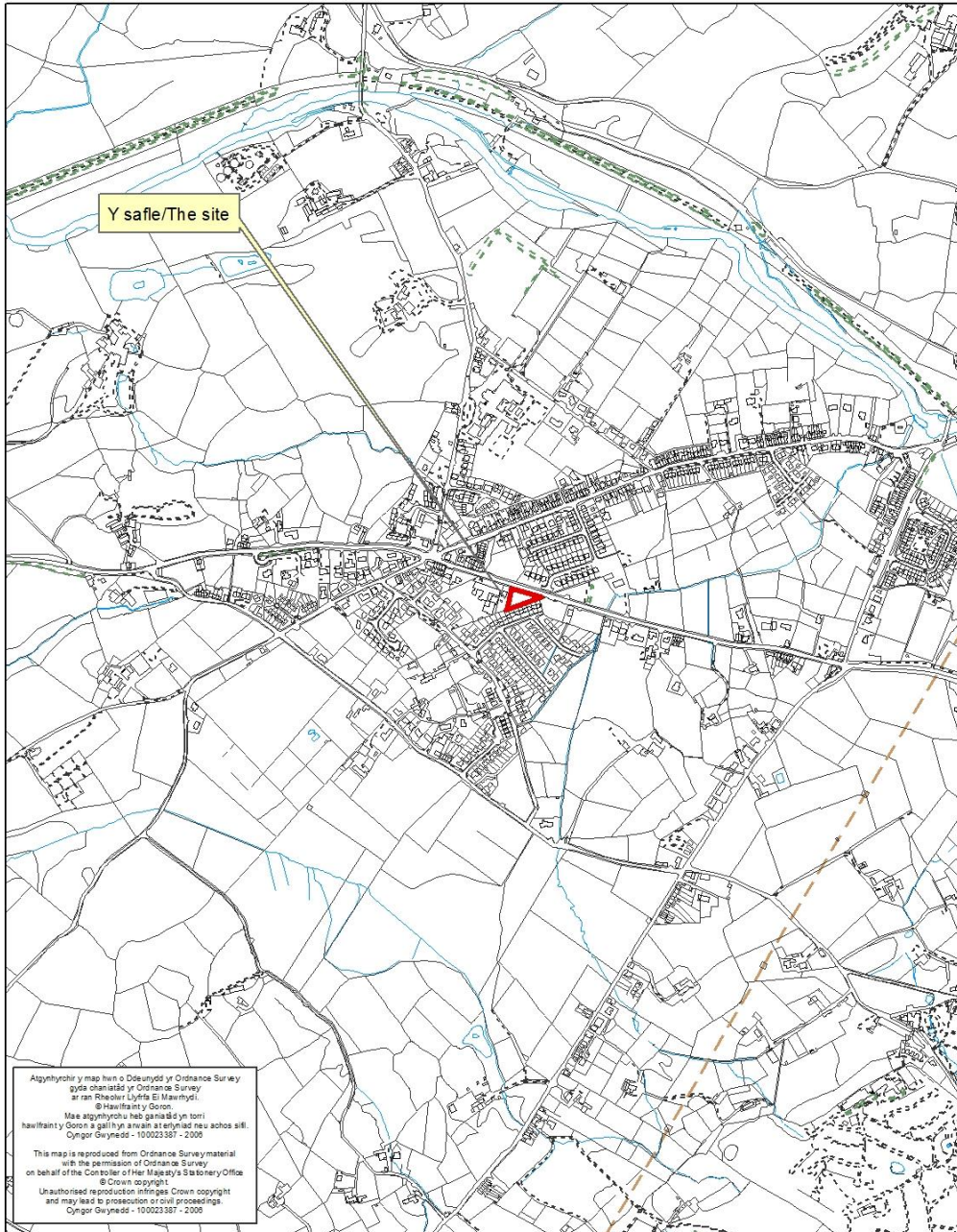


Number: 5



Rhif y Cais / Application Number : C16/1108/23/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: 28/11/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C16/1108/23/AM
Date Registered: 13/09/2016
Application Type : Outline
Community: Llanrug
Ward: Llanrug

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF TWO DWELLINGS AND THE CREATION OF A NEW VEHICULAR ACCESS

Location: Tŷ'R YSGOL, LLANRUG, CAERNARFON, GWYNEDD, LL554AL

1. Description:

- 1.1 This is an outline application for the construction of two residential dwellings on a plot of land that forms part of the curtilage of Tŷ'r Ysgol, Llanrug which is located off a class one road. The site is fairly flat and is located within the development boundary of the village. The gable end of Tŷ'r Ysgol faces the road and overlooks the site of the application. To the rear is the Glanffynnon estate.
- 1.2 As this is an outline application, the only issues within the application that require consideration are the development of the site in principle, access, and the location of the houses on the site. All other issue will be reserved and these include appearance, scale and landscaping. Nevertheless, with each outline application an indicative location plan must be submitted for the houses along with a maximum size/height for the dwellings.
- 1.3 The plan and the information refers to two houses, both of which have two storeys, single garages, one new vehicular access, a turning and parking place, and rear, front and side gardens.

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 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 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; in making the recommendation the Council has sought to ensure that present needs 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.

2.3 Gwynedd Unitary Development Plan 2009:

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.

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POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Refuse proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they can 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 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 B27 – LANDSCAPING PLANS

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

POLICY B32 – INCREASING SURFACE WATER

Refuse proposals that do not include appropriate flood minimisation or mitigation measures that will reduce the volume and rate at which surface water reaches and flows into rivers and other water courses.

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

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 CH18 – AVAILABILITY OF INFRASTRUCTURE

Development proposals will be refused if there is no adequate provision of necessary infrastructure for the development, unless they can conform to one of two specific criteria which require that appropriate arrangements are made to ensure adequate provision, or that the development is carried out in phases in order to conform to any proposed scheme for the provision of infrastructure.

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, 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

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accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

POLICY CH37 – EDUCATIONAL, HEALTH AND COMMUNITY FACILITIES

Development proposals for new educational, health or community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on a defined town centre.

The Gwynedd and Anglesey Joint Local Development Plan which is currently being prepared is subject to an ongoing Public Inquiry. At present, it is not a relevant planning consideration for determining planning applications.

Gwynedd Design Guidelines:

- Housing developments and educational provision.

2.4 National Policies:

Planning Policy Wales, Edition 8
 Technical Advice Note 12: Design

3. Relevant Planning History: - None

4. Consultations:

Community/Town Council: Not received.

Transportation Unit: No objection. The existing access satisfies the proposal, and a means of providing sufficient space within the curtilage for parking and turning for both properties had been illustrated. Standard traffic conditions are required.

Welsh Water: Standard advice and conditions required.

Biodiversity: **Initial observations:**
 The aerial photograph shows that this site contains shrubbery; before the application can be determined, the applicant must provide an ecological report which includes a habitat survey and a reptile survey.

Following discussions and a site visit by the Biodiversity Unit, these additional observations were received stating:

Trees and vegetation

The site appears to be a garden which has been left to become wild and overgrown. There are a number of invasive non-native trees on the site including Leylandii, Cotoneaster, Rhododendron and Laurel. Native trees are also found on the site - Ash, Sycamore, Willow and Elder. Most of these are small (secondary growth). I am concerned about the largest ash trees on the southern part of the site. A plan must be submitted to demonstrate how these will be protected as part of the reserved matters. A small part of the site is very wet where one willow tree stands and several smaller trees grow in its shade. I also saw one 'Broad Buckler' fern. It could be

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argued that this habitat is a Wet Woodland, of a fairly low standard, but which is a habitat as recognised in the *Environment Act (Wales) 2016 Section 7 - a list of habitats of the utmost importance for the purpose of maintaining and improving biodiversity in relation to Wales.*

Brambles dominate any other open ground between the trees.

There will be some loss of Biodiversity as a result of this development. This can be somewhat mitigated by clearing the site of any of the aforementioned invasive species and submitting a native Tree Planting Scheme for approval.

Birds

The site is certainly suitable for nesting birds. Any clearance of overgrowth/tree felling should take place outside the nesting season (1 March to 30 August). In addition, a minimum of four nesting boxes should be placed on the site after the construction work has ended. These could be on the buildings or in the trees. A condition should be included that evidence of the setting and nature of the boxes are sent to us.

Reptiles

The site is unsuitable for reptiles, thus, a survey will not be necessary before a decision is reached on the application.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has ended and a number of letters were received objecting on the following grounds:

- Loss of privacy.
- Feeling unsafe.
- Noise from the main road.
- Loss of trees and greenery.
- Detrimental to birds and wildlife.
- Loss of the natural stone wall.
- No need for new houses.
- The school is already full.
- Concern about an additional access to the main road close to the school.
- Less space on the roadside to collect children.
- The impact of the development on another plan that has been approved and which includes a roundabout and new traffic control measures.

5. Assessment of the relevant planning considerations:

The principle of the development

- 5.1 Policies C1 and CH4 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 Llanrug; therefore, the application complies with policy C1.

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- 5.2 Policy CH4 permits constructing new housing on unallocated sites within the development boundaries of local centres and villages, provided the proposal satisfies the criteria in the policy. The policy seeks for sites to provide a percentage of affordable units unless, having considered all the relevant factors, that it would not be appropriate to provide affordable housing on the site. Taking into account the scale of the application (two houses only) and the fact that it would contribute positively towards the area's housing stock, it is neither essential nor reasonable to offer a percentage of affordable houses. The application is, therefore, considered to be in accordance with policies C1 and CH4 and acceptable in principle.

Transport and access matters

- 5.3 Policies CH33 and CH36 are relevant to this element of the application. The policies ensure safety on roads and streets and the provision of private parking facilities. The plans show the intention to provide parking and turning spaces for the new houses as well as a garage on the site. The plans also show that there would be sufficient parking and turning space for Tŷ'r Ysgol.
- 5.4 Objections were received in which concerns were raised about the creation of an additional access close to the school, loss of space on the road for parking and collecting children, and also the impact of this development on another plan that has been approved and which includes a roundabout and new traffic control measures.
- 5.5 The Transportation Unit had no objections to the proposal and the Unit is aware of the situation around the school and the planning permission that exists on the adjacent site. The Unit has requested conditions to ensure that cars can enter and exit the site at the front, and also provide a parking and turning space before the houses are occupied. It is considered that this would create an acceptable situation and, as such, there is no objection to this proposal, even considering the observations/objections submitted by local residents.
- 5.6 When assessing the application, the objections were given full consideration. But, it is considered that the proposal, with conditions, is able to meet the requirements of policies CH33 and CH36 of the UDP which relate to road safety and the provision of private parking with appropriate conditions.

General and residential amenities

- 5.7 The site forms part of a substantial residential curtilage of Tŷ'r Ysgol. The site is fairly level and triangular in shape. It is not considered that the proposed land use would be out of character with the local area due to the residential nature of the area. As this is an outline application no details were received about the proposed design of the houses, apart from their indicative size and height, and the location of the houses on the site.
- 5.8 These plans demonstrate a means of allowing the houses to be built without over-developing the site: plenty of space would exist between the new houses and the existing houses to the rear of the site, and all necessary facilities could be provided without significant detriment to residential amenities. The proposal also allows for a sufficient curtilage, access, and a parking and turning space for Tŷ'r Ysgol, which is the house that currently exists on the site.
- 5.9 Objections refer to loss of privacy. From the information submitted, it is considered that the site is able to yield two houses without overlooking and loss of privacy, using

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suitable boundary solutions and careful and appropriate design for the site. The type, size and location of the rear first floor windows will have to be carefully considered when designing the detailed plans in order to ensure that this plan does not cause overlooking or loss of privacy. Nevertheless, this is not part of this application and detailed consideration will be given to the design during the reserved matters application, should this application be approved.

- 5.10 The agent has confirmed that there is no intention to demolish the natural stone wall which forms the site's boundary. Traditional features, such as natural walls, are important to the character and appearance of the area. Although there is no intention to demolish the wall (other than to create a new vehicular access), it is considered reasonable to set out a condition to ensure that the wall is retained in order to safeguard the appearance and character of the area.
- 5.11 The proposed development will be considered on its own merits and full consideration was given to the objections received. It is considered that the general layout of the site is acceptable, that the density of the development is acceptable (two dwellings) and is suitable in terms of maximum scale, and that it is possible, through conditions and by considering an application for reserved matters, to manage the remaining details of the development. It is therefore considered that the application satisfies the requirements of policies B22, B23 and B25 of the UDP and it will not have a detrimental effect on the area's visual or residential amenities.

Infrastructure matters

- 5.12 Policy B32 and CH18 are relevant to this element of the application. The policies relate to managing surface water and ensuring that there is sufficient provision of infrastructure for the development. Subject to conditions, Welsh Water did not object to the development.
- 5.13 In order to comply with the above policies, a condition must be imposed to ensure that the development cannot be commenced until a water drainage plan for the site has been submitted, which complies with the requirements of Welsh Water. It is believed that, by imposing such conditions, it can be ensured that the development will not create a flood risk and also that the proposal is in accordance with policy B32 and CH18.

Educational Provision

- 5.14 Policy CH37 aims to ensure that existing schools will be able to cope with any increase in pupil numbers as a result of a new residential development. Supplementary Planning Guidance (SPG) 'Housing Development and Educational Provision' also applies to this aspect of the application.
- 5.15 Objections received refer to lack of capacity at the local school. Officers acknowledge the observations, but it must also be acknowledged that the Supplementary Planning Guidelines only requires financial contributions from developers if the proposed development that consists of five units or more affects the school's ability to operate effectively.
- 5.16 This proposal is for the erection of two houses only, consequently, it does not reach the threshold for the guidelines. On this basis, there is no justification in requesting a financial educational contribution. Given the small scale of the development, it is not considered that the proposal would have a substantial impact on the school's ability to

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operative effectively. Therefore, it is considered that the application complies with policy CH37 of the UDP and the SPG Housing Development and Educational Provision.

Biodiversity Matters

- 5.17 Policy B20 of the UDP safeguards species and their habitats that are internationally and nationally important and refuses proposals which are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of such sites. Policy B27 of the GUDP relates to landscaping plans.
- 5.18 The Biodiversity Unit submitted initial observations requesting a Reptile report and a Habitats Report. Following further discussions with the Unit and a site visit, additional observations were received from the Biodiversity Unit confirming that there was no objection to the proposal subject to conditions relating to site clearance outside the nesting season in trees, ash tree preservation where possible, clearing the site of invasive species, planting native trees, and providing nesting boxes for birds. Therefore, it is considered that the proposal complies with the requirements of Policy B20 and B27 of the UDP.

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 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 is acceptable subject to relevant conditions.

7. Recommendation:

- 7.1 To approve the application subject to relevant planning conditions relating to:
1. The commencement of the development and submitting reserved matters
 2. Materials and finishes.
 3. Access and parking.
 4. Landscaping - retaining the existing ash tree where possible, clearing the site of invasive trees and planting native trees.
 5. Submitting a land drainage plan prior to commencing any work on the site
 6. Welsh Water - surface water.
 7. Development to comply with the approved plans.
 8. Removal of permitted development rights.
 9. Need to retain the natural stone boundary wall.
 10. Complete the site clearance work outside the bird nesting season.
 11. Provide nesting boxes for birds.