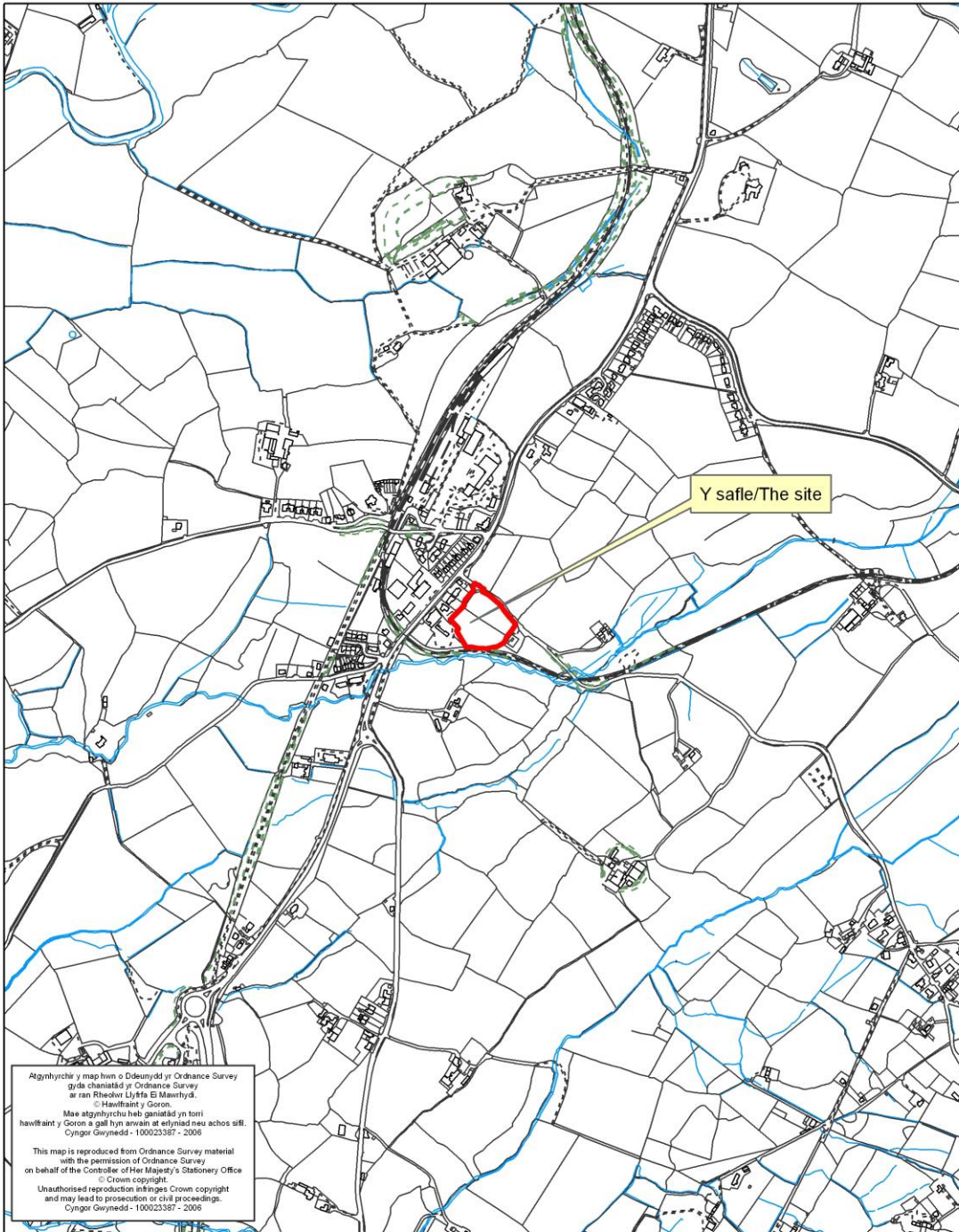


Number: 2



Rhif y Cais / Application Number : C14/0386/24/LL

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PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

Application Number: C14/0386/24/LL
Date Registered: 19/05/2014
Application Type: Full - Planning
Community: Llanwnda
Ward: Llanwnda

Proposal: RENEWAL OF PLANNING APPLICATION REFERENCE NO. C08A/0568/24/LL FOR THE ERECTION OF 24 DWELLINGS, ALTERATIONS TO A PRESENT ENTRANCE AND THE CREATION OF ESTATE ROADS

Location: LAND AT THE REAR OF TAN Y CELYN, SŴN Y MÔR AND TALARDD, LLANWNTA, CAERNARFON, GWYNEDD, LL54 7YN

Summary of the Recommendation: TO DELEGATE POWERS TO APPROVE SUBJECT TO SIGNING A SECTION 106 AGREEMENT.

1. Description:

- 1.1 This application was approved at the Planning Committee on 28.07.14 subject to the applicant signing a legal agreement under Section 106 which involves ensuring that six of the 24 houses are affordable houses for general local need together with providing an educational contribution as it was estimated that there was not enough capacity within the catchment school (Ysgol Felinwnda) in the 2013-2014 academic year for an additional increase of over 30 pupils. In accordance with the requirements of the Supplementary Planning Guidance: Housing Developments and Educational Provision and considering the lack of capacity at the school, the applicant was required to make a financial contribution for 3 additional pupils totalling £36,771.00.
- 1.2 However, during 2014, the capacity of Gwynedd schools, including Ysgol Felinwnda, was reviewed and as a result of this review, the school's capacity has increased from 30 to 56 pupils. Therefore, this means that there is capacity in the school for additional pupils the need for which will arise from this development. To this end, the applicant will no longer be required to provide a financial contribution.
- 1.3 To remind the Members, this is an application in order to renew a previous application for the erection of 24 dwellings, alterations to a present entrance and the creation of estate roads. The original application was approved in August 2009 under reference C08A/0568/24/LL and a 106 Agreement forms part of the planning permission to provide six affordable homes. This permission expired on 11.08.14 after this application was determined by the Planning Committee in July 2014. The applicant has not been able to commence work on site due to the economic recession together with the need to make changes to the plan which would make the proposal more viable.
- 1.4 The application site is a plot of land which measures approximately 0.9 hectares (2.2 acres) and allocated in the Gwynedd Unitary Development Plan (GUDP) for 27 houses and located within the development boundary in Dinas, Llanwnda. The proposal involves creating a new entrance to the class III county road as well as creating a footpath that links the site with the A487 trunk road and Dinas itself. In order to ensure safe access to the site and to comply with the requirements of the Transportation Unit, the height of the existing *clawdd*, which is located on the north-eastern outskirts of the site, will need to be reduced to 1m to secure sufficient visibility to the direction of Rhos Isaf.

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

- 1.5 To the north of the site is a class III county road which serves Rhos Isaf and Rhostryfan; to the east is gas supply pressure reducing station (where a 16m exclusion zone exists); to the south is the Snowdon Railway track and an underground sewage treatment plant (where there is also a 15m exclusion zone) and to the west is a restaurant together with the rear gardens and a private drive for established dwellings. As referred to above, the site has been designated for 27 houses and a Development Brief (November 2009) has been prepared for the site to correspond with the designation.
- 1.6 The site is currently used as pasture. The land slopes down from a height of approximately 5m to the direction of the railway to the south-east of the site. The existing entrance (double gate) to the site is located in the north-western corner of the field.
- 1.7 The proposal includes 24 houses varying from three bedroom houses to four bedroom houses which include six affordable homes. The houses would be two-storey houses with a hall, utility room, lounge, kitchen/dining room and bathroom on the ground floor and a bathroom, storage and 3-4 bedrooms on the first floor. Externally, the houses would have natural slate roofs, walls of rendered colour and clean brickwork, timber windows and doors and uPVC rainwater goods (the exact materials can be controlled by agreeing on them initially with the Local Planning Authority). The dwellings would be positioned on the site and designed in a manner which maximises energy efficiency, taking into account matters involving infrastructure, reducing the impact on visual amenities and on the amenities of neighbouring residents. A playground is located adjacent to the sewage treatment plant and the majority of the site is surrounded by a timber fence.
- 1.8 In accordance with the requirements of Technical Advice Note 12 “Design” (2009), a Design and Access Statement was submitted with the application which refers to the five statutory headings and it is believed that its contents reflect the nature and scale of the application taking into consideration that the principle of developing this particular site has already been accepted.
- 1.9 In addition to the above statement, a Community and Linguistic Statement was also submitted with the application which concludes that the plan, in its entirety, would have a positive impact on the use and promotion of the Welsh language in the community of Llanwnda.

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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

POLICY B22 – BUILDING DESIGN

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

POLICY B23 – AMENITIES

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

POLICY B25 – BUILDING MATERIALS

Safeguard the visual character of the Plan area by ensuring that only natural Welsh slates or slates that are similar in terms of their appearance, colour and weathering properties are permitted, other than in circumstances in which the type of building or its particular setting, or the sustainability benefits, are such that another material would be appropriate. In respect of other parts of the building, development will be required to use high quality building materials that complement the character and appearance of the local area. Proposals that introduce substandard or intrusive materials will be refused.

POLICY B27 – LANDSCAPING SCHEMES

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY C1 – LOCATING NEW DEVELOPMENT

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY C7 – BUILDING IN A SUSTAINABLE MANNER

Proposals for new developments or for the adaptation and change of use of land or buildings will be refused where consideration has not been given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

POLICY CH1 – NEW HOUSES ON ALLOCATED SITES

Proposals to build houses on allocated sites will be approved subject to criteria relating to the specific features of the development.

POLICY CH6 – AFFORDABLE HOUSING ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON SITES THAT BECOME AVAILABLE AND ARE UNALLOCATED WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES

Approve proposals for housing developments on sites allocated for housing or on random sites for five or more units within the development boundaries of the sub-regional centre and the urban centres, which provide an appropriate element of affordable housing.

The form of the dwelling.

POLICY CH18 – AVAILABILITY OF INFRASTRUCTURE

Development proposals will be refused if there is no adequate provision of necessary infrastructure for the development, unless they can conform to one of two specific criteria which require that appropriate arrangements are made to ensure adequate provision, or that the development is carried out in phases in order to conform to any proposed scheme for the provision of infrastructure.

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

POLICY CH28 – IMPACT OF DEVELOPMENT ON JOURNEYS

Proposals for large scale developments that will cause a substantial increase in the number of journeys made by private vehicles will be refused, unless they include measures to reduce the environmental impact. Developments that are planned and designed in a manner that promotes the most sustainable and environmentally acceptable modes of transport will be favoured.

POLICY CH29 – SAFEGUARDING AND IMPROVING LINKS FOR PEDESTRIANS

Proposals within Centres and Villages will be refused unless they provide safe, attractive and direct footpaths for pedestrians across and out of the site where there is a clear opportunity to make such a provision.

POLICY CH30 – ACCESS FOR ALL

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

POLICY CH31 – PROVIDING FOR CYCLISTS

Development proposals that do not provide specific facilities for cycling where there are obvious opportunities for doing so will be refused.

POLICY CH32 – INCREASING ACCESSIBILITY BY PUBLIC TRANSPORT

Proposals that are likely to lead to a substantial increase in the number of journeys made by private motor vehicles will be refused unless there is an adequate public transport service in place as an alternative, or unless the development will be effectively served by public transport in the future and that consideration has been given to promoting the use of public transport services in the planning and design of the development.

POLICY CH33 – SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

POLICY CH37 – EDUCATIONAL, HEALTH AND COMMUNITY FACILITIES

Development proposals for new educational, health or community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on a defined town centre.

POLICY CH43 – PROVISION OF OPEN SPACES OF RECREATIONAL VALUE IN NEW HOUSING DEVELOPMENTS

Expect that new housing developments of 10 or more dwellings, in areas where the existing open spaces provision cannot meet the needs of the development, provide suitable open spaces of recreational value as an integral part of the development.

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

Supplementary Planning Guidance (SPG) – Affordable Homes (November, 2009).
 SPG – Planning Obligations (November, 2009).
 SPG – Housing Developments and Open Spaces of Recreational Value (November, 2009).
 SPG – Planning and the Welsh Language (November, 2009).
 SPG – Development Briefs (November, 2009).
 Gwynedd Design Guidelines (2003).

2.3 National Policies:

Planning Policy Wales, Edition 7, (July 2014)
 Technical Advice Note (NCT) 12 – “Design” (June, 2009).
 TAN 2 – Planning and Affordable Homes (June, 2006).
 TAN 18 – Transport (2007).
 TAN 20 – Planning and the Welsh Language (October, 2013).
 Practical Guidance on Planning and the Welsh Language (June, 2014).

3. Relevant Planning History:

- 3.1 Application number C09A/0532/24/LL – amend condition 2 of planning permission number C08A/0568/24/LL to be able to relocate the type of houses on the site (plots 4-12 including 17 and 18, 21-23 and to modify the design of plots 7-12) approved in March 2010 with a legal agreement under Section 106 to ensure a supply of six affordable homes for general local need.
- 3.2 Application number C08A/0568/24/LL – for the erection of 24 two-storey houses, alterations to existing entrance and creation of estate roads approved in August 2009 with a legal agreement under Section 106 to ensure six affordable homes for general local need.
- 3.3 Application number C06A/0451/24/AM – outline application for 20 houses approved in July, 2007.

4. Consultations:

Community/Town Council:	Object on the grounds that they objected to the original application as the entrance and the road which leads past the development is unsuitable for the number of houses, together with the fact that there is very marshy area in a part of the field near the river.
Transportation Unit:	No objection, but with relevant conditions.
Natural Resources Wales:	A condition with regard to submitting details of providing and implementing a surface water management system which is to be agreed with the Local Planning Authority.
Welsh Water:	No response.
Public Protection Unit:	No response.

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

Public Consultation: A notice was posted on the site and neighbouring residents were notified. The notification period ended on 12.06.14 but no response had been received from the public to this proposal following this statutory period.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of developing this site for housing has already been accepted as it was designated specifically as a site to be developed for 27 houses (although the final figure depends on the nature and restrictions of the site) in the GUDP and a Development Brief (November, 2009) has been prepared for it.
- 5.2 It is intended for six of the 24 houses to be affordable for general local need with their occupancy and prices managed through a legal Section 106 agreement in accordance with the requirements of the GUDP and the Development Brief. The Development Brief confirms that Dinas (which belongs to a Dormitory Housing Market Area) could cope in principle with further growth (particularly housing on the general market) and as a result this particular plot of land was designated to contribute towards the need to ensure that a constant five years' worth supply of land is available for housing in Gwynedd.
- 5.3 Based on the above, the need for housing has been supported and confirmed and it is considered that the proposal is acceptable in principle based on the requirements of Policy CH1 of the GUDP and the adopted Development Brief provided that the development also complies with other relevant policies in the UDP, particularly Policy CH6 based on ensuring a supply of affordable homes as part of the development. To this end, it was agreed that six affordable homes comply with the relevant policies and guidelines (SPG: Affordable Homes and TAN 2 – Planning and Affordable Homes).

Visual amenities

- 5.4 The site is located on the north-eastern outskirts of Dinas and behind an existing development which runs along the edge of the trunk road and is near the sewage treatment plant and gas supply pressure reducing station. It is believed that the site forms a logical extension to the built form of the village and the location plan for the houses reflects the density and design of the surrounding houses. Most of the houses will be visible along the northern boundary of the site adjacent to the class III county road where 40m of the existing *clawdd* will be reduced in height to 1m to the east to secure sufficient visibility which meets road safety requirements. They would be seen from main views to the east from higher grounds but they would be some distance away.
- 5.5 The appearance of the proposed houses will be in the form of traditional two-storey houses with features such as a chimney, natural slate roofs, timber windows and walls of coloured render and clean brickwork (final materials to be agreed with the Local Planning Authority through condition). The existing dwellings in the vicinity of the site are of eclectic design and although the proposed houses would be of a modern design it is believed that they would not have a substantial impact on the visual amenities of this part of the village. As this site is on the edge of the village, the Development Brief states that it should be ensured that the design is of a high standard and that the houses are in keeping with adjacent buildings and the local area in respect of scale and building materials. Any planting and landscaping work on the

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

site will be subject to relevant planning conditions. To this end, it is believed that the proposal as submitted is acceptable on the grounds of visual amenities and therefore complies with the requirements of Policies B22, B23, B25 and B27 of the GUDP.

General and residential amenities

5.6 As referred to in the above assessment, the site is located behind existing buildings which include relatively large two-storey houses as well as a restaurant with a residential unit above. These buildings are located to the west of the site and a private drive and back gardens define this side of the site. There is a varied distance of 23-31m between the rear of the existing houses and the rear of the proposed houses and it is believed that this empty space, as well as existing vegetation and the design/location of the proposed houses, is acceptable on the grounds of protecting reasonable privacy and overlooking. However, it will be natural to see an increase in disturbance to and from the site compared with the existing arrangement but it must also be borne in mind that the site has been designated for housing in the GUDP. It must also be remembered that the Local Planning Authority has not received a response from the public following the statutory consultation period. To this end, it is believed that the proposal is acceptable based on the requirements of Policies B23 and CH1 of the GUDP.

Transport and access matters

5.7 The Development Brief states that if an access is provided from the road to Rhos Isaf the height of the existing *clawdd* and hedge which form the boundary with the road itself, will need to be reduced. Safe footpaths to and from the site should also be provided for pedestrians. To this end, plans that reflect these objectives were submitted and with a combination of relevant conditions by the Transportin Service, it is believed that the proposal is acceptable on the grounds of road safety. The proposal is also acceptable on the grounds of preparing facilities for parking, cycling, travelling and allowing access to the houses themselves, and therefore complies with the requirements of Policies CH28, CH29, CH30, CH31, CH32, CH33 and CH36 of the GUDP.

Sustainability matters

5.8 Although the applicant is now not required to submit a pre-assessment code level 3 for the development, the houses themselves will be constructed to meet similar requirements. It is therefore believed that the proposal is acceptable based on the requirements of Policy C7 of the GUDP.

Relevant planning history

5.9 As referred to above, a history of planning permissions for residential developments on this site dates back to 2007. The previous application C08A/0568/24/LL which was approved in 2009 expires in August (2014) but application C09A/0532/24/LL to change the location and design of some of the houses continues to be valid until 2015. To this end, the principle of developing the site for a residential development is acceptable based on the relevant planning policies and guidance. The applicant has decided to proceed with application C08A/0568/24/LL and has therefore made an application to renew the application in question.

Infrastructure matters

5.10 Developing the site has been somewhat restricted due to the presence of a sewage treatment plant and a gas supply pressure reducing station which means that no part of the development can be located within a specified distance to both stations. Apart from these restrictions, the infrastructure based on the requirements of Welsh Water and Natural Resources Wales is acceptable subject to including suitable conditions on

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

any planning permission. It is therefore believed that the proposal is acceptable based on the requirements of Policy CH18 of the GUDP.

Linguistic and Community Matters

5.11 Policy A2 of the GUDP states that proposals which would cause significant harm to the social, linguistic or cultural cohesion of communities, due to their size, scale or location, will be refused. The SPG: Planning and the Welsh Language, as well as TAN 20 (October, 2013) and the associated Practical Guidance (June, 2014), state that there will be a need to look carefully at how new developments will affect the current pattern of the fabric of society and local features, and that developments are required to comply with objectives for the Welsh language as well as sustainability objectives and local and national linguistic policies.

5.12 Although the site has been designated, a Linguistic and Community Statement has been submitted to support the proposal and the Joint Planning Policy Unit has provided a response to the content of the statement which notes:-

- (i) It was not believed that the scale of the proposed development was likely to cause significant growth in the population that would have a detrimental impact on the Welsh language in this area.
- (ii) The intention of providing a proportion of affordable homes is beneficial in terms of keeping the current population in their communities and encouraging Welsh people to return to their area. There will be a need to ensure that the percentage of affordable homes is attractive to local individuals who are in need of affordable homes.
- (iii) The mixture of housing proposed makes the development attractive to the local population, especially to families with children.
- (vi) Re-housing is not a significant problem in this area and this is advantageous to the viability of the Welsh language.

Community benefit / 106 agreement issues

5.13 As referred to previously, the element of the proposal relating to affordable homes is considered acceptable in terms of number and type. Consequently, it will need to be ensured that six of the 24 houses are affordable homes for general local need which can be done by completing a legal agreement under Section 106 prior to issuing any permission. It is therefore considered that the proposal complies with the requirements of Policies CH1 and CH6 of the GUDP.

5.14 In addition to providing affordable homes, the plan also includes an open recreational area in order to satisfy the needs of the development's proposed occupants, therefore, it is considered that the requirements of SPG: Residential Developments and Open Spaces of Recreational Value have been satisfied and that there is also compliance with the requirements of Policy CH1 of the GUDP.

5.15 As already referred to, the Supplementary Planning Guidance: Housing Developments and Educational Provision document (November, 2009) is relevant here. During the period when this application was submitted back in May 2014 it was estimated that there would not be enough capacity within the catchment area's school, namely Ysgol Felinwnda, in the 2013-2014 academic year for an increase of over 3 extra pupils. To this end, and based on the requirements of the above SPG, the

PLANNING COMMITTEE	DATE: 19/10/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT MANAGER	DOLGELLAU

applicant was required to secure a financial contribution towards educational provision in the catchment area's school.

- 5.16 However, following a review of the capacity of Gwynedd schools in 2014 it appears that the capacity of Ysgol Felinwnda has increased from 30 to 56 pupils and to this end the applicant will no longer be required to provide a financial contribution towards education. It is, therefore, believed that the proposal is acceptable by now based on compliance with the requirements of Policy CH37 of the GUDP together with the requirements of SPG: Housing Developments and Educational Provision.

6. Conclusions:

- 6.1 Taking the abovementioned assessment into account, it is believed that the proposal to renew the previous application for 24 houses (including six affordable homes) as well as associated work on this site, the impact on the Welsh language, location, density, scale, visual/residential amenities, road safety and infrastructure matters is acceptable in principle, and is therefore in accordance with the relevant local and national planning policies and guidance.

7. Recommendation:

- 7.1 To delegate the right to the Senior Planning Manager to approve the application subject to the applicant signing a legal agreement under Section 106 relating to ensuring that six of the 24 houses are affordable homes for general local need and relevant conditions relating to:-

1. Five years
2. In accordance with the plans.
3. Natural slates/external materials.
4. Highway conditions
5. Natural Resources Wales
6. Welsh Water
7. Landscaping
8. Removal of permitted rights for the affordable homes
9. Details of fences/walls
10. Development to be completed in phases