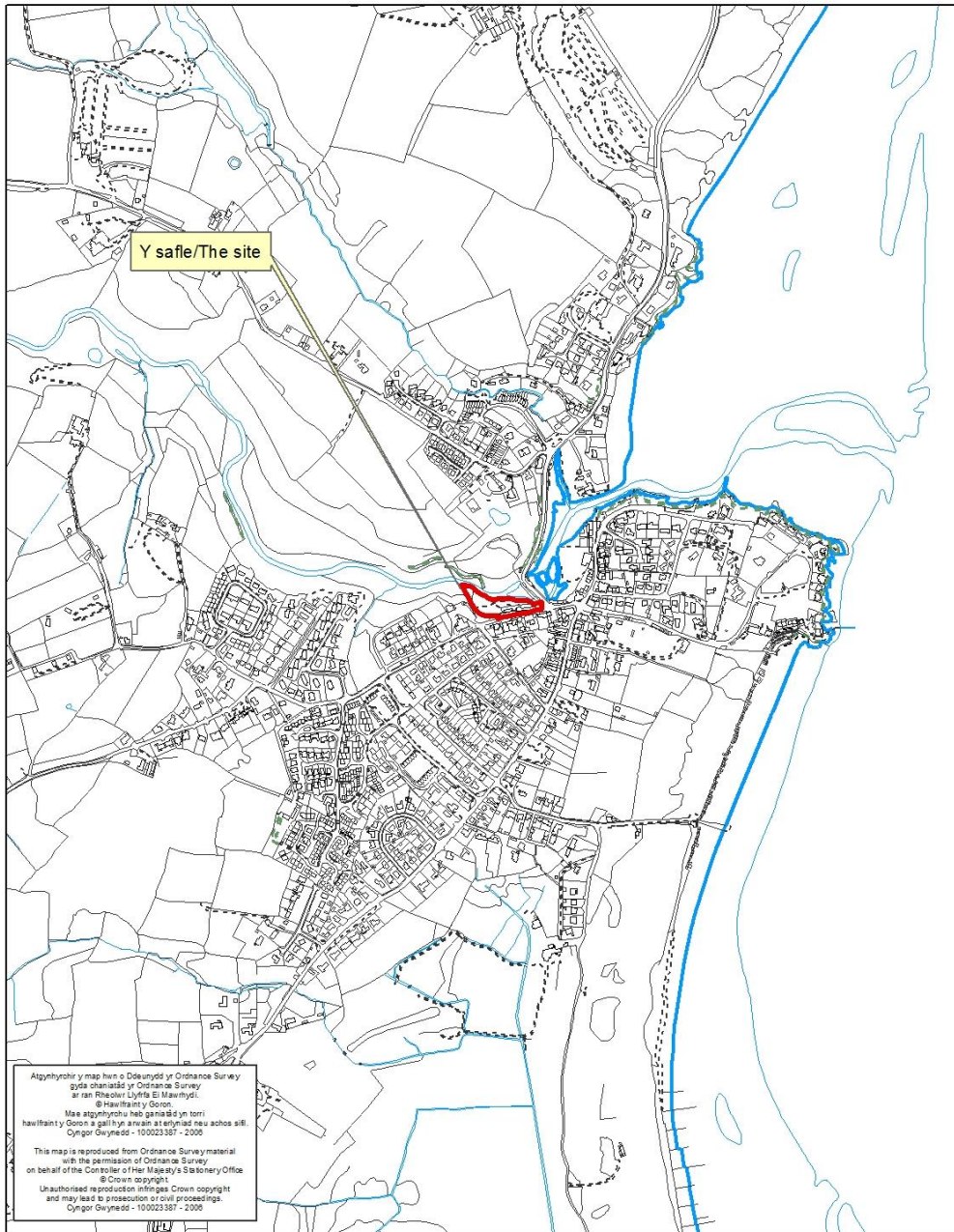


Number: 4



Rhif y Cais / Application Number : C15/0383/39/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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Application Number: C15/0383/39/LL
Date Registered: 01/10/2015
Application Type: Full - Planning
Community: Llanengan
Ward: Llanengan

Proposal: REVISED APPLICATION FOR DEMOLITION OF EXISTING HOTEL AND SWIMMING POOL (EXCEPT FOR THE ORIGINAL FRONTAGE BUILDING), AND REDEVELOP THE SITE FOR 10 RESIDENTIAL DWELLINGS, FIVE RESIDENTIAL FLATS, A SINGLE A1 RETAIL UNIT, BAT ROOST AND 31 PARKING SPACES.

Location: RIVERSIDE HOTEL & RESTAURANT, ABERSOCH, PWLLHELLI, LL537HW

Summary of the Recommendation: TO DELEGATE POWERS TO APPROVE SUBJECT TO SIGNING A SECTION 106 AGREEMENT FOR TWO AFFORDABLE HOMES

1. Description:

1.1 This is a revised application to demolish a hotel and swimming pool (with the exception of the original building frontage) and to redevelop the site for 10 residential houses and five residential flats along with a single retail unit with an A1 class use. The proposal would be located on the site in three blocks, A – C, and the buildings would be a combination of two-storey and three-storey buildings. The 31 space car park would be located under blocks A – C. The first block (Block A) contains two blocks of buildings, namely the existing building which is to be retained and also a new building. It is proposed for this existing retained building to contain a retail unit on the ground floor with two flats (two bedroom) located above. It is proposed for these two flats to be affordable. In the new building that will be part of Block A it is proposed to create a terrace of four houses (2 x two bedrooms and 2 x three bedrooms). Block B would include a terrace of four houses (three bedrooms) and block C would include three flats (two bedrooms) and two houses (four bedrooms). The external walls of the development would be finished in a combination of render and cedar walls and the roof covered with slate. It is intended to include stone walling around the living units. As part of the application, it is also intended to build a bat roost in the north-western part of the site. It is proposed to landscape between the site of the bat roost and the buildings and also to the front of the new buildings near the river.

1.2 When the application was submitted originally it was intended to include 13 cycle storages. These storages were to be located between block C and the proposed bat roost. This element of the proposal has now been deleted. This application is for the same type of development that was approved under application C12/0441/39/LL and includes the same amount of residential units (15), parking spaces under the residential units and a bat roost in the western end of the site. No additional buildings are included as part of the current application and the changes relate to the design of the residential units. The changes to the proposal from what was approved in application C12/0441/39/LL include:-

BLOCK A

- Add nine windows and an element of cladding to the northern elevation of the original building that is to be retained.
- The house on the eastern side of the new building is wider by about 0.5 metres.
- The two most western houses are wider by about 0.7 metres.
- In the original proposal one house would be included as an extension to the original building that is to be kept and then there would be a gap before the terrace of three houses. In this revised application, the building that is to be

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retained will remain separate and there will be a gap between it and the new building that includes a terrace of four houses.

- Exchange a door and window on the ground floor of the northern elevation
- Remove a ground floor door from the western elevation.
- Add a door and ground floor window to the southern elevation.

BLOCK B

- The two eastern units are wider by about 0.2 metres.
- The two western units have been widened by about 1.7 metres and they will now come forward in front of the two eastern units where they were previously stepped back.
- Change to the eave's roofline on the southern elevation.
- Change the first floor window on the northern elevation to a Juliette balcony.

BLOCK C

- The width of the two eastern units has been extended by about 2.2 metres.
- The length of the flats has been extended by about 1.9 metres and their width by about 1.2 metres.
- The height has been increased by about 0.6 metres.
- Add a ground floor door to the southern elevation.
- Remove a long narrow window which ran from the ground floor to the second floor level on the eastern elevation.
- Add French doors with a small balcony (4 in number) on the first and second floor levels on the western elevation and add two French doors to the ground floor.
- In the two units on the western side, add two French doors to replace two windows and add a small balcony (0.5 metres by 1.9 metres) in front of the doors on the northern elevation.
- On the northern elevation of the first floor flats and exchange a window for a Juliette balcony.

- 1.3 As part of the Design and Access Statement it was confirmed that this proposal includes two affordable units, as did the previous application. It is proposed for the affordable units to be the same two flats included in the previous application.
- 1.4 Part of the application site is located within the Abersoch development boundary while the remainder is located on the outside. The part of the development that contains the residential units would be located inside the boundary. The site lies within the Area of Outstanding Natural Beauty (AONB) and within a Landscape of Outstanding Historical Interest. River Soch is located to the north of the site and to the east lies a bridge where the A499 leads into the village. Lôn Engan is to the south and a combination of houses and businesses can be found along this road. To the west of the site and on higher ground lies the site of the former Harbour Hotel which is currently being redeveloped for residential units. Part of the site lies within a C1 flooding zone.
- 1.5 A Design and Access Statement has been submitted with the application together with a flood consequence assessment, extended schedule 1 habitats survey, an update for the protected species survey, a letter providing an update on the ecological matters and a Language and Community Statement. The author of the affordable housing statement relating to application C12/0441/39/LL has also confirmed that the document remains relevant to this application.
- 1.6 The application is submitted to the committee as it involves five or more houses.

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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 – PROTECT 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.

B8 - THE LLŶN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site in accordance with the statutory requirements of the Countryside and Rights of Way Act 2000.

POLICY B12 – PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

POLICY B17 - PROTECTING SITES OF REGIONAL OR LOCAL SIGNIFICANCE - Refuse proposals which are likely to cause significant harm to sites of regional or local significance unless they conform to a series of criteria aimed at the protecting, promoting and managing recognised features within the sites.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B22 – BUILDING DESIGN - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting 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 must conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B29 – DEVELOPMENT ON LAND AT RISK OF FLOODING - Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they conform to a series of criteria that are relevant to the features on the site and to the purpose of the development.

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POLICY B35 – AVOIDING THE SPREAD OF INVASIVE SPECIES - Ensure that measures are taken to deal with invasive species where the development involves the disturbance of soil that is contaminated by invasive species.

POLICY C1 – LOCATING NEW DEVELOPMENT - Land within town and village development boundaries 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 C3 – RE-USING PREVIOUSLY DEVELOPED SITES - Proposals which give priority to reusing previously developed land or buildings and are located within or adjacent to development boundaries will be permitted if the site or the building and use are appropriate.

POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES - Approve proposals for the construction of new dwellings on unallocated sites within the development boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

POLICY CH10 – SECOND HOMES - Refuse proposals for new dwelling(s) which would lead to an increase in the number of second homes within a community where they already constitute a high percentage of the housing stock.

POLICY CH11 – CONVERSION OF BUILDINGS WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES FOR RESIDENTIAL USE - Proposals to convert buildings for residential use within the development boundaries of villages and local centres will be approved provided they conform to criteria relating to local need, impact on holiday accommodation and community services and occupancy of the dwelling.

POLICY CH30 – ACCESS FOR ALL - Refuse proposals for residential/business/commercial units or buildings/facilities for public use 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 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, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines. Consideration will be given to the accessibility of public transport services, the possibility of walking or cycling from the site and the proximity of the site to a public car park. In circumstances where there is an assessed need for off-street parking and where the developer does not offer parking facilities on the site, or where it is not possible to take advantage of the existing parking provisions, proposals will be approved provided the developer contributes to the cost of improving the accessibility of the site or providing the number of necessary parking spaces on another site nearby.

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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 does not meet the needs of the development - provide suitable open spaces of recreational value as an integral part of the development.

POLICY D29 – NEW SHOPS IN VILLAGES – Proposals for the change of use of buildings to a shop, or proposals for new shops or extensions to existing shops will be approved provided they comply with specific criteria relating to suitable use of existing building, within the development boundary of the village and that it does not significantly harm the amenities of neighbouring residents or the character of the area.

Supplementary Planning Guidance – Planning obligations
 Supplementary Planning Guidance – Affordable housing
 Supplementary Planning Guidance – Landscape character
 Supplementary Planning Guidance – Housing developments and open spaces of recreational value
 Supplementary Planning Guidance – Planning and the Welsh language
 Supplementary Planning Guidance – Planning for sustainable building
 Supplementary Planning Guidance – Holiday accommodation

2.3 National Policies:

Planning Policy Wales (Edition 7, July 2014)
 Technical Advice Note 2 – Planning and Affordable Housing
 Technical Advice Note 12 – Design
 Technical Advice Note 15 – Development and Flood Risk
 Technical Advice Note 18 – Transport
 Technical Advice Note 20 – The Welsh Language

3. Relevant Planning History:

- 3.1 2/19/74 – Extensions to create accommodation for owners – Riverside Hotel, Abersoch - Refused 31 December 1974.
- 3.2 2/19/74'A' - Extension – Riverside Hotel - Approved 30 May 1975.
- 3.3 2/19/74'B' – Three foot high fence around the roof - Riverside Hotel, Abersoch - Refused 22 September 1976.
- 3.4 2/19/74'C' – Swimming pool hall and extension to car park – Riverside Hotel, Abersoch - Approved 19 March 1980.
- 3.5 2/19/74'D' – Erection of changing rooms, two toilets, two showers and sauna bath to add to the swimming pool - Riverside Hotel, Abersoch – Approved 6 January 1981.
- 3.6 2/19/74'E' – Erect a traditional single-storey unit to be used as staff accommodation - Riverside Hotel, Abersoch - Approved 10 March 1986.
- 3.7 2/19/74'F' - Extension to a hotel– Riverside Hotel - Approved 3 February 1987.
- 3.8 2/19/74'G' - Extension – Riverside Hotel, Abersoch - Approved 15 October 1987.
- 3.9 2/19/74'H' - Erection of access canopy - Riverside Hotel, Abersoch - Approved 3 March 1988.

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- 3.10 2/19/74'I' - Erection of bungalow – Riverside Hotel, Abersoch - Approved 26 July 1989.
- 3.11 2/19/74'J' - Single-storey dwelling for staff accommodation - Riverside Hotel, Abersoch - Approved 1 June 1994.
- 3.12 C99D/0428/39/LL - Single-storey dwelling for staff - Riverside Hotel, Abersoch - Approved 17 January 2000.
- 3.13 C02D/0028/39/LL – Infilling of land in order to extend hotel garden - Riverside Hotel, Abersoch - Approved 22 March 2002.
- 3.14 C05D/0074/39/LL – New bridge and alterations to access - Riverside Hotel, Abersoch - Approved 8 April 2005.
- 3.14 C05D/0089/39/LL - Erection of store – Riverside Hotel, Abersoch - Approved 10 June 2005.
- 3.15 C05D/0090/39/LL – Balcony - Riverside Hotel, Abersoch - Approved 8 April 2005.
- 3.16 C06D/0083/39/LL – Alterations and adaptations to the hotel / restaurant access and first floor extension to create toilet block to the rear of the hotel – Approved 4 December 2006.
- 3.17 C08D/0340/39/LL – Demolition of swimming pool building and erection of nine holiday flats to be used in association with the hotel – Refused 21 October 2008.
- 3.18 C12/0441/39/LL - Demolition of existing hotel and swimming pool (except for the original frontage building), and redevelop the site for 10 residential dwellings, five residential flats and a single A1 retail unit with 30 parking spaces - Approved 6 December 2013.

4. Consultations:

- Community/Town Council: Unanimous objection as a number of residents on grounds of the same observations submitted for the original application number C12/0441/39/LL in December 2012 because:
1. It lies on the banks of River Soch and given the flooding there the application should not be considered at all due to the flood plain along with the location of the floodgates on the other side of the site's entrance wall.
 2. Over-development on a restricted site which would affect the visibility / sunlight for the houses on Lôn Engan and within an AONB.
 3. Site access – it is dangerous as it is on the busy junction between Lôn Engan and Lôn Pont Morgan without adding another 31 vehicles.
 4. There is a need to include affordable housing in the scheme as well.

Transportation Unit: Not received.

Natural Resources Wales: **Flood Risk**
We have reviewed the revised Flood Consequence Assessment

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(FCA) submitted in support of the above planning application.

The revision to the FCA was required following the content of our letter dated 27/10/2015 and amendments have been made to the proposal to reflect the majority of concerns raised. The application site does have a planning history and we are aware of the 2012 (C12/0441/39/LL) application and measures adopted for that application in terms of flood risk. Flood estimation/ modelling techniques have changed since that time, however the dominant flood risk to the site (i.e. giving the greatest flood depth) identified during 2012 application and the current application is that of tidal flooding due to a failure of the tidal door(s) on /directly adjacent to the site. These tidal doors prevent tidal inundation to the land upstream and although they are maintained by us, no guarantee can be given that the doors would not fail during storm/high tide conditions and inundate the area. It was accepted during the application in 2012 that the current car parking (at the time) for the Riverside Hotel was at risk of flooding/flood damage; as such a 'betterment' in terms of flood risk was sought at the time. It should be noted that should the site have been a greenfield site with no planning history, then it is highly unlikely that full compliance with TAN15 could be met. We would advise that by raising the site to allow the dwellings to be set above modelled flood levels, there will be an impact of flood levels opposite the site on third party land. The impact on the extreme event is that of 9mm increase. Whilst this is usually unacceptable (in excess of our allowed 5mm), in this instance we would not wish to object due to the previous permission granted.

We welcome the omission of the proposed bike sheds and note that the area to the west of the application boundary is to remain as that of a landscaped area. We do have concerns regarding the basement car parking area. The entrance has been set (off the A499) above estimated flood levels however the drawings indicate a 'Flood Door' from the basement to the landscaped area. It is unclear as to why this has been included and why the width of opening. The FCA states that "...access from the basement to the landscaped area to the west should be designed to be resilient against flooding and the pressure associated with the external flood depths up to 3.94m". As you can appreciate such depth of flooding will damage cars in the basement and pose a risk to life. The authors of the FCA have indicated that it is intended to leave the door closed. There are no site specific flood warnings available for the village and predicting and warning for a breach in a tidal door is not possible hence if the door is left open and a failure occurs then flooding will occur with what could be significant consequences. As such we would suggest that this opening/access is omitted to ensure that the flood risk can be managed. Should this not be possible, then further details will be required and these would be requested as planning conditions.

We can therefore conclude that having assessed the revised FCA and having due consideration to the site's history, we would advise conditions and in formatives associated with the flood risk to the site.

Protected Species

As the application site supports European Protected Species, lesser

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horseshoe bats, we advise that development may only proceed, under a licence issued by Natural Resources Wales, who is the appropriate Authority responsible for issuing licences under Regulation 53 (2) (e) of the above Regulations. We would advise that any planning permission is subject to the imposition of planning conditions that:

- i. No work should start that could impact on the existing roosts until an NRW European Protected Species licence has been issued.
- ii. All points within the updated method statement should be adhered to.

Regarding the bat roost aspect of the proposal, the bat roost building is situated within the lower level of the site, and is at a risk of flooding. We would not be able to issue a bat European Protected Species licence for the proposed bat mitigation for the development if the bat roost is liable to significant flood risk. We therefore request that a condition is included within any permission that suitable bat mitigation is included that would not be liable to significant flood risk. The applicants will need to ensure that this is possible within the confines of the site.

Landscape

The proposal is within or may affect the Llŷn Area of Outstanding Natural Beauty. We remind you of your Authority's duty under Section 85 of the Countryside and Rights of Way Act 2000 which requires public bodies to have regard to the purposes of conserving and enhancing the natural beauty of the AONB. The statutory purposes of Areas of Outstanding Natural Beauty are conservation and enhancement of natural beauty.

The proposal is within or may affect a Landscape of Outstanding/Special Historic Interest. While this is not a statutory designation, chapter 6 of Planning Policy Wales (PPW) states that it is a material consideration in the planning process and must be given due regard when reaching a determination.

Welsh Water:

Propose a condition relating to submitting a drainage plan. Confirm that no problems are anticipated in terms of sewerage treatment and it will be possible to establish a water supply to the development.

Biodiversity Unit:

The revised plans include amendments to the proposed replacement bat roost and to the layout of the proposed development (which includes the removal of the previously proposed bike sheds). The applicant has provided a bat report (by Greenman Ecology 22nd May 2015) and an ecological report (by CES Ecology dated June 2015) which includes a habitat survey, data search, and survey observation. I can confirm that both of these surveys have been undertaken to a good standard.

Protected Species - bats

This site has a lesser horseshoe bat hibernation and maternity roost within the disused hotel. This development will result in the demolition of the hotel and therefore the developers have proposed to provide a replacement bat roost. The proposed replacement bat roost includes a hibernation chamber adjoined on to the small building that will be the bats roost. The hibernation chamber will be covered with

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earth which will help to ensure that it has a constant cool temperature and high humidity. The hibernation chamber has a bat access from the outside and is linked to the bat roost building by another access; this will ensure that bats are able to move between the hibernation chamber and the building and reduces the likelihood of bats becoming trapped if the chamber was to flood. The proposed replacement bat roost is suitable for lesser horseshoe bats and will provide a maternity roost and a hibernation roost. The plans include tree planting around the roost and this will help to ensure that the replacement roost is suitable by providing cover for flying bats and screening from light. It is important that the replacement bat roost is completed before demolition takes place.

Protected species – water vole, otter, reptiles

Otters are known to use the River Soch and water vole has been recorded on the River Soch upstream. Reptiles have been recorded on the site and I recommend that the construction method takes measures to avoid harm to reptiles and provide features for reptiles such as hibernacula and habitats (e.g. natural grassland on river bank). The amended site layout includes notes to retain reeds along the river bank and the proposed tree and shrub planting is not directly on the river bank; these features will help ensure that the river bank is suitable for water vole and provide some cover for otters. I recommend that detailed landscaping plans are provided as part of a planning condition. I also recommend that a biodiversity management plan for the suitable management of the river bank for water voles, the planting of trees for cover for bats and otters, the provision of an otter holt and the maintenance and monitoring of the bat roost. The requirement of the biodiversity management plan can be a planning condition.

Japanese Knotweed and non-native invasive species

Japanese knotweed is an invasive plant species that is difficult to eradicate. It is growing on the development site at the edge of the car park near the cliff. It is important that the development works do not cause the spread of this plant. Before any development can take place the Japanese knotweed must be eradicated / contained at the site. Additionally, it is likely that Himalayan Balsam occurs along the river, this is a non-native invasive plant that will also require eradication. A Japanese knotweed and invasive non-native plant species eradication plan must be provided and implemented; this can be achieved through a planning condition.

Protected Sites

The Pen Llŷn a'r Sarnau SAC is down stream of the site, but it is extremely unlikely that this development would have an impact on this European Site, however during construction the development should take measure to ensure that no pollution, oil, or soils enter the river course.

Habitats

The habitats on the site include concrete, amenity grassland, semi-improved grassland, river, buildings. This proposal will not result in the loss of habitats of biodiversity value.

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Wildlife Sites

The river banks and the river are a candidate Wildlife Site, selected for its habitats along the river corridor and its function as an important wildlife corridor in particular for otters and fish. The river bank has been highlighted as an important biodiversity feature in the ecological report submitted (CES Ecology June 2015).

Recommended planning conditions for the protection of wildlife and nature:

1. Replacement bat roost completed before any demolition work can take place.
2. Before demolition takes place an update bat mitigation report must be provided and implemented.
3. A bat monitoring report must be provided to the LPA after 3 and 5 years following the date of this permission.
4. Before any work commences on the site a Japanese knotweed and non-native invasive plant species eradication programme must be provided to the LPA. The eradication must be implemented and completed before construction is completed.
5. Before construction commences a Biodiversity Management Plan must be provided to the satisfaction of the LPA. The Biodiversity Management Plan should include the provision of feature for otters and reptiles and the management of the river bank for water voles.
6. Before construction takes place a method statement including measures to avoid harm to reptiles must be provided and implemented.
7. A pollution prevention plan must be provided before construction takes place.

Summary

No objection to this proposal as long as the above recommended planning conditions are included in the permission.

Trees Unit:

There were no substantial trees however there was a mix of different trees growing on the slope between the road and the site. Having looked over the plan, replanting seems to be a condition on the application, there is also a list of indigenous trees to be replanted on the site. Provided the site is replanted with indigenous trees I cannot see a problem from a trees point of view.

AONB Unit:

Some observations in terms of the impact of the development on the AONB have been noted on the original application (C12/0441/29/LL) and in amended plans. There is concern about the environmental impact of the amended application as it would extend the surface area of the development and lose landscaping and tree planting elements that were part of the original planning application and were a way of screening the development and contributing to local biodiversity.

Housing Strategic Unit:

There are 32 applicants on the Tai Teg register who wish to own or part-own their home. There are 21 applicants on Gwynedd Council's Common Housing Register. Information was also submitted about the type of need in terms of the

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number of bedrooms the applicants wished for, which was a combination of 2, 3 and 4 bedroom homes. Details were also provided in terms of open market house prices as follows:-
2 bedroom house - £220,000 - £240,000 (terrace house).

3 bedroom house - £415,000 - £585,000.

4 bedroom house - £345,000 - £575,000.

2 bedroom house - £168,000 - £296,000.

The average price paid for a house was £355,861.

Currently the average house price is £371,228.

Need a discount if they are not affordable in the first place.

It is noted in the application that 2 out of the 15 units will be affordable, however, we are of the opinion that 30% of the units should be affordable, namely at least four units.

Public Consultation:

A notice was posted on site and in the press, and nearby residents were informed. The advertising period has ended and two letters / correspondence were received objecting on the following grounds:

- Impact on Area of Outstanding Natural Beauty.
- Loss of an iconic view of Abersoch harbour from Lôn Engan.
- The design of the development is too urban for a village.
- The proposal is three-storey and taller than the original plan.
- Road problems.
- The site is located on a floodplain.

In addition to the above objections, objections were received that were not valid planning objections which included:

- Creates a discordant situation both socially and politically.

5. Assessment of the material planning considerations:

The principle of the development

5.1 This is a revised plan for developing the Riverside Hotel site. Application number C12/0441/39/LL was approved on 6 December 2013 for the construction of 15 residential units on the site, with two of them bound by a 106 affordable housing agreement. The site is partially located within the development boundary of Abersoch as indicated on the GUDP proposal maps. All the residential units that are the subject of the application are located within the development boundary. The remainder of the site lies outside the boundary but immediately nearby the boundary. No part of the site has been specifically designated for housing in the GUDP. Policy C1 of the GUDP states that land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. Furthermore, the policy states that new buildings, structures and ancillary facilities in the countryside (i.e. outside development boundaries and outside the developed form of rural villages) will be refused with the exception of development that is permitted by another policy of the Plan.

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- 5.2 The site is also considered to be one that has been previously developed. Policy C3 of the GUDP states that proposals that give priority, wherever possible, to reusing previously developed land or buildings that are located within or near development boundaries, rather than using Greenfield sites, will be approved provided that the site or building and the proposed use are suitable and conform to the Plan's objectives and development strategy. The proposal would therefore make use of previously developed land.
- 5.3 The proposal would mean losing a hotel in the area. Policy CH11, which deals with the conversion of buildings within village development boundaries for residential use, states that a proposal must not lead to the loss of serviced holiday accommodation in main holiday centres unless strong evidence has been submitted to the Council demonstrating that the property has been marketed unsuccessfully as holiday accommodation at a fair and reasonable price for a continuous period of 12 months. Abersoch has been identified as one of the main holiday centres in the explanation to Policy CH11 and therefore as the proposal relates to converting part of the existing buildings, it is considered that the policy applies to this application. As part of application C12/0441/39/LL a marketing report was submitted which included evidence showing that the hotel has been marketed unsuccessfully for a period of four years (for use as a hotel). It is therefore considered, in light of approving that application, that the principle of losing serviced holiday accommodation has been accepted and that the proposal is acceptable in terms of this aspect of Policy CH11.
- 5.4 The development also includes a single retail unit located on the ground floor of the section of the original building which is to be retained. This part of the proposal is located within the development boundary. Since the proposed retail unit is situated within the development boundary, and utilises an existing building, the principle of developing it is acceptable in accordance with Policy D29 of the GUDP.
- 5.5 Policy CH4 relates to housing developments within development boundaries. This policy approves, in principle, proposals to build new homes on unallocated sites within the development boundaries of villages provided a proportion of the units on each site (which will vary from site to site) are affordable units to meet the general local need determined for affordable housing, unless it can be proven to the satisfaction of the Local Planning Authority that, having considered all the relevant factors, it would be inappropriate to provide affordable housing on the site.
- 5.6 There is evidence that there are problems with housing affordability in the Abersoch area and that there is a need for affordable housing in the area. Also, a significant percentage of the housing in Abersoch consists of second homes. However, in accordance with the policy as seen above, consideration must also be given to the financial feasibility of providing affordable housing on the site. Paragraph 10.6 of Technical Advice Note 2 – Planning and Affordable Housing, states that the viability of a site will be a critical factor to consider in determining thresholds (for affordable housing), particularly on small sites. The impact of specific costs on the viability of a development is a factor which is considered in the first criterion of Policy CH4. This criterion states that a proportion of the units on a site of this type should be affordable, unless it can be demonstrated to the satisfaction of the Planning Authority that, having considered all the relevant factors, it would be inappropriate to provide affordable housing on the site. Paragraph 5.2.30 of the GUDP states that specific costs associated with the development of the site are a factor to be considered when negotiating with a developer in relation to the provision of affordable housing.

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5.7 The plans and the design and access statement state that it is intended for two of the units, namely the two flats in the original building, to be affordable. This is the same number of affordable homes approved in application C12/0441/39/LL. In determining that application, consideration was given to the viability matters associated with the development and whether or not this influences the number of affordable homes the proposal could deliver. Those viability matters remain pertinent to the current application. There will be significant costs to develop the site with the sub-structure alone costing approximately £745,181. These sub-structures include the undercroft parking space which is crucial in order to increase the level of the houses to a level that is acceptable in flooding terms in light of the fact that the site is within a C1 flood zone. Given the additional costs associated with the development and on grounds of assessing the viability of the plan that was accepted for application C12/0441/39/LL that a contribution of two affordable homes would be acceptable in that case. It is considered that the situation continues as with the previous application and that a provision of two affordable units is acceptable in terms of Policy CH4. However, there will be a need to sign a new 106 agreement to bind two affordable units for this revised application as the 106 agreement that has been signed relates to the previous application only.

Language and Community Matters

5.8 A language and community statement was received as part of the application. It is noted that the percentage of Welsh speakers in Abersoch is comparatively low, and that it has reduced between 2001 and 2011. It is recognised that the site is located in a convenient place in Abersoch, close to services and facilities, and is therefore likely to have a positive effect on local shops and services. It is not considered that the development would be likely to have a detrimental effect on the local primary school and the development should improve the visual environment and make the area a more attractive place to live in. No specific mitigating measures have been included with the proposal, however; it could be by providing a small element of affordable housing, along with housing on a scale that means that they could be competitively priced (as opposed to the current house prices in Abersoch), be beneficial in terms of retaining the current population in the community and encouraging Welsh people to return to the area. This is significant when considering the affordability rates in Abersoch ward. There will be a need to ensure that an adequate portion of the relevant units are affordable and attractive to local individuals who are in need of affordable housing.

5.9 Policy CH10 of the UDP which relates to second homes is relevant to the application. However, in the past applications with permanent housing conditions have been refused and approved in the past in light of Policy CH10 and the Planning Inspectorate affords very little weight to this policy when determining appeals that are based on this policy. What comes over in the appeals is that it cannot be proven with concrete evidence that the residential units would be holiday homes or second homes. Although there is a substantial percentage of second homes in Abersoch, an appeal on the site of the Power Boat Club has been approved, contrary to the decision of the Council. The appeal related to deleting a condition which restricted the occupancy of the open market housing to be developed on the site for use as permanent homes only.

5.10 Considering all the information that is relevant to this application including its location, the need for affordable housing, the percentage of second homes in the area as well as the contribution of affordable housing proposed, it is not considered that the proposal would have a significant impact on the Welsh language or on the community.

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Visual amenities

- 5.11 The proposal would involve placing 15 residential units on the site along with a retail unit. The original part of the hotel, near the site access, would remain there and this was something that was suggested by the Design Commission when dealing with the plans for application C12/0441/39/LL. In relation to the remainder of the site the development would be formed in three blocks of buildings and would be a combination of two and three-storey buildings therefore ensuring variation on the site rather than a monotonous development. As the development has been divided into blocks of buildings, there are spaces between the buildings and this is considered to minimise the proposal's impact on the landscape and the streetscene. Also, with this layout and with either community or private gardens surrounding the buildings, the proposal does not appear to be an overdevelopment of the site. Additionally, a substantial band of green land would remain between the buildings and the river. As there will be gardens and green land around the buildings it would be possible to landscape the site quite extensively. The existing car park would also be landscaped and would add to the greenery around the site. It must also be borne in mind that the site is not entirely empty at present as the existing hotel buildings are located on part of the land. The design standard of the existing building (with the exception of the original part of the hotel which is to be retained) is not worth keeping, and there is a retaining wall behind these buildings. Therefore, it is not considered that the proposal would have a detrimental impact on the area's visual amenities given the present situation. Additionally, although changes have been made since application C12/0441/39/LL was approved, as outlined in the description in section 1 of the report; it is not considered that those changes will cause any significant harm to the character of the development as approved. The proposal would be finished with slate roofs and external walls in a combination of render and cedar boards. It is proposed to use stone around parts of the site boundaries along with using stone to abut the front gardens. It is considered that these materials would be acceptable for the proposal.
- 5.12 The site lies within the AONB and therefore the impact of the proposal on this designation must be considered. In this respect the requirements of Policy B8 of the GUDP must be considered. The aim is to protect, maintain and enhance the character of the AONB and to refuse proposals that would cause significant harm to the landscape and the coast (including views in and out of the area), wildlife, historical remains and buildings, language and culture and the quiet and unpolluted nature of the area unless there are very exceptional circumstances where the following criteria can be met:-
- that a very significant national economic or social benefit has been established in favour of the development and that refusing permission would be extremely detrimental to the local economy;
 - that consideration has been given to the cost and the possibility of providing the development outside the area or of meeting the need for it in some other way;
 - that consideration has been given to limiting any detrimental effect on the area's character and that measures to achieve this have been included as part of the application.
- Paragraph 5.3.5 of Planning Policy Wales also states that development plan policies and development control decisions affecting AONBs should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas.
- 5.13 The observations of the AONB Unit were received regarding the proposal. These observations state that some observations relating to the impact on the AONB were on the original application (C12/0441/39/LL) and revised plans. There is concern

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about the environmental impact of the amended application as it would extend the surface area of the development and lose landscaping and tree planting elements that were part of the original planning application and were a way of screening the development and contributing to local biodiversity. Since submitting these observations, the plan has been revised and the bike sheds have been removed from the proposal. A second consultation was held on the amended plans, however, no further response had been received when preparing the agenda. Removing the bike sheds from the plan would enable planting more in this part of the site which is outside the development boundary which was the intention of the previously approved application. Also, there will be space between the buildings and the proposal includes a combination of private and community gardens for the residents of the proposed residential units. Additionally, a substantial band of green land would remain between the buildings and the river. In light of this, it is considered that people looking upstream from Pont Morgan would still be able to enjoy views with greenery on either side. The buildings would be mainly set on previously developed land or on land that forms part of the hotel curtilage and therefore it is not considered that the proposal would affect the beauty of the natural landscape. Therefore, given the proposal in its entirety, it is considered that the proposal is acceptable in terms of Policies B8, B22 and B25 of the GUDP.

- 5.14 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is on such a large scale that their impact would be greater than merely a local impact. The proposal is to redevelop a brownfield site for residential use but in terms of its location and size it is considered that the proposal would only have a local impact and that it would not have a broader impact on the historical landscape. Therefore, it is not considered that the proposal is contrary to policy B12 of the GUDP.

General and residential amenities

- 5.15 The site is located within proximity of some houses that are mainly located on Lôn Engan to the south of the site and on higher ground. Due to the variation in land levels and that the county road is located between the site and the houses, it is not considered that the proposal would lead to over-looking or loss of privacy for the occupants of these houses to an extent that would cause detrimental impact. Also, in terms of Policy B23, the current site includes a car park for the hotel, therefore it already has the capacity to accommodate a number of cars coming and going from the site. Therefore, it is not considered that the proposal would add to the traffic or the noise associated with traffic in a way that would cause significant harm to local amenities. The proposal is considered acceptable in terms of Policy B23 of the GUDP.

Transport and access matters

- 5.16 The development would use the current vehicular access to the site and it includes parking spaces for 31 cars under blocks A-C of the development. The parking space would also include room for bicycles. The site is located near the village centre and therefore it is intended, as part of the application, to improve walking facilities from the site to the village centre by creating a pedestrian access to Lôn Engan. The site is located near a river with a bridge near the current vehicular access. Also, the site is at a lower level than the county road located to the south. Therefore, it is very difficult to see how it could be possible to provide an alternative access for vehicles or how the existing access could be substantially widened. The Transportation Unit was consulted but no response was received when preparing the report. However, the Transportation Unit did not object to application C12/0441/39/LL. The access and parking provision for this application is the same as approved previously and

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therefore it is considered that this provision would be acceptable in terms of road safety. As in the previous application the application includes a proposal to build against a retaining wall that supports Lôn Engan. The applicant should realise that by building against it, the retaining wall becomes his responsibility. It is therefore considered that the proposal is acceptable in respect of policies CH33 and CH36 which relate to road safety and parking.

Biodiversity matters

5.17 The applicant submitted a Bat Survey (Greenman Ecology dated 22 May 2015) and an ecological report (CES Ecology dated June 2015). A plan for the bat roost was also submitted. Since the application was originally submitted the design for the bat roost has been revised to include a roost and a hibernation cave. Also, bike sheds have been removed from the plan which enables more planting on the site. The Biodiversity Unit was consulted on the application. The Biodiversity Unit does not object to the application, however, it has proposed a number of conditions to be included on any planning permission. The proposed conditions relate to completing the bat roost, submitting an update to the bat mitigation report, submitting a bat monitoring report, a programme of work to eradicate Japanese knotweed and other invasive plants that are not indigenous, submitting a Biodiversity Management Plan, submitting a method statement and a pollution prevention plan. We also consulted with Natural Resources Wales who is eager to ensure that any planning permission would ensure suitable mitigation measures that would not be vulnerable to flood risk. It is therefore considered that the biodiversity conditions should also refer to agreeing on the exact location of the bat roost before any demolition work takes place. The applicant would also be required to obtain a European Protected Species Permit from Natural Resources Wales before any development work commences. This could be included as a note on the permission, rather than a condition. It is therefore considered, in light of including suitable conditions as outlined above, the proposal would be acceptable in terms of Policy B20 which relates to protected species, Policy B17 which involves wildlife sites and also Policy B35 which relates to eradicating invasive species.

Flooding matters

5.18 The site lies within a C1 flooding zone as designated in Technical Advice Note 15: Development and Flood Risk. A Flood Consequence Assessment was submitted with the application.

The observations of the Environment Agency on the proposal have been received. These observations confirm that consideration should be given to the Flood Consequence Assessment, the history of the site and the fact it is a brownfield site it would be possible to control the flood risk by including conditions on the planning permission. The proposed conditions would include ensuring that the ground floor level of the buildings / residential units are at least 5.69m AOD. This would be as shown on the plans. It would also be required for the conditions relating to submitting full details of the flood mitigating measures, surface water drainage details, ground level to the west of the site to all remain the same and to submit the details of any work to be undertaken within 7 metres of River Soch.

5.19 A residential development is defined as a development that is very open to damage within TAN 15 and therefore such a development should not be permitted within the C1 zone unless it complies with the specific criteria in policy B29 and TAN 15. In this case, the proposal forms part of the Local Planning Authority's strategy due to its location within the development boundary of the Village and it will sustain the settlement by providing additional residential units including a percentage of affordable housing. The proposal would also be located on previously developed land. Because Natural Resources Wales are also satisfied with the proposal, it is

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considered that it complies with the requirements of Policy B29 of GUDP and TAN15.

Response to the public consultation

5.20 It is considered that all the relevant planning observations received as a result of the consultation period have been given due consideration in the above assessment.

6. Conclusions:

6.1 This is a proposal to redevelop the Riverside Hotel site for 15 residential units to be located on the site in three blocks of two and three-storey buildings and it is believed that the development is acceptable in principle. As with application C12/0441/39/LL, the viability matters associated with the proposal remain the same, and therefore, it is not considered reasonable in terms of Policy CH4 to consider fewer affordable units than what could normally be expected on a site in Abersoch. The current application offers two affordable units as did the previous application, it is therefore considered that the proposal is acceptable subject to signing a 106 agreement binding two of the units for general local need affordable housing.

6.2 Also, in light of the assessment of planning considerations including visual amenities, residential amenities, transportation, biodiversity and flooding matters, it is considered that the proposal is acceptable and that it complies with the GUDP.

7. Recommendation:

7.1 To delegate powers to the Senior Planning Manager to approve the application subject to signing a 106 agreement binding two of the units to affordable housing for general local need and subject to the following conditions:-

1. Commence within five years
2. In accordance with revised plans
3. Slates on the roof
4. Agree details for external walls.
5. Agree on the stone used in the garden and boundary walls.
6. Parking provision to be operational before the dwellings are occupied.
7. Submit a drainage plan for the development prior to the commencement of the work.
8. Need to agree on the exact location of the bat roost and complete the bat roost prior to commencing the demolition work.
9. Prior to commencing the demolition work, an update to the bat mitigation report must be submitted and implemented.
10. Need to submit a bat monitoring report after three and five years
11. Prior to the commencement of the work, undertake a programme to eradicate Japanese knotweed and other non-indigenous invasive plants. Need to complete the eradication work prior to completing the construction work.
12. Prior to commencement of construction work, need to submit a Biodiversity Management Plan including features for otters and reptiles.
13. Prior to commencement of construction work, need to submit and implement a method statement to include measures to avoid harming reptiles.
14. Need to provide a pollution prevention plan prior to commencing the construction work.
15. Ground floor levels for buildings/apartments to be set at a minimum of 5.69m AOD.
16. Details of all flood mitigation measures to be submitted and agreed with the local planning authority prior to occupation of the units. These to include the crest height and a structural assessment under any loadings of retaining walls, basement tanking details and any access doors below estimated flood level of 5.69mAOD and future maintenance responsibilities.

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17. Detail of surface water drainage arrangements for the site as a whole to be submitted and agreed to the LPA prior to commencement of works. Details to include basement parking drainage and any outfalls/pumping arrangements along with future maintenance responsibilities.
18. Ground levels to the west should remain as existing (as shown on Drawing No. A(00)01-100 Rev C) and should be retained as that of a landscaped area. No storage of vehicles/equipment should occur on this land.
19. Prior to the commencement of any development full details of any proposed works to be carried out within the 7 metre byelaw distance adjacent to River Soch shall be submitted to and approved by the Local Planning Authority. The details to be submitted shall include provision for maintenance access and easement along the bank of river having a minimum width of 7 metres or no compromise to existing access arrangements to the tidal doors. This access and easement corridor shall be laid out in accordance with details submitted to and approved by the local planning authority before any dwelling or premises forming part of the development is occupied.
20. Submit full landscaping details.
21. Implement the landscaping plan.
21. Safeguard the retaining wall on the boundary with Lôn Engan during and following the construction period.

Notes-

- Permit under Section 171/184 of the Highways Act 1980 to carry out works within the pavement / green verge.
- Copy of Welsh Water's letter, dated 19 October 2015.
- Require a European Protected Species Permit prior to the commencement of any work.
- Soil contaminated with Japanese knotweed cannot be transported without the relevant waste permit.
- Copy of Natural Resources Wales' letter, dated 26 November 2015.
- Advise the applicant to give the development a Welsh name.