

PLANNING COMMITTEE	DATE : 12/07/2021
REPORT OF THE ASSISTANT HEAD OF THE ENVIRONMENT DEPARTMENT	

**Number: 8**

**Application Number: C21/0111/45/LL**

**Date Registered: 04/02/21**

**Application Type: Full**

**Community: Pwllheli**

**Ward: Pwllheli**

**Proposal: Full application for a new residential development of 14 dwellings to include associated service road and footpath, parking, landscaping and foul drainage pumping station**

**Location: Land By Cae Llan, Denio, Penrallt, Pwllheli, LL53 5UA**

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

## 1. Description:

1.1 This application seeks full permission for the erection of fourteen, two storey dwellings, four of which are to be affordable homes. The proposal also includes the construction of a new vehicular access, estate road, public footpath and a foul drainage pumping station.

1.2 The mix of dwellings proposed include:

House Type	Number of units	Bed spaces / persons
Two storey affordable dwellings	2	2 bed 4 person house
	1	3 bed 5 person house
	1	4 bed 6 person house
Two storey open market dwellings	2	4 bed 8 person house
	2	2 bed 4 person house
	3	3 bed 5 person house
	3	4 bed 6 person house

1.2 The site is located to the north of Pwllheli on elevated land above the town centre in an area known as Denio. Although the site lies within the designated development boundary of Pwllheli the existing development density is lower than the rest of Pwllheli. The area is characterised by residential dwellings following the highway to the south east and south west of the site. To the north, immediately adjacent to the site is a single residential dwelling. To the north the landscape is characterised by agricultural land and dispersed residential dwellings.

1.3 The application is supported by the following documents & assessments:

- Design and Access Statement (amended to include a community and language statement, housing mix statement and a water conservation statement)
- Land permeability test report
- Phase 1 – Desk Study and Preliminary ground contamination risk assessment.
- Preliminary Ecological Assessment.
- Pre-application Consultation Report

1.4 This application, due to the number of dwellings, is defined as major development. In accordance with the requirements of the Town and Country Planning Order (General Development Procedure) (Wales), a pre-application consultation report was received as part of the application. The report shows that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning

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application. The report concluded that the responses received were taken into consideration and the following amendments have been made:

- The number of dwellings proposed was reduced from 16 to 14 in response to local concerns.

1.5 The proposed development does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. Given that the proposal is an urban development project it falls under column 1, part 10(b) of Schedule 2. The site area does not exceed 5 hectares and the number of dwellings does not exceed 150, which means the proposal does not exceed the threshold of column 2. The proposal therefore does not require screening due to its size and nature and therefore, the proposed development is unlikely to have significant effects on the environment and the submission of an environmental impact assessment need not be submitted with the planning application.

## **2. Relevant Policies:**

### **2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PS 1: Welsh language and culture

PS 2: Infrastructure and developer contributions

ISA 1: Infrastructure provision

ISA 5: Provision of open spaces in new housing developments

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 6: Water conservation

PS 17: Settlement strategy

TAI 1: Housing in the Sub-regional Centre and the Urban Service Centres

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

TAI 15: Affordable housing threshold and distribution

PS 19: Conserving and or enhancing the natural environment

AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance (SPG):

SPG: Affordable housing

SPG: Housing Mix

SPG: Maintaining and Creating Distinctive and Sustainable Communities

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SPG: Housing Development and Educational Provision  
 SPG: Planning Obligations.

## 2.4 National Policies

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 20: Planning and the Welsh language

Technical Advice Note 24: The Historic Environment

Technical Advice Note 5: Planning and Nature Conservation

## 3 Relevant Planning History:

3.1 None

## 4. Consultations:

Community / Town Council: Although the Town Council continues to have concerns about the negative impact this scheme will have on the narrow roads around it, by a vote the majority of Councillors have voted in favour of the scheme providing the following;

- Improvement to allow easy access to and from the entrance. As an example, to allow bin lorries in and out easily.
- Adhere to the provision of the scheme's pavements / footpaths (there should be a safe environment prioritising pedestrians and cyclists not cars)
- Use of Grampian conditions apply if applicable.

Transportation:

### First Comments:

No objection but would recommend that the plan be amended to widen the estate road on the first part into the estate. The parking for plot 5 should also be amended to ease turning space. If the scheme approved standard highway conditions, (construction and completion) should be imposed.

### Second Comments:

Happy with the amended plan. The applicant has amended the design in response to previous concerns and the estate road and parking provision is now acceptable. The previously recommended conditions are required.

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Local Flood Authority: Standard advice regarding Sustainable drainage systems

Welsh Water: In respect of the aforementioned planning application, we can confirm that Dwr Cymru Welsh Water have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

We note that our consultation response (Ref: PPA0005407) has been acknowledged and included at Appendix 4 of the accompanying Pre-Application Consultation (PAC) Report, prepared by James Lloyd Developers Ltd, which highlights that foul water flows can be accommodated within the public sewerage system whereas surface water flows would be subject to SAB consent.

As part of this application, we acknowledge receipt of a 'Drainage Plan' which indicates proposals to dispose foul flows to the public sewerage system in Allt Salem and in principle we offer **no objection**. Notwithstanding this, if minded to grant planning consent, we would request that the following Condition and Advisory Notes are included to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Condition: Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference SH37353301 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Biodiversity Unit: No objection subject to the following conditions:

- Management plan for hedgerows (maintain an average size of 3m)
- Lighting plan.
- Hedgerow works to avoid nesting season (March-September) / get site checked by ecologist first.
- Carry out biodiversity enhancement measures referred to in the ecology report.

- Landscaping plan.

Biodiversity Unit (Trees):

**First Response:**

The site has established hedges and trees on it, from the submitted plans, it is intended to retain some of these hedges for the development, but it is not clear if the trees are part of this.

I would like to see a plan showing which trees will be retained and which will be lost as a result of the development. I would also like to see a planting plan for the finished site.

**Second response:**

Although some trees are being lost on the site, the plan shows mitigation measures to plant replacement trees.

The trees being retained required root protection following in accordance with BS5837:2012 during the construction / development stage to ensure the roots are not damaged. The work should be carried out by a suitably qualified tree specialist.

Gwynedd Archaeological  
Planning service:

Based on the documentary evidence, the site has the potential to preserve evidence of settlement, agriculture or even potentially ancillary burials. Any such evidence would be of at least local to regional importance through the intrinsic evidential value of archaeological remains and for the improvement to our understanding of the medieval landscape and administration of the Pwllheli environs that it would provide. As the site appears to have been previously undeveloped, it may be expected that any such evidence would be well preserved. The development is not of such a scale that pre-determination investigation is merited, but it is considered appropriate that a programme of mitigation is carried out, should planning consent be granted, in order to record any archaeological evidence that may be revealed, removed or otherwise threatened by the development.

Fire & Rescue Service:

No observations.

Environmental Health &  
Public Protection:

Not received at time of writing the report.

Natural Resources Wales:

No objection and standard developer advice.

## Public Consultations:

A notice was posted in the local press and near the site, nearby residents/properties were also notified. The consultation period has expired and the following comments had been received raising concern on the following grounds:

- The infrastructure cannot cope with this development and other nearby approved developments.
- Allt Salem is narrow, additional traffic will conflict with pedestrian use by residents and students. It has no pavement. Speeding is already an issue.
- Cumulative traffic impacts with other nearby consented schemes
- 14 is too many.
- Overdevelopment that does not complement the area in terms of scale and size.
- The development would be more suited to a more urban setting.
- Concern that traffic monitoring was carried out during lockdown and it won't represent the true situation.
- Objection to sewerage works / opposite house and concerns regarding flood risks.
- Will cause overlooking as many have balconies.
- Site is unsuitable and does not respect the rural and historical context.
- Over-development when taking other nearby sites into consideration.
- Need to ensure compliance with TAN 24 to ensure archaeological investigation
- Lack of green space for children to play and to walk dogs.
- Overlooking between the site and adjacent site. Distance should be increased due to levels. Installation of boundary fence to ensure privacy.
- Plot 13 & 14 should have angled windows to ensure privacy.
- Design and materials are not sympathetic.
- Plot 14 is too close to the boundary and will result in the loss of the hedge. May create visibility issues.
- Lack of affordable housing.
- Concerns regarding the boundary fence and the impact o the hedgerows.

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## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The application site lies wholly within the development boundary of the town of Pwllheli as identified in the Anglesey and Gwynedd Joint Local Development Plan (JLDP). In terms of policy PCYFF 1, the proposal is acceptable in principle due to the site's location within the current development boundary. In the same manner, policy PS 5 encourages developments where it can be demonstrated that they are consistent with the principles of sustainable development.
- 5.2 Within the JLDP Pwllheli has been identified as an Urban Service Centre under policy TAI 1. This policy encourages a higher proportion of new developments within urban centres through housing allocations and windfall sites. As part of the adoption process of the LDP the site was allocated for housing with a forecasted provision of 14 units. The application under consideration is for the provision of 14 units and therefore the proposal has met the requirements of policy TAI 1.
- 5.3 Although the principle of residential development is acceptable on the site, in addition, the development has to comply with other housing policies to ensure the provision of affordable housing and an appropriate housing mix.

### Affordable Housing & Housing Mix

- 5.4 Policy TAI 8 and the SPG Housing Mix seeks to ensure that an appropriate mix of houses are provided within residential developments. As required by the SPG, the applicant submitted a housing mix statement within the design and access statement. The Joint Planning Policy Unit (JPPU) has assessed the statement and relevant housing information, which includes the Census and the Gwynedd Local Housing Market Assessment (LHMA). In conclusion, they noted that the proposal will increase the number of detached and semi detached houses in Pwllheli, which is currently lower than other parts of Gwynedd. The detached houses will respond to action point k) of the LHMA and the scheme provides four different types of houses, which complies with action point r) of the LHMA. It is therefore considered that the housing mix is acceptable and meets an identified need.
- 5.5 Policy TAI 15 requires the provision of affordable housing within developments of two or more residential units. Within Pwllheli it is expected that 30% of the dwellings provided are affordable and it is considered that the provision of four affordable dwellings is acceptable. The applicant has identified plots numbered 02, 03, 07, and 12 as the affordable dwellings. The plots are dispersed though the estate and provide a mix of two, three and four bed properties.
- 5.6 The SPG Affordable Housing provides guidance on the permitted size of dwellings to ensure their affordability. Plots 02, 03 and 12 conform with the guidance. Plot 07 is described as a 3 bed 5 person house and measures 110m<sup>2</sup>, the guidance within the SPG states that the maximum size of such a dwelling should be 94m<sup>2</sup>. However, it is noted on the floor plans that an office space is to be provided on the first floor which could



technically provide a fourth single person bedroom depending how the occupier intends to utilise the dwelling. As a 4 bed 6 person house the dwelling conforms with the maximum size of such a dwelling at 110m<sup>2</sup>. Having taken that into consideration there is no conflict with the SPG and it is not considered that this would undermine the housing mix provision as the layout and accommodation differs to the 4 bed dwelling on plot 12.

- 5.7 The applicant has submitted open market valuations of the dwellings to demonstrate that a suitable discount can be applied to ensure they are affordable in perpetuity. Having assessed the figures in consultation with the Housing Department, there is no dispute and it is agreed that a discount of 40% should be applied in preparation of a section 106 agreement, should the application be approved. It is therefore considered that the scheme is acceptable and accords with policy PCYFF 1, TAI 1, TAI 8 and TAI 15 and the relevant SPG's.

### **Open Space**

- 5.8 Policy ISA 5 of the LDP states that new housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development should provide suitable provision of open spaces in accordance with the Field in Trust (FIT) benchmark standards.
- 5.9 In exceptional circumstances, where it is not possible to provide outdoor playing spaces as an integral part of a new housing development, the developer will be required to provide suitable off site provision which is close to and accessible to the development in terms of walking and cycling, or, where this is not feasible/practical, contribute financially towards new facilities including equipment, improving existing facilities on readily accessible sites or improving accessibility to existing open spaces.
- 5.10 The joint Planning Policy Unit have confirmed that there is currently a lack of informal and equipped play areas within Pwllheli. The proposal as submitted does not include the provision of on-site amenity / play area. That said, the scheme is providing the forecasted number of dwellings in accordance with the sites allocation and having assessed the scheme it is not considered unreasonable that there is no onsite provision. Having utilised the formula within the SPG Open Spaces in New Housing Developments, the Joint Planning Policy Unit has calculated that the financial contribution required is £5855.71 towards off-site provision. It is likely that the contribution would be utilised to improve existing play areas within Pwllheli. The matter has been discussed with the applicant and it is agreed that the contribution will be secured via a section 106 agreement, in accordance with policy ISA 1 should the application be approved. It is therefore, considered that the proposal is in accordance with the requirements of Policy ISA 5 along with SPG: Open Spaces in New Housing Developments.

### **Linguistic Impacts**

- 5.11 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that

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application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 11, 2019), along with Technical Advice Note 20.

- 5.12 The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. The proposed development does not reach these thresholds given that the application is on a site allocated for housing and the linguistic implications were taken into consideration as part of the preparation of the JLDP.
- 5.13 Although no formal Statement/Report is required, consideration should still be given to the Welsh language in accordance with the guidance in Appendix 5 of 'Maintaining and Creating Distinctive and Sustainable Communities' SPG. Criterion 4 and 5 of policy PS 1 also require bilingual signage schemes and that Welsh names are provided for new house and street names.
- 5.14 In relation to this, a Welsh Language Statement has been submitted by the applicant as part of the design and access statement and notes the following points:
- The Authority's language impact assessment in February of 2015 notes that *'The status of the Welsh language is relatively healthy in Pwllheli with a high proportion of Welsh speakers living in the area - 78.7%, which is 8.7% above the level of 70% that has been identified as the level where the language is probably viable. Although on average housing is less affordable than in Gwynedd as a whole, the proportion of Welsh speakers has increased significantly in North Pwllheli while there has been a slight fall in South Pwllheli. Second homes are not a significant problem in Pwllheli and the possibility of new units being used for this purpose is low.'*
  - The development will offer short term construction work and may be attractive to students in the nearby college.
  - The scale of the development is unlikely to attract workers from outside the county.
- 5.15 The applicant has shown consideration to the Welsh Language and from that point of view it is considered that the application conforms with the requirements of the section 'CH' of Appendix 5 of the SPG. However, the information submitted does not show compliance with the requirements of criteria 4 and 5 of policy PS 1 with regards to signage, street and house names. However, compliance with policy PS 1 can be secured by imposing a condition ensuring that the marketing details (including sales boards / hoardings etc) are in Welsh or bilingual and that the estate and house names are Welsh.

### **Highway Impacts**

- 5.16 The application entails the construction of a new vehicular access, estate road and public footpath along the sites entrance. Initial comments were received from the transportation service requesting minor amendments to the parking layout and the

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estate road. Amended plans were submitted and following that the Transportation Service had no further concerns with the scheme, subject to highway related planning conditions.

- 5.17 In response to the public consultation process, concerns were highlighted by local residents about the impact of this proposal on the local highway network bearing in mind other consented developments in the nearby area as well as current movements made in association with existing housing and the nearby Coleg Meirion Dwyfor site.
- 5.18 In addition, it was noted that the access road towards the site is narrow and winding and is sub-standard for its existing use not to mention an increase in impact as a result of this proposal. Concerns were also raised regarding road safety and that Allt Salem was unsuitable to serve the development as it is a narrow and steep road and comprises a number of blind bends with no footpath. Allt Salem also serves Coleg Meirion Dwyfor and students regularly walk up and down the hill.
- 5.19 To improve road safety for pedestrians and visibility for vehicles entering and exiting the site, the proposal includes the provision of a footway from the estate entrance, running along the southwest boundary to the junction of the highway that runs down Allt Salem into Pwllheli. This will prevent conflict between vehicles and pedestrians on the narrowest part of the highway and it will give pedestrians sufficient visibility in all directions to enter the highway where there is no footway.
- 5.20 It is recognised that the site stands alone and away from the town centre and there is no public footpath (pavement) between the site and the town. However, the lack of a footway is an established feature between the site and the town as well as other areas of Penrallt and Denio in general. In addition, there are traffic calming measures that keep traffic speeds low and appropriate. In response to the concerns received regarding a traffic survey being carried out during lockdown, the transportation unit has confirmed that they have not received any information in the form of a traffic survey or assessment prior to or following their assessment of the scheme.
- 5.21 In terms of assessing the cumulative impact of developments in the Denio area it should firstly be acknowledged that this site has been allocated for housing in the JLDP and the sites location and highway impacts received consideration during the adoption process. That said, the cumulative impact of this proposal has been considered in light of other minor developments that have been consented following the adoption of the JLDP but it is not considered that the cumulative impact would now render this site unsuitable for the development of 14 houses.
- 5.22 Conditions are recommended in terms of design and construction of the estate road together with the parking spaces to be provided within the site. Although the concerns raised in the objections are noted, it is not considered that the proposal would cause unacceptable harm to the safe and efficient operation of the highway. As a result, the proposal is considered acceptable in terms of policy TRA 4 and TRA 2.

### **Archaeological Matters**

- 5.23 Following consultation with the Gwynedd Archaeological Planning service comments were received giving some historical context to the site and immediate area. The application site is located close to what was the original site of St Beuno's church for the parish of Denio. The settlement of Denio itself was likely centred on the church, meaning there is a potential for further medieval activity throughout adjacent fields. The field containing the application site is named on the title map as 'Cae'r llain' and is connected to the dwelling known as Cae Llan. The neighbouring fields to the east are named 'Cae'r Llan' and 'Cae'r Capel'. While these names could indicate that these fields were formerly church property or may reflect their proximity to the church, they may alternatively suggest the site of an earlier site of worship or burial.
- 5.24 Given the site has potential for preserved evidence of settlement, agriculture or ancillary burials, the Gwynedd Archaeological Planning Service has suggested that conditions should be included if the proposal is approved to ensure that an appropriate record is undertaken on the land. They confirm that it is not of a scale where information would be required prior to determining the application itself but an appropriate programme of archaeological investigation and mitigation is required to record any evidence that may be uncovered or disturbed as a result of the development. Therefore, with conditions, it is considered that the proposal is acceptable and in accordance with the relevant requirements of policy AT4.

### **Biodiversity**

- 5.25 Policy PS 19 and AMG 5 seeks to conserve and (or) enhance the natural environment and protect local biodiversity conservation and policy PCYFF 4 deals with design and landscaping. The application was supported by a preliminary ecological assessment. The Council's Biodiversity Unit advised that the assessment carried out was acceptable and that the mitigation measures listed in section 5 of the report should be followed. With regards to the impact on trees and hedgerows additional information was requested and received giving greater detail. Upon receipt of additional information which included a soft landscaping plan, the Biodiversity Unit confirmed that the mitigation and replanting was acceptable.
- 5.26 With the imposition of conditions to ensure the landscaping and mitigation measure are carried out, it is considered that the proposal accords with policy PCYFF 4, PS 19 and AMG 5.

### **Design and visual amenity**

- 5.27 Policy PCYFF3 states that proposals will only be permitted provided they conform to a number of criteria, including that the proposal complements and enhances the character of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment; that it respects the context of the site and its place within the local landscape; that it utilises materials appropriate to its surroundings and incorporates soft landscaping; it enhances a safe and integrated transport and communications network; that it limits surface water run-off and flood risk and

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preventing pollution; that it achieves inclusive design allowing access by all and it helps to create healthy and active environments, and considers the health and well-being of future users.

- 5.28 The proposal involves building fourteen two-storey houses on a site in an area where there are existing residential houses of various sizes, design and finishes. Houses near the site vary from detached two-storey, detached one-storey dwellings and two-storey terraced housing. The comments received raise concern that a development of this scale would be inappropriate in a location such as this as the setting is more rural than urban. The site is surrounded by dwellings along the south east and south west boundary and there is a single dwelling to the north. Permission was also recently granted for residential development along the north east boundary of the site. Although the site is on the fringes of the more urbanised parts of Pwllheli, having taking into consideration the surrounding built form and topography, it is not considered that the proposal would constitute an unacceptable intrusion into the countryside.
- 5.29 The site and the wider area is located within the Llŷn and Bardsey Landscape of Outstanding Historic Interest designation. It is not considered that there would be a substantial detrimental impact on this designation as the impact would only be localised rather than a wider impact and therefore it is not considered that the proposal is contrary to the relevant requirements of Policy AT 1 and PS 20.
- 5.30 The external finishes of the buildings convey common features seen within the nearby area namely, slate roofs, render and brick on the walls. The design of the buildings are modern but it is considered that the use of pitched natural slate roofs and external wall finishes is acceptable and respects the surrounding area. It is considered that the proposal in terms of its form and finish is acceptable and offers a quality development in terms of visual amenities by displaying a design and features that deliver and create a development that would be suitable and appropriate to the site and within the wider area. Consequently, it is considered that the proposal is acceptable based on the relevant requirements of Policy PCYFF 3.
- 5.31 The plan shows a proposal to include soft landscaping within the site including the planting of new native trees and the retention of the majority of the hedgerows surrounding the site. Within the site grassed areas are to be created together with the planting of shrubs. With the imposition of a condition to ensure the landscaping is carried out, it is considered that the requirements of policy PCYFF 4 will be satisfied.

### **Residential and General Amenity**

- 5.32 The proposal involves the erection of fourteen houses on a site that in its current form is open green land within the Pwllheli development boundary. It is, therefore, inevitable that there will be a change to the area's existing general and residential amenities.
- 5.33 The frontage of the houses will face the internal estate road and the rear of the properties will face the boundaries of the site. Concerns were raised that the dwellings will overlook due to the inclusion of balconies and proximity to other residential dwellings. All of the dwellings have a small balcony to the front, the majority of which

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will only impact residents of the new estate. Plot 5 however has its gable facing the highway and there are residential dwellings on the opposite side of the highway. It is considered reasonable to impose a condition requiring a privacy screen be fitted to the side of the balcony to protect amenities.

- 5.34 The rear of plots 1, 2, 3 and 4 are all of the same design and their rear elevation will face the front of existing residential properties opposite. No balconies are proposed but the bedroom windows are glazed to floor level. Having considered the location of existing dwellings and the distance between the rear of the proposed houses, it is not considered that they will cause any undue loss of privacy or an unacceptable reduction in living conditions.
- 5.35 The rear of plots 5, 6, 7, 8 and 9 overlook agricultural land and as a consequence their impact is considered acceptable. The rear of plot 10 does have a balcony that stretches along the entire rear elevation. To the rear of the site the land forms part of the residential curtilage of the property known as Cae Llan. Having assessed the impact, plot 10 will mainly overlook a yard area and stable yard that is also mostly visible to public view from the highway to the east but it will not directly impact other more private areas around the dwelling. It is considered that a privacy screen to the side of the balcony facing Cae Llan should be installed to protect more private amenity spaces within the curtilage. The gable of plot 10 only has small bathroom window and therefore it is not considered that the impact will be harmful.
- 5.36 To rear of plots 11, 12, 13 and 14 there is a public highway and open agricultural land. Although currently undeveloped, the land benefits from outline planning permission for the erection of three dwellings and the planning committee resolved to approve a scheme for the erection of 5 dwellings during the planning committee meeting on the 21/06/21. Comments were received in direct response to the scheme and the impact it would have on the neighbouring site by virtue of the lack of distance between plots and windows. The comments make reference to design guidance that stipulates distances between habitable windows. The guidance referred to is not an adopted planning policy document relevant to consideration within the Gwynedd Planning Authority area. There is no adopted design guidance in Gwynedd that stipulates minimum distances between windows.
- 5.37 The rear of plots 11, 12, 13 and 14 do not have balconies but they do have bedroom windows to floor level. The approved plans for the site opposite show that the side elevations of plot 1 and 5 will face the application site. It is not considered that the ground floor windows or garden areas proposed on either site will have an adverse impact given the proposed means of enclosure around the sites. Plot 1 on the adjacent site will have two bedroom windows facing the application site but given its siting further north than plot 11, it is not considered that either property will be directly impacted.
- 5.38 Plot 5 on the adjacent site is located further south on higher ground. The approved dwelling has three first floor windows facing the application site which will serve a bedroom, an en-suite bathroom and a corner window serving a snug. In the comments received, it was recommended that plots 13 and 14 have angled windows to protect the

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amenity of plot 5 on the neighbouring site. Having assessed the separation distances and location of dwellings in relation to each other it is not considered that the inter-visibility or impacts will result in unacceptable living conditions for occupiers on either site.

- 5.39 The gables of plots 14 and 1 will face dwellings to the south that lie on higher ground. Given the separation distances and ground levels it is not considered that the living conditions of the dwellings to the south will be unduly impacted.
- 5.40 Each dwelling will provide an external amenity space for the residents of the houses in the gardens attached to the plots. Criterion 4 of policy PCYFF 2 states that proposals should "provide appropriate amenity space to serve existing and future occupants" while the requirements of policy PCYFF 3 notes that good design assists to provide a sense of place, creates or reinforces local distinctiveness, promotes social cohesion and social well-being. In this case, it is considered that this has been achieved via the setting of the site and the associated resources as well as the design and the size of the houses themselves. It is not felt that it would be an over-development and the proposal would not have a substantially negative impact on nearby amenities because of its setting, its size and form and that it would, consequently, be acceptable on the grounds of relevant criteria in policies PCYFF 2 and PCYFF 3.

#### **Land Drainage and Flooding**

- 5.41 The application was supported by a water conservation statement as required by policy PCYFF 6. A detailed drainage plan was also submitted showing that a new pumping station will be installed on the site and that it will connect foul water discharges from the site into the mains drainage network. Surface water will be disposed of via soakaways and a land permeability report was submitted to demonstrate that the land is suitable to accommodate soakaways. The use of soakaways is recognised as a sustainable drainage method. The applicant is aware that separate consent will be required to conform with the sustainable drainage systems regulations. Although concerns were received regarding drainage, there was no objection to the scheme from expert consultees and no substantiated evidence was submitted to demonstrate that the proposed drainage scheme will be detrimental to the surrounding environment. It is therefore considered that the proposed drainage scheme is acceptable and in accordance with policy PCYFF 6.

### **6. Conclusions**

- 6.1 Having considered the above and all the relevant planning matters, including the local and national policies and guidance, observations received during the public consultation period with statutory consultees as well as local residents and the planning history, it is believed that this proposal is acceptable and is in accordance with the requirements of the relevant policies as noted in the above assessment.

## 7. Recommendation

7.1 To delegate powers to the Assistant Head of the Environment Department to approve the application, subject to the completion of a Section 106 Agreement to secure a financial contribution towards play areas and to ensure the provision of 4 affordable houses. Conditions relating to the following should also be imposed:

1. Timescales
2. In accordance with approved plans.
3. Permitted development restriction on the affordable dwellings.
4. Materials.
5. Welsh Water / SUDS
6. Construction times.
7. Finished floor levels.
8. Privacy screens for balconies on plots 5 and 10
9. Highways access conditions
10. Landscaping.
11. Tree protection.
12. Archaeological investigation.
13. Welsh Language mitigation measures – advertising of site, estate & house names.

Informative : SUDS