

PLANNING COMMITTEE	DATE: 12/04/2021
THE REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 7

Application Number: C20/0674/41/MG

Date Registered: 21/08/2020

Application Type: Approval of Reserved Matters

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: Application for reserved matters and information on drainage and phased development in connection with outline planning permission C16/1363/41/AM to erect nine houses to include three affordable dwellings and access road.

Location: Cae Bodlondeb, near Ael y Bryn, Chwilog, LL53 6SH

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 Application for reserved matters and information on drainage and phased development in connection with outline planning permission C16/1363/41/AM to erect nine houses to include three affordable dwellings and access road.
- 1.2 The outline application was approved with layout, scale, appearance and landscaping reserved, therefore the application before the Committee is for assessing these matters together with drainage and phased development matters that are the subject of conditions 7 and 9 on the outline permission. The principle together with the matters relating to the access have already been permitted under the outline application.
- 1.3 It is noted that planning application C20/0673/41/MG has also been submitted for the second half of the site in the context of outline permission C16/1603/41/AM for nine additional houses (three of them affordable) which use the same access.
- 1.4 The existing site is part of a field that rises gradually from the highway, and is located behind existing houses and near the Tŷ'n Rhos estate. This specific application relates to the furthest half of the site, located behind the development that is subject to the other application. Both applications include the access road. The vast majority of the site is, by now, located outside the Chwilog development boundary, although the access between the properties of Cartrefle and Ael y Bryn remains within the development boundary.
- 1.5 The plans submitted as part of the application before you confirm the access in accordance with what was approved under the outline permission. The layout of the site indicates a proposal to provide an estate road off the forked access; together with erecting six detached dwellings on the left-hand side of the estate road and a terrace of three affordable dwellings on the right-hand side. This part of the development contains 6 four-bedroom open market dwellings, and 3 three-bedroom affordable dwellings.
- 1.6 The site plan confirms the finished floor levels. The design of the proposed dwellings is simple, and it is proposed to finish the dwellings with slate roofs, and the external walls covered in stone and cedar cladding. A landscaping plan was also submitted.
- 1.7 Plans of the drainage system were submitted as part of the application which indicate the method for dealing with surface water, and a phased development plan has also been submitted which discharges the requirements of conditions 7 and 9 which require drainage and landscaping plans.
- 1.8 The LPA has requested revised plans regarding the parking arrangements for some of the plots, but no plan had been received at the time of writing the report.

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

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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 2011-2026, adopted 31 July 2017**

TRA2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable development

PCYFF 2: Development Criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 6: Water Conservation

PS 19: Conserve and where appropriate enhance the natural environment

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

3. **Relevant Planning History:**

C16/1363/41/AM - Outline application for the erection of nine houses to include three affordable houses along with provision of access and estate road - APPROVED - 22.09.2017

C16/1603/41/AM - Outline application for the erection of nine houses to include three affordable houses along with provision of access and estate road - APPROVED - 22-09-2017

C20/0673/41/MG - Application for reserved matters and information on drainage and phased development in connection with outline planning permission C16/1603/41/AM to erect nine houses to include three affordable dwellings and access road - NOT DETERMINED

4. **Consultations:**

Community/Town Council:

The Community Council has supported the above applications following our meeting on 03.09.2020, but I have received an enquiry from the Secretary of Chwilog Cemetery Committee following our meeting, expressing the serious concerns of residents living nearby about the ditch/water/ and drainage coming from the field above.

Welsh Water:

Having assessed the proposed drainage layout plan, we note foul flows are proposed to connect into the 225mm public foul sewer

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located within the B4354 and surface water flows are proposed to discharge into a soakaway system. On the basis that foul only flows are proposed to connect into the public sewerage system at the location shown, we have no objection to the proposed drainage arrangements.

Transportation Unit:

No objection to the applications, and recommend the conditions in the list below.

An extra condition or note should be included stating the need to relocate the speed bumps on the main road, the street lighting column and any other structure that conflicts with the location of the access. I have proposed something at the end of the list.

I also note a slight difference between the Cadarn and Russell Hughes plans – one shows the estate road in phase 2 ending before the last two houses and turning in to a private road, the other shows the estate road going right to the very end but the footpaths ending before the last two houses. If given the choice I would prefer to see the estate road design as shown by Cadarn.

Where possible I would like to see the parking provided side by side rather than one behind the other. Most of the dwellings offer such a provision, apart from two, but I believe it would be possible to alter the parking in plot 8 to suit the above.

Below is a list of conditions/notes:

Access

Estate road

kerbs

phased

parking

traffic calming features

adoption of road

Footpaths Unit:

Not received

Biodiversity:

No observations

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Land Drainage Unit:

INFORMATION: Our maps show that a culverted surface water system runs through the proposed development site. We advise that the developer identifies the exact course of the system and avoids installing / constructing any structures within 3 metres of it as this could impede maintenance in future. An Ordinary Watercourse Consent will be required for any work that could affect the flow of this culvert, and the developer should contact FCRMU@gwynedd.llyw.cymru to seek further advice.

The landowner will be responsible for the maintenance of any culvert within their property in future.

Since 7 January 2019, sustainable drainage systems (SuDS) are required to control surface water for every new development of more than one dwelling or where the building surface area has drainage implications of 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers. These systems must be approved by Gwynedd Council in its role as the SuDS Approval Body (SAB) prior to commencement of the construction work.

Also, according to section 2.39 of the Welsh Government's Sustainable Drainage Statutory Guidance, SAB approval will be required if the planning permission was granted subject to a condition pertaining to a reserved matter (i.e. before January 2019) and an application for approval of the reserved matter is not made before 7 January 2020.

Due to the size and nature of the development, an application will need to be submitted to the SAB for approval before construction work commences. A drainage strategy and associated plan have been submitted with the planning application indicating that the developer is considering sustainable drainage methods, but until an application is made to the SAB, there is still some uncertainty as to whether the proposed plan for the site would enable the development to fully comply with the series of national SuDS standards.

Natural Resources Wales:

No observations to offer

Strategic Housing Unit:

Not received

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Public Consultation: A notice was posted on the site and nearby residents were informed. The advertising period ended on 02.10.2021 and correspondence was received objecting to the proposal:

- Drainage matters

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 This application is in respect of reserved matters following the granting of outline permission to erect nine houses, three of which will be affordable. The principle of the proposal, including access matters along with the affordability aspect and open space matters, have already been approved, and as such these matters cannot be re-assessed as part of this application according to the procedure for outline applications and reserved matters.
- 5.2 We note that the outline application is subject to a 106 agreement which secured the affordable element, and payments for open spaces and education. The outline permission specified a particular housing mix (6 four-bedroom open market houses, and 3 three-bedroom affordable dwellings), and these elements have already received permission through the outline application.
- 5.3 Therefore, the only matters to be assessed in this application are design, layout, scale and landscaping.

Visual, general and residential amenities

- 5.4 The site that is the subject of the application lies at the far end of the site and the nearest houses would be those that were subject to applications C16/1603/41/AM and C20/0673/41/MG. At the time of the outline application it was acknowledged that the principle of developing housing on the site was acceptable as the site was allocated for housing at the time. It is also noted, at the time of the outline application, that the density of the development was acceptable and that the sizes of the houses were suitable in respect of maximum scale (including the affordable dwellings), and that via conditions and consideration of the full details, we could manage the remainder of the development to be acceptable.
- 5.5 The layout of the proposal before you is in keeping with what was proposed at the time of the outline application, and the plan of the proposed site confirms that the development is acceptable in terms of the impact on the rest of the development's housing.
- 5.6 There are varied design features in the area. The proposed design, finish and landscaping is simple, and is considered to be in keeping with area, and is acceptable in terms of its visual impact.
- 5.7 It is considered that the proposal is unlikely to have a detrimental impact on any nearby residents in terms of overlooking or the impact on amenities.
- 5.8 It is considered that the details are acceptable and comply with the requirements of policies PS5, PCYFF 2, 3 and 4 of the LDP.

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Highways Matters

- 5.9 The access to the site has already received planning permission under the outline application, and there is a planning condition to complete the access in accordance with the approved plan prior to the commencement of any further work on the plan, that already exists on the outline permission.
- 5.10 The Transportation Unit has raised some matters regarding the parking arrangements and the footpath and these comments have been passed to the applicant's agent to be resolved. The Transportation Unit is confident that the development is acceptable in terms of parking and road safety, and the minor amendment to the parking arrangements entails placing cars side-by-side instead of one behind the other, and the footpath matter entails ensuring that the submitted plans match each other. It is considered that the proposal is acceptable in terms of road safety and complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

Drainage matters

- 5.11 The information submitted as part of the application also includes a drainage plan indicating that it is proposed to deal with surface water through underground channels and an open swale.
- 5.12 Welsh Water, Natural Resources Wales and the Land Drainage Unit have confirmed that the information submitted is acceptable. It is noted that Welsh Water have confirmed that only foul water will be connected to the main sewer, and it is noted that the surface water drainage system is subject to a SUDS application.
- 5.13 Observations have been received from local residents, the Local Member as well as the Community Council regarding to current drainage matters on the site that have an impact on nearby housing. Officers from the Drainage Unit are aware of the situation and have visited the site. In addition, a surface water disposal system will need to be designed to conform to the requirements of the Sustainable Drainage System (SuDS). To ensure the efficiency of the new drainage system, maintenance measures will be included within the sustainable water system plan (SuDS) that would be approved by the Council's Water and Environment Unit in its role as a Sustainable Drainage System (SuDS) Approval Body.
- 5.14 Based on the information submitted and the comments received from the statutory consultees, it is considered that it is possible to deal with drainage matters in an acceptable and efficient way and therefore the proposal complies with the requirements of policy PCYFF6.

Phased development

- 5.15 This entire site is the subject of two outline planning applications and when dealing with those applications it is considered reasonable to impose a condition to agree on a phased development plan for the site, in order to ensure an orderly development. A planning condition exists on the outline permissions that ensure the access is completed before the rest of the development, and the phased plan submitted as part of the application confirms that the section nearest to the access would be developed first, and then the section of the site located behind (the section that is subject to this application).
- 5.16 This is considered to be acceptable and will ensure an orderly development of the site.

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Response to the public consultation

5.17 Following a period of public consultation, observations were received regarding drainage matters on the site. These matters have received attention above, and the development will be subject to a sustainable drainage system application, therefore, it is considered that the information submitted as part of this application is acceptable.

6. Conclusions:

6.1 It is therefore confirmed that the reserved matters in the outline permission to erect 9 houses to include 3 affordable houses, and an access road under reference number C16/1363/41/AM, together with the discharge of conditions 7 and 9 of the outline permission relating to drainage and phased development matters are acceptable and in accordance with the above outlined planning policies.

7. Recommendation:

To approve

Highway conditions

A note that conditions 7 and 9 of the outline permission, relating to drainage matters and phased development have been discharged as part of this permission.

SUDS note