

PLANNING COMMITTEE	DATE: 11/09/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 3

Application Number: C22/1169/15/LL

Date Registered: 28/02/2021

Application Type: Full

Community: Llanberis

Ward: Llanberis

Proposal: Demolition of former library and construction of three new intermediate affordable dwellings.

Location: Cyngor Gwynedd, Llanberis Library, Ffordd Capel Coch, Llanberis, Caernarfon, Gwynedd, LL55 4SH

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is a full application for the demolition of the former Llanberis library and the construction of three new 'intermediate' affordable dwellings in its place. The library closed in 2017 and the site has been dormant since then. It is now proposed to provide three new homes, namely two semi-detached 2-bedroom dwellings, and one detached 3-bedroom dwelling. The site is located within the Llanberis Local Service Centre as defined by the Anglesey and Gwynedd Joint Local Development Plan. It is served by an unclassified public road, Ffordd Capel Coch, which also serves Ysgol Gynradd Dolbadarn, which has a vehicular access approximately 30m west of the site of this application. There is also a footbridge over afon Coch river at the rear of the site that links to Glanrafon Estate. Over the last few years flood mitigation work to the riverbanks has been completed in this area as a result of significant flooding in 2012.
- 1.2 The dwellings would be 9.3m high to the roof ridge that would be formed of natural slate and the external walls finished with a mix of white render, slate cladding and timber cladding. The semi-detached dwellings would have an internal floor area of 86.9m² and the detached dwelling would have a floor area of 99.1m². The houses have been designed to be flexible with the potential to easily adapt them in the future.
- 1.3 This is a development by Cyngor Gwynedd as part of the 'Tŷ Gwynedd' plan and the houses will be offered to buy or rent for an affordable price to local people. The sale will be based on our shared equity model with a percentage of the purchase funded through the resident's savings and a mortgage, and a loan from the Council of the remaining percentage against the property. The houses can also be rented with an appropriate discount on the monthly rent.
- 1.4 The site lies within the Dinorwig Landscape of Outstanding Historic Interest and is outside but abuts the C2 Flood Zone as defined by TAN 15 'Development and Flood Risk' while the Flood Map for Planning, that corresponds with the new draft TAN 15, states that the site is within zones 2 and 3 that are at risk of future fluvial flooding.
- 1.5 The following information was submitted in support of the application:
- Flood Risk Assessment
 - Open market evaluation of the houses
 - Design Statement
 - Affordable housing and housing mix statement
 - Initial Ecological Assessment
- 1.6 This application was submitted to the Committee at the last meeting on 17/07/23 when the discussion was postponed in order to conduct a site inspection visit.

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 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

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2.3 Anglesey and Gwynedd Joint Local Development Plan. (July 2017)

PCYFF 1: DEVELOPMENT BOUNDARIES

PCYFF 2: DEVELOPMENT CRITERIA

PCYFF 3: DESIGN AND PLACE SHAPING

PCYFF 4: DESIGN AND LANDSCAPING

TAI 2: HOUSING IN LOCAL SERVICE CENTRES

TAI 8: APPROPRIATE HOUSING MIX

TAI 15: AFFORDABLE HOUSING THRESHOLD AND DISTRIBUTION

TRA 2: PARKING STANDARDS

TRA 4: MANAGING TRANSPORT IMPACTS

PS 1: THE WELSH LANGUAGE AND CULTURE

PS 5: SUSTAINABLE DEVELOPMENT

PS 6: ALLEVIATING AND ADAPTING TO THE EFFECTS OF CLIMATE CHANGE

PS 19: CONSERVING AND WHERE APPROPRIATE ENHANCING THE NATURAL ENVIRONMENT

AT 1: CONSERVATION AREAS, WORLD HERITAGE SITES AND LANDSCAPES, PARKS AND REGISTERED HISTORIC GARDENS

SUPPLEMENTARY PLANNING GUIDANCE: AFFORDABLE HOUSING

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 2: Planning and affordable housing

Technical Advice Note 5: Planning and nature conservation

Technical Advice Note 12: Design

Technical Advice Note 15: Development and flood risk

3. Relevant Planning History:

None

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4. Consultations:

Community/Town Council: Welcome the principle of developing affordable housing but question the loss of on-street parking for existing residents

Transportation Unit: No objection

Welsh Water: Require a condition to ensure a drainage plan for foul water disposal and standard observations for the developers

Natural Resources Wales: State concern regarding the application but accept that it may be acceptable if the mitigating measures in the Initial Ecological Assessment and Flooding Risk Assessment are implemented.

Biodiversity Unit: The recommendations of the Initial Ecological Assessment must be observed

Land Drainage Unit: The Flood Map for Planning (FMfP) notes that the application site is at risk of flooding and is within Fluvial Flood Zone 2/3 - NRW proposes observations in such situations.

Strategic Housing Unit This plan contributes directly to the aim of Cyngor Gwynedd's Housing Action Plan to provide more housing to meet the current high demand that exists in the county.

Public Consultation: A notice was posted on the site and the neighbours were consulted. The advertising period has expired and the following observations regarding material planning matters were received, namely:

- On-street parking spaces will be lost increasing the parking issues that already exist in the area
- Concern regarding the safety of pedestrians, particularly children who attend the nearby school.
- Concern about flooding risk on the site
- The development would be damaging to wildlife
- Concern regarding the harm to the privacy of nearby premises
- This is an over-development of the site

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- The development would lead to the shadowing of other property
- A risk would derive from building transport using the narrow road

In addition, observations were received which are not material planning matters for this application:

- A call for alternative plans including developing fewer houses on the site, creating a car park for residents (with electric car charging points) or create a children's play area
- That properties used as holiday accommodation exacerbate local parking issues
- Another site should be sought to construct housing
- Concern regarding a reduction in the value of local housing
- Inconsistency should the development of this plot be approved while houses were refused in other places

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan unless other material planning considerations indicate otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The application site is located within the development boundary of the Local Service Centre of Llanberis as defined in the LDP.
- 5.2 In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. Llanberis has been identified as a Local Service Centre under policy TAI 2. This policy supports housing developments to meet the Plan's strategy, through housing designations and suitable windfall sites located within the development boundary, based upon the indicative provision contained in the Policy.
- 5.3 The indicative housing provision for Llanberis over the Plan period is 65 units and during the period between 2011 and 2022, 20 units have been completed in the village. The land bank, i.e. sites with extant planning permission, in April 2022, was 8 units. Taking into consideration the above information, it means there is adequate capacity within the indicative supply for Llanberis to cope with the development in question.
- 5.4 In the above context, it is believed that the principle of constructing three houses on this site is acceptable in principle. In terms of policy, it is not essential for the three properties to be affordable, although a contribution would be expected towards the local affordable provision as part of the development. However, this is part of a broader plan to provide affordable housing for local people and the Strategic Housing Unit confirms that the proposal would assist them to meet the requirements of the local community for affordable housing. Therefore, it is deemed that the proposal is consistent with the objectives of policies TAI 2, TAI 8 and TAI 15 in the LDP.

Location, Design and Visual Impact

- 5.5 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan support proposals for new developments provided they do not have a detrimental impact on the health,

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safety or the amenities of the residents of local properties or on the area in general. In addition, developments are required to:

- Contribute to, and enhance, the character and appearance of the site
- Respect the site and its surroundings in terms of its position in the local landscape.
- Use appropriate materials

5.6 In considering the urban context of the site and the fact that it is a previously developed site, it is deemed that the layout, design and materials of the proposed development will be in-keeping with the location in an appropriate way. It is considered that the houses have been designed to a standard quality that reflects the local streetscape and it is not believed that the houses would create significant harm to the built quality of the site or the local neighbourhood and consequently is considered that the development is acceptable under the requirements of policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

5.7 For the same reason, it is not considered that there would be any harm to protected landscape deriving from the development and therefore the application is acceptable under policy AT 1 as it protects the Landscape of Outstanding Historic Interest.

General and residential amenities

5.8 Because of the location, design, orientation, and size of the proposed houses, it is not believed that there would be any significant detrimental impact on private amenities deriving from the development. While accepting that the surrounding houses currently back onto the library site, this is an infill site within the development boundary, and it is not considered unreasonable for it to be developed for housing. It appears that the layout of the proposed houses has been designed to avoid direct overlooking and while it is inevitable to have some inter-visibility between gardens, it is not believed that this would be unreasonable or unexpected in such a location, especially when considering the site's previous public use.

5.9 In addition, in recognising that the houses would be within 12m of the backs of Rhes Minafon and that it is likely that there would be some shadowing of the back of those houses and their gardens, due to the size of the new houses and the surrounding space, it is not believed that the shadowing would cause significant harm to the amenities of the residents of Rhes Minafon.

5.10 In considering the above discussion, it is deemed that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP in terms of private amenities.

Transport and access matters

5.11 Several objections were received to the plan as parking issues already exist on Ffordd Capel Coch that cause a great deal of ill-feeling amongst residents and there is concern that the construction of three houses at this location would exacerbate the situation. In addition, there was concern regarding the hazard to street users, including children who attended the nearby school, due to the increase in traffic.

5.12 Despite the above, the Transportation Unit had no objection to the proposal in principle although they have noted that they would not support creating on street parking spaces. Looking at the plans, it is noted that there is a private parking space for each new property and space would remain for three cars on the road in front of the development. It should also be borne in mind that until recently the site was a public library and attracted traffic. Given that the parking provision on the site for the three dwellings is acceptable, and that there will be a loss of approximately three spaces on the street due to this scheme, it is considered that this development in itself will not exacerbate the situation of on-street parking compared to what could happen under the site's current legal planning use. In the same manner, it is considered that the traffic caused by the three dwellings would not cause a greater risk to street users than the former library.

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- 5.13 Given the above, it is therefore considered that the parking provision and access is acceptable for the location and the proposal meets the essential requirements in terms of road safety and parking provision and the plan therefore meets with policies TRA 2 and TRA 4 of the LDP and how they relate to these matters.

Biodiversity Matters

- 5.14 In response to the statutory consultation process, the Biodiversity Unit stated that they had no objection to the application, however it would be necessary to comply with the mitigation measures included within the Initial Ecological Assessment submitted with the application. It is therefore believed by imposing an appropriate condition that the proposal conforms to the requirements of Policy PS 20 of the LDP.

Flooding Matters

- 5.15 Policies PS 5 and PS 6 of the LDP refer to the need to alleviate and adapt to the effects of climate change. In addition, applications must include flood risk mitigation measures where appropriate. As has already been mentioned, the site is outside any flood risk zone noted in the Development Advice Maps of the current TAN 15 (it lies within Zone A). Normally, applications within zone A do not require a Flood Consequence Assessment due to the low risk of flooding. However, an additional material consideration for current planning applications is draft document TAN 15: Development, Flooding and Coastal Developments (December 2021). The Flood Map for Planning, that corresponds with this document is more current than the TAN 15 maps and they demonstrate that this site falls within Zone 2 and 3 for fluvial flooding risk. This means that the site is expected to be under threat of flooding in the future:

- Zone 2 - probability of <1% (1 in 100 years event) but greater than 0.1% (1 in 1,000 years event) or equal to the flooding of any year, including a consideration of climate change over 100 years.
- Zone 3 - probability of 1% (1 in 100 years event) or more of flooding in any year, including a consideration of climate change over 100 years.

- 5.16 Libraries are designated as *developments at high risk* and therefore in this case there will be no change in the status of the development in terms of its vulnerability as a result of flooding. The building's footprint would remain more or less the same and it is likely that there would be a reduction, if anything, in the number of people who will use the site compared with its use as a library. On the whole, it is not believed that the use of the site for housing would equate to a significant increase in the site's density of use and therefore there will be no significant additional change in the flooding risk for those who use the site.

- 5.17 In response to the initial observations of Natural Resources Wales (NRW), a Flood Consequence Assessment (FCA) was submitted with the application. In order to understand the impact of Ffordd Capel Coch on the flood path in the area of the development, as part of the work of preparing the LDP, a new model was drawn-up to correspond with NRW surface water modelling guidance. This model demonstrated that flooding in a once in a 100 years event would flow down Ffordd Capel Coch leaving *all the development site* free from flooding. The flooding model also demonstrates that the depth of the flooding on Ffordd Capel Coch - the access/exit to the site - would be greater than 300mm in a once in every 100 years event. As the proposal is to demolish the existing building and to build three new dwellings with approximately the same footprint, without changing the site's levels, it is not expected that there will be any impact on the flooding risk to others deriving from this development.

- 5.18 The findings of the Flood Consequence Assessment and the following modelling process confirm that the development will be in compliance with the requirements of the current TAN 15, specifically the criteria set by Appendix 1 of the TAN. In addition, the LPA offers a series of mitigation measures to improve the resilience of the development from flooding.

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- 5.19 In considering the above assessment, it is deemed that the proposal is acceptable on the grounds of the ability to manage flood risk to the occupants of the proposed houses and that it would not cause any additional risk in other places. It is therefore considered that this application complies with the requirements of Policies PS 5 and PS 6 and the content of the current TAN 15: Development and Flood Risk (2004). Development and Flood Risk (2004).

The Welsh Language

- 5.20 As there is sufficient capacity within the indicative housing supply for Llanberis, in accordance with criterion b. Policy PS 1, there is no need to submit a Welsh Language Statement with this application. However, even when there is no need for a Welsh Language Statement the applicant is encouraged to demonstrate what consideration was given to the Welsh language when drawing up the planning application. In this case, the Affordability and Housing Mix Statement submitted with the application confirms that the whole purpose of this plan is to develop intermediate affordable housing to address the need and increase the opportunities for local residents to be able to compete in the housing market. Due to the nature of the plan, that was specifically drawn-up to protect the social make-up of local communities, it is believed that the development is consistent with the objectives of Policy PS 1.

Other matters

- 5.21 It is important to note when considering this application that the lawful use of the site, such as a library, falls under Use Class D1 (non-residential establishments) in the Town and Country Planning Order (Use Classes) 1987 (as amended), which means that planning permission would not be required to change the building to a use that falls under the same use class for example use as a health centre, nursery or community hall. Each of these would have implications in terms of matters such as flood risk, transportation and amenity impacts. Therefore, this should not be considered as an empty site development, rather it should be borne in mind what may happen under the site's current legal rights and would the development in question have impacts that would be significantly worse than the potential legal use.

6. Conclusions:

- 6.1 Bearing in mind the above assessment, particularly in the context of the specialist information submitted regarding flooding risk, it is accepted that this development will not exacerbate the situation in terms of material planning matters compared with what may happen under the site's present legal planning use. Indeed, it may offer an opportunity to improve the resilience of the site to flooding risk and introduce improvements in terms of matters such as visual amenities and biodiversity. Ultimately, this is a proposal to create affordable housing for local people on a brownfield site within the development boundary and it is deemed that the plan is acceptable on the grounds of principle and that it complies with relevant local and national planning policies regarding all the relevant material planning matters.

7. Recommendation:

To approve – conditions:

The development shall be commenced within five years

Development to comply with the approved plans

Condition to ensure that the houses remain permanently affordable

Slate roof

The recommendations of the Initial Ecological Assessment must be observed

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The recommendations of the Flooding Risk Assessment must be observed

Welsh Water Condition

A Welsh name must be given to the development

Note: Welsh Water

Sustainable Drainage