

PLANNING COMMITTEE	DATE: 17/12/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

**Number: 7**

**Application Number: C18/0941/14/MG**

**Date Registered: 19/10/2018**

**Application Type: Reserved Matters**

**Community: Caernarfon**

**Ward: Seiont**

**Proposal: Reserved matters application to construct 45 dwellings (including 23 affordable houses) together with the creation of a new access, upgrading the existing access, provision of public amenity spaces, parking spaces and landscaping**

**Location: The former Ysgol yr Hendre site, Caernarfon, Gwynedd, LL55 2LY.**

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

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## 1. Description:

- 1.1 Reserved matters application to construct 45 dwellings, including 23 affordable houses, together with the creation of a new access, upgrading the existing access, provision of public amenity spaces, parking spaces and landscaping on the former Ysgol Gynradd yr Hendre site. The outline application was approved in January 2017, along with a condition requesting a plan to provide affordable houses as part of the development. This application involves reserved matters which includes details of the appearance of the house, the plan and scale along with releasing condition number 3 (affordable housing plan), condition number 5 (a comprehensive drainage plan for the entire site) and condition 11 (archaeological details).
- 1.2 The affordable homes will meet the Wales Development Quality Requirement (*DQR*) standards, varying from three person 2-bedroom houses to seven person 4-bedroom houses, scattered throughout the development. A new entrance into the estate is created off the nearby unclassified county road (Ffordd Eryri) along with improvements to the existing entrance (that served the former school) which will serve a few houses in the north-western end of the site. The proposal will also create a number of smaller separate entrances for the houses located off Ffordd Eryri on the south-eastern part of the site, along with the proposal to undertake substantial landscaping within and around the outskirts of the site, including various lawns, trees and shrubs.
- 1.3 As part of the application the following information was submitted:
- Guidance on the Archaeological Watching Brief Design Project in order to meet the needs of condition 11 of the outline permission; and
  - Affordable Housing Statement in order to meet the needs of condition 3 of the outline permission.
  - External materials schedule for the scheduled houses.
- 1.4 The application site is located within an established residential area and within the Caernarfon development boundary as included in the Gwynedd Unitary Development Plan (GUDP). North of the site is the unclassified county highway (Cefn Hendre) with housing further away, east is the unclassified county highway (Ffordd Eryri) with the cemetery further away, to the south is Bryn Hyfryd housing estate and west are the housing estates of Llys y Foel, Llys Siabod and Llys Tryfan.
- 1.5 The site measures approximately 1.4ha and is fairly level with some gradient down towards the east and the former play field. A number of mature broad-leaved trees grow along the site's boundary with Ffordd Eryri and there are areas of scrubland within the site itself.

## 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

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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 adopted 31 July 2017:-**

Policy AT4 – protection of non-designated archaeological sites and their setting.

Policy ISA1 - infrastructure provision.

Policy TRA2 – parking standards.

Policy TRA4 – managing transport impacts.

Policy PCYFF1 – development boundaries.

Policy PCYFF2 – development criteria.

Policy PCYFF3 – design and place shaping.

Policy PCYFF4 - design and landscaping.

Policy TAI1 - housing in the Sub-regional Centre and the Urban Service Centres

Policy TAI8 - mix of appropriate housing.

Policy TAI15 - threshold of affordable housing and their distribution.

Gwynedd Design Guidance (2003).

Supplementary Planning Guidance (SPG): Affordable Housing.

### 2.4 **National Policies:**

Planning Policy Wales, Edition 9 (2016).

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

TAN12 Design (2016).

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

- 3.1 Application number C16/0773/14/AM - residential development for up to 45 dwellings (including affordable housing) together with the creation of a new access, upgrading the existing access, provision of public amenity spaces, parking spaces and landscaping received outline approval in January 2017.

### 4. **Consultations:**

Community/Town Council:	Support but with the condition that the 23 affordable houses are not changed halfway through the plan.
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- Transportation Unit: After receiving the amended plan with regards to the parking spaces, the Transportation Unit has no objection to the application subject to the inclusion of relevant conditions.
- Natural Resources Wales: No observations.
- Welsh Water: No objection and condition 5 of the outline permission regarding the disposal of surface and foul water from the site can be released.
- Public Protection Unit: No response.
- Gwynedd Archaeological Planning Service: No objection to the content of the Archaeological Design Project submitted with this latest application, but it will not be possible to release condition 11 of the outline permission in its entirety, as the work has not yet commenced on the site.
- Housing Strategic Unit: The development is part of the Council's affordable housing programme in partnership with Cartrefi Cymunedol Gwynedd. The proposal meets this need for affordable housing in Caernarfon.
- Biodiversity Unit: No response.
- Public Consultation: Notices were posted around the site and nearby residents were informed. Although at the time of writing this report, the advertising period has not yet ended, correspondence objecting to the application has been submitted on the grounds of:
- Insufficient capacity within the new Ysgol yr Hendre for additional primary school-aged children.
  - The application should be changed so that it involves small single-storey houses for the elderly in order to release larger houses for families in the town, along with alleviating the pressure on the primary school's capacity.
  - Insufficient number of parking spaces within the site to meet the current parking needs and this, in turn, would mean that vehicles park in the site's catchment area, creating obstacles for local residents.

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- Loss of light and loss of privacy.
- Create dominating structures.

As well as the above objections, objections were received that were not material planning objections and these included:

- There is no confirmation that the open market housing will be for local people.
- There is no confirmation that the affordable houses will be for local people.
- Has any effort been made to place industry on this site in order to create work locally?
- The application should be refused and such development should be located closer to Ysgol y Gelli/Maesincla, and propose the site in question as an extension to the nearby cemetery.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The main considerations with this application is the acceptability of reserved matters under the previous outline application involving the external appearances of the houses, landscaping, plan and scale, as the principle of locating houses on this particular site has already been accepted and established given outline application no. C16/0773/14/AM. In addition to the above-mentioned considerations, there will also be a need to consider the acceptability of the details relating to releasing conditions number 3 (affordable housing), 5 (drainage plan) along with condition number 11 (archaeology details) and these will be discussed under the relevant headings below.

### Visual amenities

- 5.2 The site is located on the outskirts of established housing estates of various forms, design, plan and size with a variety of external materials. The site is fairly level with a little gradient to the east and with prominent views of it from four directions. There are residential dwellings to the east, south and west of the site and the cemetery is located to the north on the other side of the unclassified county highway (Ffordd Eryri). The former school building (including the mobile classrooms) was one storey in height but of a practical design rather than a striking design. Currently, only the schools foundations exist along with vegetation in the form of a few broad-leaved trees on the northern boundary and scrub within sections of the site itself.
- 5.4 One of the reserved matters following the approval of the outline application was agreeing to the external appearances of the houses, along with the layout and scale of the development. The details submitted with this detailed application show that there will be a variety of different materials used for the external appearances of the houses, which reflects the appearances and finishes of nearby houses. Natural slate will be used for the roofs, the walls will partially be of dark blue, dark red and dark yellow/buff clean brickwork and partially of dark grey rendered and dark grey horizontal boards; dark grey UPV-c openings, with the rainwater goods also of black UPV-c.
- 5.5 The scale and designs of the houses will include single-storey houses, two-storey houses and three-storey houses with hip-roofs and gable roofs, laid out in the form of

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"C" shaped crescents with parking spaces in the front and private gardens to the rear, which mostly follows the plan approved under the outline application. The houses will have varied architectural characteristics, including dormer windows and front porches, along with the fact that they will be divided into detached houses, semi-detached houses and terraced houses. Two amenity spaces will be located within the site, which includes a lawn and landscaping around the boundary. A number of varied materials and forms are used for hard surfaces, including grey coloured permeable pavements and tarmac for the roads, along with steel fences of varied designs and clean brickwork walls for internal treatment and site boundaries. The proposal would also involve creating two green open amenity spaces along with a landscaping plan throughout the site. Given all the elements of the application, it is not believed that the development would create structures that are inconsistent with the local streetscape. For the reasons stated above, it is believed that the proposal complies with the requirements of policy PCYFF2, PCYFF3 and PCYFF4 of the LDP.

### **General and residential amenities**

- 5.6 Residential amenities are located to the north, south and west of the site and the nearest dwellings are located approximately 4m (from gable end to gable end 17 Llys y Foel) and approximately 13.5m (from corner to corner 14 Llys Siabod) approximately 15m (from corner to corner 16 Llys Tryfan), approximately 14m (from corner to corner 15 Llys Tryfan), approximately 14m (from corner to corner 13 Llys Tryfan) and approximately 15m - 17m (from corner to corner 16 Llys Tryfan) west of the rear of the proposed houses. The rear of the Bryn Hyfryd Estate houses (located to the south of the application site) is located 20m - 22m from the rear of the proposed houses.
- 5.7 The layout along with the design of the proposed houses (plots 12 and 19-23) in relation to the existing houses on the outskirts of Llys y Foel, Llys Siabod and Llys Tryfan, mean that there will be no unacceptable direct overlooking into these houses, given that there will be some overlooking on eye level (the proposed houses will be single-storey houses). The layout of the proposed houses along with the proposal to erect a solid 1.8m high fence around the site boundary also means that there will be no unacceptable overlooking. A two-storey semi-detached house will be constructed on plot no. 24, located approximately 17m in front and to the north of no. 14 Llys Tryfan, with two bedroom windows facing south. However, given the layout of the proposed semi-detached houses in relation to the layout of 14 Llys Tryfan (any direct overlooking from these windows will be towards the empty space between no. 14 and 15 Llys Tryfan) along with the fact that community overlooking already existed between the residential dwellings as a result to the layout of the houses themselves; it is, therefore, considered that the proposal would not substantially impact the residential amenities of nearby occupiers. The two-storey proposed houses to the south of the application site (plots no. 01 to 09) lie approximately 20 -22m away from the rear of the houses of the Bryn Hyfryd Estate. Although the proposed houses will have windows on the first floor, it is considered that there will be sufficient space between them on the grounds of unacceptable overlooking and loss of privacy and, as they are two-storey houses, they would reflect the size and design of the Bryn Hyfryd houses. There will be a fence and *clawdd* along vast parts of the boundary in this part of the site, which will also assist to reduce any overlooking on eyesight level.
- 5.8 Given the above-mentioned elements of the proposal, and given the objections submitted by local residents, it is not believed that locating up to 45 houses would create an unacceptable impact for residential or general amenities of nearby residents on the grounds of creating unacceptable disturbance, loss of privacy, loss of light and creating dominating structures and, therefore, it is believed that the proposal is acceptable on the grounds of the requirements of Policy PCYFF 2 and PCYFF 3 of the LDP.

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### **Transport and access matters**

- 5.9 The details of the reserved matters application involves creating a new entrance into the estate off the nearby unclassified county road (Ffordd Eryri) along with improvements to the existing entrance (that served the former school) which will serve a few houses in the north-western end of the site. It is also proposed to provide smaller separate entrances that will serve the houses located adjacent to Ffordd Eryri on the south-eastern end of the site. Parking spaces are also provided on the site for the proposed houses. These details were based on the content and recommendations of the Transportation Impact Assessment submitted with the outline application. The Transportation Unit has no objection to the amended details submitted regarding the parking spaces, along with road safety. It is therefore believed that the proposal is acceptable based on the requirements of Policy TRA2 and TRA4 of the LDP.

### **Archaeological Matters**

- 5.10 A Desk-top Archaeology Assessment was submitted together with trial trenching with the outline application, given the proximity of the site to a Roman cemetery that is on the same site as the existing cemetery to the east of the application site. Gwynedd Archaeological Planning Service state that it may be possible to find cremations within the application site and if this occurred that such discoveries would be significant on the grounds of their historic importance. Therefore, to this end, an Amended Design Project was submitted with this current application, and the Gwynedd Archaeological Planning Service has no objection to the methodology or the inclusion of archaeological mitigation measures included within this latest document, although they had additionally stated that they cannot release condition number 11 from the outline permission as the work has not yet commenced on the site. However, this is a matter of complying with the requirements of this condition during the construction work. With regard to this planning application, therefore, it is considered that the current information received is acceptable based on the requirements of Policy AT4 of the LDP, which allows the release of condition number 11 of the outline permission.

### **Infrastructure matters**

- 5.11 In response to the statutory consultation, Welsh Water has no objection to this latest proposal based on the disposal of foul water and surface water from the site, and Natural Resources Wales responded by stating that it is not of the opinion that the development impacts any matters listed on the Check List: *Natural Resources Wales and Planning Consultations*. Therefore, it is believed that the proposal complies with the requirements of Policy ISA1 of the LDP.

### **Affordable housing matters**

- 5.12 As referred to above, an Affordable Housing Statement was submitted with this application as a way of meeting the requirements of condition number 3 of the outline application relating to submitting details regarding the provision of affordable housing as part of the development. The Statement confirms the following:
- The 23 affordable houses will be included in Gwynedd Council's Social Housing Grant for the year 2018/2019, with the units themselves likely to commence on the site in February/March 2019 in order to claim the grant funding by Welsh Government.
  - The mixture of affordable houses will include eight 2-bedroom houses (four people), six 3-bedroom houses (five people), two 4-bedroom houses (seven

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people, five 2-bedroom houses (three people), one 3-bedroom house (disabled person), and one 4-bedroom house (disabled person).

- It is intended to complete 21 houses in 2019 (nine affordable units and 12 open market units), and complete 24 houses in 2020 (14 affordable units and 10 open market units).
- The affordable homes will be social rented units and will be let on social rent levels.
  - After completing the affordable units, Welsh Government will include a land charge which will restrict these units to be affordable for first-time and future buyers of the units.
  - The mixture of affordable housing reflects the high levels of housing needs in Caernarfon, with Gwynedd Council's Options Team having gathered the required information/data.
  - The affordable homes will be designed to meet the Wales Development Quality Requirement (i.e. to *DQR* standards).

5.13 It is believed that the above information satisfies the requirements of condition number 3 of the outline permission regarding the numbers, type, tenancy and location of the affordable housing provision, along with the timescale of the construction of the affordable houses and its step by step presentation in relation to the occupation of the open market housing, arrangements to transfer the affordable homes to affordable housing providers or to manage the affordable housing, arrangements to ensure that the provision is affordable for first-time buyers and future buyers of the affordable housing, in addition to the occupancy criteria to be used when determining occupiers of the affordable homes and the methods for enforcing such occupancy criteria. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy TAI15 of the LDP, which allows the release of condition number 3 of the outline permission.

## **6. Conclusions:**

6.1 Having considered the above and all the relevant matters including the local and national policies and guidance, as well as all the observations received, it is believed that this proposal is still acceptable and satisfies the requirements of conditions number 3, 5 and 11 of the permission.

## **7. Recommendation:**

7.1 To approve the reserved matters application, and release conditions number 3, 5 and 11 of the outline permission, with the condition:

1. In accordance with the details and plans submitted with the application.