

Number: 5.3



Rhif y Cais / Application Number : C16-0292-35-LL

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



PLANNING COMMITTEE	DATE: 13/06/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C16/0292/35/LL  
Date Registered: 07/04/2016  
Application Type: Full - Planning  
Community: Cricieth  
Ward: Cricieth

Proposal: APPLICATION TO CHANGE CONDITION 3 OF PLANNING PERMISSION  
C13/0028/35/AM IN ORDER TO EXTEND THE TIME GRANTED TO SUBMIT  
RESERVED MATTERS

Location: LAND ADJ. GEORGE IV HOTEL, HIGH STREET, CRICIETH, GWYNEDD

**Summary of the Recommendation:** TO DELEGATE THE RIGHT TO APPROVE

**1. Description:**

1.1 This is a full application to change condition 3 of outline planning permission C13/0028/35/AM in order to extend the time granted to submit reserved matters. Outline application C13/0028/35/AM was an application to renew planning permission number C08D/0478/35/AM that was granted on appeal in 2010. Details relating to appearance and landscaping had been reserved for future consideration by means of an application to approve reserved matters. Therefore, considerations relating to access, plans and size were dealt with as part of the outline application, and only the time condition relating to the submission of the reserved matters form part of the application before the committee.

1.2 The development involves erecting 34 sheltered housing units for the elderly, one warden accommodation and two staff accommodation units, and communal facilities. The proposal would also provide 18 parking spaces for use by the residential units' occupiers, and 15 parking spaces for use by the George IV Hotel on the opposite side of the High Street.

1.3 The site is currently used as a car park and garden associated with the hotel opposite the site. To the north of the site is the High Street, and to the south is a public car park. The site lies within the development boundary and also within the Conservation Area.

1.4 An updated location plan, Design and Access Statement and Community and Linguistic Statement have been submitted as part of the application. The remainder of the application is in accordance with those documents submitted as part of application number C13/0028/35/AM.

**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 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also 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

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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 decision.

### **2.3 Gwynedd Unitary Development Plan 2009:**

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

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

#### **POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS**

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

#### **POLICY B4 – DEVELOPMENTS IN OR AFFECTING THE SETTING OF CONSERVATION AREAS**

Ensure that proposals within conservation areas, or proposals that affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

#### **POLICY B22 – BUILDING DESIGN**

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

#### **POLICY B23 - AMENITIES**

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

#### **POLICY B25 - BUILDING MATERIALS**

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

#### **POLICY C1 – LOCATING NEW DEVELOPMENT**

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

#### **POLICY C3 – RE-USING PREVIOUSLY DEVELOPED SITES**

Proposals will be approved that prioritise re-using land and buildings previously developed and located within or around development boundaries, provided that the site or the building and the use are suitable.

#### **POLICY C7 – BUILDING IN A SUSTAINABLE MANNER**

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

#### **POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES**

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Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

#### POLICY CH30 – ACCESS FOR ALL

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

CH33 – SAFETY ON ROADS AND STREETS – Development proposals will be approved if they comply with specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

#### POLICY CH36 – PRIVATE CAR PARKING FACILITIES

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

### 2.4 National Policies:

Planning Policy Wales - Edition 8, (2016)

- Part 4.9 – Preference for the re-use of land
- Part 4.11 – Promoting sustainability through good design
- Part 4.12 - Planning for sustainable buildings
- Para. 6.5.9 – Effect on listed buildings
- Para. 8.7.1 – Development control and transport
- Para. 9.2.14 – The community's need for affordable housing
- Para. 9.3.1 – New housing developments should be well integrated with and connected to the existing pattern of settlements.

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12: Design

Technical Advice Note 18: Transportation

Technical Advice Note 20: The Welsh Language

Technical Advice Note 22: Planning for sustainable buildings

Supplementary Planning Guidance: Affordable Housing

Supplementary Planning Guidance: Planning and the Welsh Language

Supplementary Planning Guidance: Planning for sustainable building

Gwynedd Design Guidance

### 3. Relevant Planning History:

- 3.1 C04D/0392/35/LL – Erect a building to provide 41 retirement flats together with additional provision, and a car park and landscaping. Withdrawn 16/02/09
- 3.2 C05D/0211/35/LL – Erect a building to provide 41 retirement flats together with additional provision, and a car park and landscaping. Refused 25/07/05
- 3.3 C08D/0478/35/AM – Construction of 37 residential units to include 34 sheltered housing units for the elderly, warden accommodation and two staff residences, parking provision for residents and staff, separate parking for visitors to the George IV Hotel and landscaping. Refused – Approved on appeal 15/03/10

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3.4 C13/0028/35/AM - Renewal of planning permission C08D/0478/35/AM for the erection of 34 sheltered housing units for the elderly, warden accommodation, two staff units, communal facilities and parking for residents, staff and George VI Hotel together with landscaping - Approved 16/05/2013

#### 4. Consultations:

Community/Town Council: It was decided to object because the application has been renewed once already and as there was no proof to show that there was demand for a venture of this type in the town. The Town Council wishes to emphasise the reasons for refusing the original application: namely the pressure that these plans would place on local services, including the health centre and sewerage system, along with parking problems and dangerous access to the site/high street.

Transportation Unit: No objection

Welsh Water: No response at the time of writing the report.

Network Rail: No response at the time of writing the report.

CADW: No response at the time of writing the report.

Natural Resources Wales: Low risk and standard advice.

Conservation Officer: Confirm that the other observations provided in the previous report remained relevant and thus confirmed that there was no objection to the application.

Biodiversity: No biodiversity concerns in relation to the time extension. The developer needs to be reminded that there is Japanese Knotweed on the site and a planning condition on application C13/0028/35/AM refers to taking measures to control Japanese Knotweed.

Also the hedges on the site should not be cleared during the nesting period, in order to protect nesting birds.

Strategic Housing Policy Unit: Confirm that the commuted sum that was previously agreed continues to be acceptable and the situation has not changed otherwise.

Archaeological Trust: No response at the time of writing the report.

Public Protection Unit: No response at the time of writing the report.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended. At the time of writing the report, many correspondences were received objecting on the following grounds:

- No demand for the development
- No point placing a time on a permission if such applications are approved.

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- Overlooking
- Loss of light
- Access and traffic problems
- Parking in front of the George Hotel.
- Loss of parking spaces
- Impact on the town's health services
- Impact on the Welsh language
- The next likely step would be to change the use of the flats into holiday flats
- The effect on the sewerage system
- Totally different to the neat Victorian pattern of the Town

## 5. Assessment of the relevant planning considerations:

### Background of the previous application and the decision of the appeal

- 5.1 This is a full application to change condition 3 of outline planning permission C13/0028/35/AM in order to extend the time granted to submit reserved matters, therefore there is no change to the plan, or to the plan previously approved on appeal. The principle of this proposal has already been accepted and established by the Inspector in his appeal decision, and by means of the further outline planning permission in order to extend the time. This is a material planning consideration. It is therefore important to consider whether circumstances or the planning policy situation have changed in the meantime since the application was originally approved. In respect of the appeal decision, the Inspector noted that the impact on the Cricieth Conservation Area and the setting of the nearby listed buildings were the main matters to be considered.
- 5.2 Although condition 3, which specifically relates to the period of submitting reserved matters, is the only subject of this application, in order to be able to consider extending the period it is important to assess and confirm whether or not the situation continues to be the same in terms of compliance with the Planning Policies. The proposal can only be considered differently if there is evidence of a substantial change in circumstances in the context of these policies.

### The principle of the development

- 5.3 In light of local policies, the Planning Inspector determined the appeal based on the policies of the Gwynedd Unitary Development Plan, therefore there has been no material change in the policies since a decision was made on the two previous applications.
- 5.4 Policies C1, C3 and CH4 of the UDP are relevant to this application. Policy C1 relates to locating new developments and the main focus of the policy is to support developments within the development boundaries of towns and villages. The application site is within the development boundary of Cricieth, therefore the application complies with policy C1. Policy C3 gives priority to re-using previously developed land. Part of the site is being used as a car park for the George IV hotel, and consequently development on this site would equate to developing on previously developed land. The proposal therefore complies with policy C3. Therefore, the situation has not changed since the period of the appeal and outline application.

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- 5.5 Policy CH4 is relevant to this application. The policy permits erecting new housing on unallocated sites within the development boundaries of local centres and villages, provided the proposal satisfies the criteria in the policy.
- 5.6 In line with what was determined in relation to the previous applications, providing an element of affordable housing for general local need within the development is essential in accordance with the requirements of Policy CH4 of the UDP. This was provided in the original application in the form of a financial contribution towards providing affordable housing offsite. In his appeal decision, the Inspector noted that the Council had agreed that such a contribution would be the most appropriate option given the specialist nature of the residential units proposed. The Inspector agreed that this perspective satisfied the relevant criteria in respect of providing a planning obligation.
- 5.7 During the outline application, the application agent confirmed at the time that he was eager to continue with the terms of the planning obligations and the financial contribution meant £134,000 towards providing affordable housing. Information and evidence was received from the applicant at the time of the outline application which showed expected prices for the units between £90,000 and £110,000. In addition to this the size and nature of the units are also affordable and meet affordable housing needs for a specific age. Conditions on the outline application (which are also on the appeal decision) ensure that the units would only be provided for people over 55 years of age. Consequently the financial contribution continues to be acceptable and is relevant to the development, and the Housing Strategic Unit has confirmed this. Following the statutory consultation process on this application, the Strategic Housing Unit had no objection to the proposal. It is therefore considered that the proposal complies with policy CH4.
- 5.8 Objectors dispute the need for this type of accommodation in the area, since no development has commenced since the appeal or since the previous outline application. The Inspector noted, in relation to the application that was subject of an appeal, that Gwynedd Council had confirmed, having considered demographic patterns, that there will be an increasing demand for this type of provision.
- 5.9 A development of this type corresponds with the Gwynedd Housing Partnership Strategy and the Older People Commissioning Strategy. Any such private investment reduces the need for the Council to make its own investment, and offers a choice for some older people to be able to move to accommodation that is suitable for them. There was acknowledgement during previous applications that there will be a significant increase over the next 15 years in the population of older people in Gwynedd, and in the need for a wide range of suitable accommodation to address their needs, and this is continuing.
- 5.10 Information from the 2011 Census shows that 31.4% of the population of the Cricieth ward are aged 65 years or over. In terms of the age group who would be eligible to live in the proposed units, namely people who are 55 years old or older, the Census notes that 45.8% of the population of the Cricieth ward fits into this category. It is noted that the population of Gwynedd continues to age, and the Welsh Government's 2011 population projections support this (based on information on the Stats Wales website):

Growth rate projections for specific age groups (compared with 2011-based figures) for the select years - Gwynedd

	2011	2016	2021	2026	2031	2036
<b>Children (0-15 years old)</b>	-	-2.8%	-1.5%	-1.9%	+1.0%	+2.6%
<b>Population aged 65 or over</b>	-	+8.8%	+13.3%	+19.7%	+27.1%	+31.8%
<b>Total population</b>	-	+1.3%	+3.0%	+5.0%	+6.9%	+8.2%

Projections of the percentage of the population belonging to the specific age groups in the select years (2011-based) - Gwynedd

	2011	2016	2021	2026	2031	2036
<b>Children (0-15 years old)</b>	17.2%	16.5%	16.4%	16.0%	16.2%	16.3%
<b>Population aged 65 or over</b>	20.8%	22.4%	22.9%	23.8%	24.8%	25.4%
<b>Total population</b>	100%	100%	100%	100%	100%	100%

5.11 It is believed that this information is adequate to prove that the need remains in the area, and there appears to be no material change in circumstances since the previous permission which would lead to refusing the application. It is considered that the application is in accordance with policies C1, C3 and CH4 and supports and ties in with the Council's strategies that relate to providing accommodation for older people.

**Design and visual and residential amenities.**

5.12 Policies B3, B4, B22, B23, B25 and CH4 are a consideration for this aspect of the application. The application does not entail any changes to the plans which were approved on appeal or the outline planning permission subsequently granted.

5.13 The visual impact of the development which includes the effect on the conservation area, listed buildings and the streetscape have already been acknowledged as acceptable by the Planning Inspector. Since the appeal the George Hotel has constructed a substantial rear extension on the building, and this situation was assessed during the recent outline application. As it was a rear extension that was constructed, it is not considered that it will alter the impact of this development on the streetscape and the conservation area to a degree that would warrant refusing the application.



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- 5.14 The objectors' concerns have been acknowledged and have received full consideration, and there is no other evidence to show a material change in circumstances or in planning policy since the previous planning permission. Therefore, it is considered that the application continues to be acceptable and complies with policies B3, B4, B22, B23, B25 and CH4.

### **Language Statement**

- 5.15 A current Language Statement was submitted as part of the application which included specific information regarding the area and the local population and the impact of the development on relevant matters. The report acknowledges the importance of the Welsh language and the consideration that should be given to all relevant issues.
- 5.16 Policy A2 states that proposals which would cause significant harm to the social, linguistic or cultural cohesion of communities, due to their size, scale or location, will be refused. It is not considered that the scale of this proposal is unsuitable for the local community, and neither would it cause significant harm to the social, linguistic or cultural cohesion of Cricieth. There is a recognised need for housing of this particular type in the area and in the County, and the proposal can contribute to this need. Cricieth has good community services and convenient links to Porthmadog and Pwllheli. Due to the special nature of this development for a specific age group and need, it is not anticipated that this type of development would attract buyers searching for a second home. To this end, and provided that the Joint Planning Policy Unit is satisfied with the content of the Statement, it is not believed that the proposal is contrary to Policy A2, as it is not considered that there would be pressure on the language or a negative effect on the community. This is also in accordance with the Supplementary Planning Guidance: Planning and the Welsh Language. The observations of the Joint Planning Policy Unit will be reported to the Committee as late submissions.

### **Transport and access matters**

- 5.17 Policies CH33 and CH36 relate to safety on roads and streets and private car parking facilities. This application does not include any change to what was permitted in the previous application in terms of providing a suitable vehicular access to the site and to the area and the existing roads network is able to cope with the traffic emanating from the development. The Transportation Unit has no objection to the extension to the time. The objectors' concerns have been acknowledged and have received full consideration, but there is no other evidence to demonstrate a material change in circumstances since the previous planning permission. With conditions, it is considered that the proposal complies with policies CH33 and CH36 of the GUDP.

### **Infrastructure matters**

- 5.18 During the period of the previous outline application, Network Rail had asked for a financial contribution, either through a planning obligation or a Community Infrastructure Levy, in order to reduce the impact of the development on the rail network. Any contribution must be relevant to the application in question. No evidence has been submitted by Network Rail to show that the current network is unsuitable or substandard for the potential higher number of users that could result directly from this development. Furthermore, there is no evidence that this development will directly have a negative impact on the rail network. Subsequently it is not considered that this request is entirely reasonably vital for this development. No response was received from Network Rail to the application submitted before the committee, and to this end and based on the above it is considered that the same situation continues.

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**6. Conclusions:**

- 6.1 The objections from local residents have received full consideration as noted above. Based on the above assessment, and having considered all the relevant matters, including the objections, it is not considered that the proposal of extending the time granted for outline application C13/0028/35/AM in order to submit the reserved matters is contrary to the local and national policies and guidelines noted in the assessment, nor are there any other material planning considerations that state otherwise. Based on the above, it is considered that the proposal continues to be acceptable subject to relevant conditions and as given on the previously approved outline application.

**7. Recommendation:**

- 7.1 To delegate powers to the Senior Manager - Planning and Environmental to approve the application and the original 106 agreement subject to receiving favourable observations from the Joint Planning Policy Unit.

1. Five years
2. Submit reserved matters (appearance and landscaping) within three years.
3. Restrict use of the units to people over 55 years of age.
4. Materials and finishes
5. Access and parking.
6. Tree details.
7. Landscaping.
8. Submit a plan for eradicating Japanese knotweed.
9. Welsh Water
10. Development to comply with the approved plans.