there is a need to include it as part of the application.
- Should this application be approved, it would not be possible to mitigate the traffic situation on the square, which is extremely dangerous at present.
- Parking arrangements are unacceptable.
- There is no footpath from the development to Station Road.
- Approving the application would affect road safety adjacent to the primary school.
- No reference is made to affordable housing in the plan.
- No reference is made to housing for residents with disability difficulties in the plan.
- No need for the development as there are plenty of similar houses already for sale in the village.

Transportation Unit: No objection subject to including relevant conditions.

Natural Resources Wales: No objection.

Welsh Water: Condition regarding the disposal of foul water from the site.

Public Protection Unit: No response.

Biodiversity Unit: No concerns regarding biodiversity.

Land Drainage Unit: No response.

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

- New access to the site from Llanberis Road is dangerous based on the safety of Ysgol Gynradd Llanrug pupils as it is located adjacent to the parking area for school buses. Any new access to the site should be from Station Road.
- The previous application included a connecting road with parking provision for eight cars for school use.
- Should this application be approved, existing heavy traffic would increase on part of the county road outside the school.
- Installing a footpath through the site to enable children to travel safely to school would be beneficial.
- In accordance with the previous application, it would be beneficial to have a car park for the school.

In response to the above observations, the applicant states:-

- The parking spaces plan has been amended to comply with the requirements of the Transportation Unit.
- There is no intention to provide a footpath connecting Llanberis Road with Station Road as a footpath already exists not far from the application site between the two roads that run through the Nant y Glyn estate. This path has been illuminated and includes a footpath on both sides of the road and it is already used by parents as a footpath to the primary school.
- Creating a footpath along the western boundary of the site would create antisocial problems to the detriment of the residential amenities of neighbouring residents.
- Based on road safety, it is not a statutory requirement to have either a footpath or a roundabout as part of this development.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of constructing houses on this particular site is based on Policy PCYFF1, TAI 2, TAI8 and TAI15 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. As referred to above, the site is located within the development

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boundary of the Llanrug local service centre, and it has been appropriately designated for housing development (reference T44 within the LDP). Policy TAI2 states that housing to meet the Plan's strategy will be secured through housing designations along with suitable windfall sites within the development boundary. Policy TAI15 states that Councils will also ensure an appropriate level of affordable homes within housing developments which is also supported by Policy TAI8. Policy TAI15 notes that it is expected for at least 10% of the units, which are the subject of this application, to be affordable and in relation to this proposal, the affordable homes requirement would be 0.9 units (as it is only intended to construct nine units here) which falls below one whole unit. When the affordable housing requirement falls below one unit, Policy TAI15 states that providing the affordable unit will continue to be a priority. Therefore, to this end, this current proposal provides one affordable unit out of the total of nine houses.

- 5.2 Given this assessment and, subject to the proposal complying with the other policies referred to below, it is considered that the application is acceptable in principle.

Visual amenities

- 5.3 As referred to above, the site is situated on a plot of open land within a built area in the centre of the village. The site is level in nature and is very visible from the nearby class I county road (Llanberis Road) but is partly hidden from Station Road. The houses have been designed where the four semi-detached houses and the detached house have been positioned in the form of a crescent, and the estate road has been designed so that each house has a driveway coming from the road itself. The layout of the houses within the site means that quite a substantial part of the site will be an amenity/green area and given the form, size, density, appearance and design of the proposed houses, it is considered that the proposal would not create an alien or overbearing development which would have a substantial or significant impact on the visual amenities of this part of the streetscene. To this end, therefore, it is believed that the proposal is acceptable in principle and complies with the requirements of Policy PCYFF3 and PCYFF4 of the LDP.

General and residential amenities

- 5.4 The site is surrounded by residential dwellings to the north, west and east with the back gardens of these dwellings at the rear of the site. The boundary of the site with nearby properties consists of a stone wall measuring 1.2m in height, a 0.3m high brick wall, *cloddiau*/privets, a high livestock retention fence measuring 1.1m in height as well as 1.4m and 1.8m high timber fences which in themselves assist to maintain the privacy of the occupiers of these dwellings. The proposal will involve erecting 1.8m high timber fences where there are existing spaces between the site and the rear of nearby dwellings. In addition, the layout of houses within the site (based on the distance between the rear of the proposed houses and the rear of the nearby dwellings, along with the layout of windows on the external elevations of the proposed houses) reduces any substantial and direct over-looking into these dwellings and it must also be considered that community and endurable over-looking already exists between the dwellings. Following the statutory consultation period for the proposal, no response was received from nearby residents. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PCYFF2 of the LDP.

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Transport and access matters

- 5.5 The proposal involves creating a standard access from the nearby class I county road along with extending the existing footpath into the site itself. The design and plan of the estate road, as well as parking spaces, was amended in order to comply with the requirements of the Transportation Unit. Locating a new access on this part of the highway is also acceptable based on the requirements of road safety on the grounds of visibility and the number of houses that would be served by the access. As referred to above, third parties have recommended that this current proposal should include a roundabout, connecting footpath/road and parking spaces in the same way as the previous application.
- 5.6 However, consideration must be given to the fact that these elements from the previous application had been included in the application itself at the wish of the applicant at that time (Bangor Diocese), and that they were not necessary or a statutory requirement in order to ensure road safety or to make the proposal acceptable in relation to planning matters. This was highlighted in the Committee report at the time. It is possible that creating a connecting footpath/road along the western boundary of the site would attract antisocial behaviour and this concern has already been voiced by local residents in response to the previous applications (see below). Note that the applicant for the current application has stated that there is no intention to provide a footpath connecting Llanberis Road with Station Road as a footpath already exists not far from the application site between the two roads that run through the Nant y Glyn estate. This path has been illuminated and includes a footpath on both sides of the road and it is already used by parents as a footpath to the primary school. Also, creating a footpath along the western boundary of the site would create antisocial problems to the detriment of the residential amenities of neighbouring residents. It was also confirmed by the applicant that, based on road safety, it is not a statutory requirement to have either a footpath or a roundabout as part of this development. Officers have no planning grounds to contradict what has been noted by the agent and that what is part of the proposal is considered to be acceptable and that there is no basis to force the developer to offer any further improvements. Therefore, to this end, it is believed that the proposal as submitted is acceptable based on the requirements of Policy TRA2 and TRA4 of the LDP.

Biodiversity matters

- 5.7 The application site is of improved grassland and is therefore, of low biodiversity value. The Biodiversity Unit has no concerns regarding this development and therefore, it is believed that it is acceptable on the grounds of the requirements of Policy AMG5 of the LDP.

Relevant planning history

- 5.8 As referred to above, an application was approved in December, 2012 for the development of ten houses including a connecting road and roundabout on the class I county road (Llanberis Road). However, a number of objections were received by local residents stating several of their concerns about the application such as the increase of antisocial behaviour; creation of substantial noise nuisance to local residents; that the creation of a connecting path/road through the site would not solve problems on Llanrug Square; that it undermined the safety of children and their parents, and that creating a new junction on Station Road would create parking problems. Bearing in mind that the subject of the planning application was a development of only ten houses, it must also be emphasised that a roundabout was considered which was beyond what

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was necessary to ensure the safety of road users. The roundabout or any connecting road was not necessary to approve such an application but these elements were included as part of the application by the applicant (Bangor Diocese). The viewpoint of the Local Planning Authority has not changed when considering this latest application, i.e. it is not necessary or a statutory requirement to provide a connecting road/path between Llanberis Road and Station Road or parking spaces to enable this development of nine houses to proceed.

Educational matters

- 5.9 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. The policy notes that proposals will only be approved when infrastructure capacity exists although no housing number threshold has been recorded for an educational financial contribution within the Plan itself. In this case, the Placement Data of Gwynedd Primary Schools confirms that there is adequate capacity in Ysgol Gynradd Llanrug to be able to cope with the number of pupils that could derive from this development and to this end, no educational contribution will be required from the applicant. It is deemed that the proposal conforms to the requirements of Policy ISA1 of the LDP.

Community and linguistic matters

- 5.10 The relevant policy here is Policy PS1 of the LDP along with the contents of SPG: Planning and the Welsh Language. This policy, as well as the SPG, offers assistance to determine when an assessment will need to be submitted with a planning application in the form of a Community and Language Statement, and this assessment is based on a number of criteria relating to evidence of need and demand for housing. In this particular case, housing figures for Llanrug between 2011 and 2016 show that 22 houses have been constructed, with ten houses within the land bank, which makes a total of 32 houses. 61 houses are expected to be constructed in Llanrug within the period of the Plan (2011-2026) and consequently, the nine houses which are the subject of this application remain below the threshold of 61 houses and, therefore, no such statement will need to be submitted in this case.

Section 106 agreement matters

- 5.11 As is referred to in the above assessment, the proposal will include one affordable three bedroom house on plot 1A within the application site in accordance with the requirements of Policy TAI15 of the LDP. In order to ensure that the house will be affordable initially and in perpetuity, the applicant is required to sign an agreement under Section 106 of the Planning Act.

6. Conclusions:

- 6.1 Having considered this assessment and all the relevant matters including the local and national policies and guidance, as well as all the observations received on the application, it is believed that this proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to the applicant completing a Section 106 agreement in order to ensure that one of the nine houses is an affordable home and to the following conditions:-

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1. Five years.
2. In accordance with the plans.
3. Natural slate.
4. External materials.
5. Conditions of the Transportation Unit.
6. Welsh Water condition regarding the disposal of foul water from the site.
7. Removal of permitted development rights for the affordable unit.
8. Landscaping.