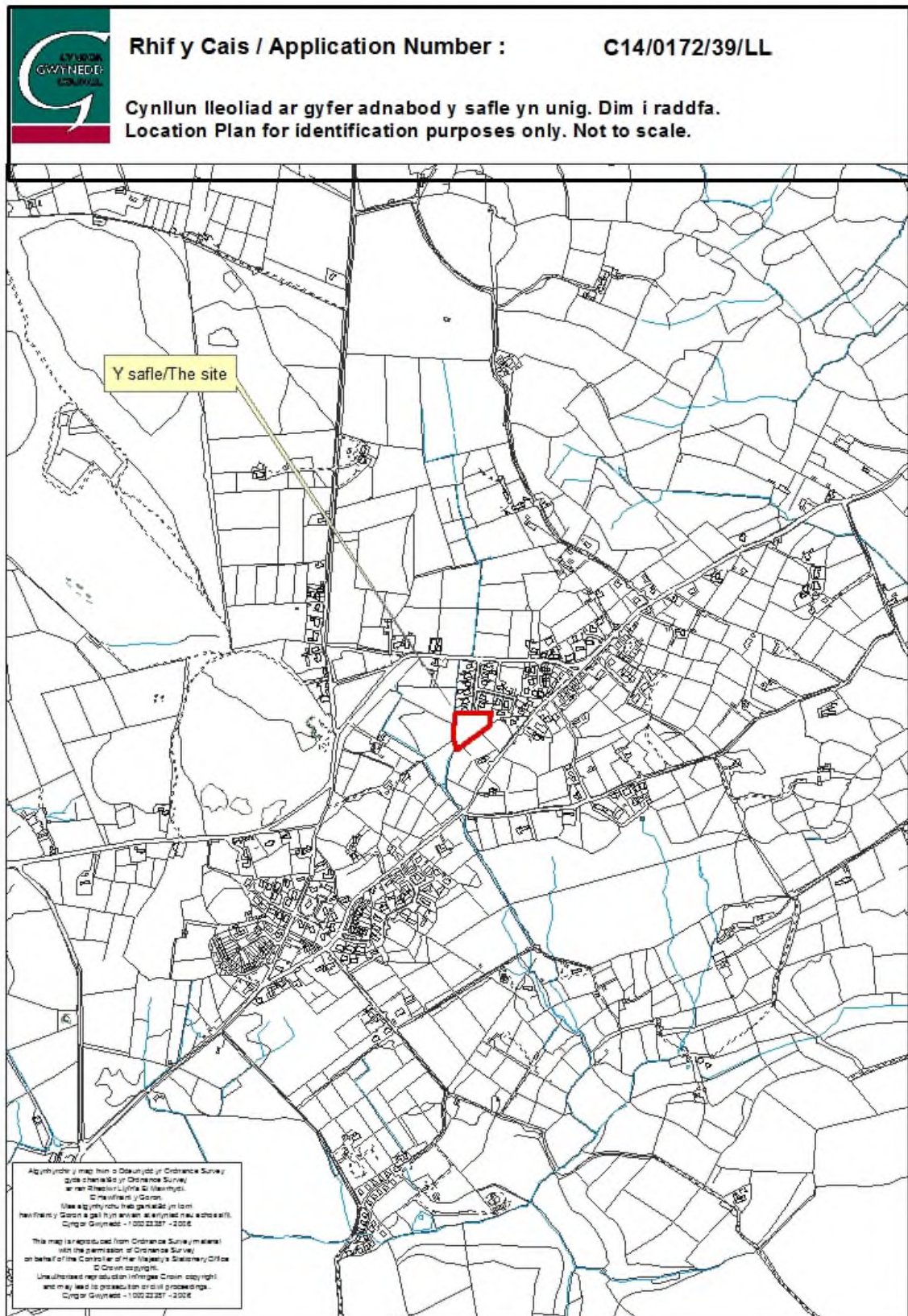


Number: 3



PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Application Number: C14/0172/39/LL  
 Date Registered: 04/03/2014  
 Application Type: Full - Planning  
 Community: Llanengan  
 Ward: Llanengan

Proposal: THE CONSTRUCTION OF SIX SEMI-DETACHED DORMER BUNGALOWS AND THREE DETACHED DORMER BUNGALOWS (ALL HOUSES TO BE AFFORDABLE HOUSES)  
 Location: LAND NEAR CORNWALL ESTATE, MYNYTHO, PWLLHELLI, GWYNEDD, LL537RH

**Summary of the Recommendation:** TO DELEGATE THE RIGHT TO APPROVE SUBJECT TO SIGNING A 106 AGREEMENT AND CONDITIONS

## 1. Description:

- 1.1 The application involves constructing six semi-detached dormer bungalows and three detached dormer bungalows. All the units are to be affordable houses. Since the application was submitted, the design of the proposal has been amended several times. The latest design has omitted the dormer windows, and included roof windows instead. The houses would be finished with slate roofs and external walls of a coloured render and wooden cladding. It is also intended to install solar panels, either on the front or rear roof of the houses depending on the direction they face. The houses would be measured internally with a total floor area of around 116 m<sup>2</sup>. However, having considered the useable floor area on the first floor (rooms in the roof's cavity) the total internal floor area would come down to around 99 m<sup>2</sup>. The semi-detached and detached houses would be around 6.5 metres in height to the ridge of the roof. Each property would have two parking spaces within its curtilage and every property would have its own garden. To the south west corner of the site it is intended to site a wildlife area. It is intended to locate two underground LPG tanks on the south-eastern part of the site.
- 1.2 The site in its entirety is located outside but directly adjacent to the development boundary of the village of Mynytho, which is displayed on the Gwynedd Unitary Development Plan's proposal maps (July 2009). The site lies within the Landscape Conservation Area, and the boundary of the Area of Outstanding Natural Beauty is found around 250 metres to the west. The site can be accessed through a part of the Cornwall Estate, situated to the north of the site. This estate road has direct access to a second class county road. The site is visible while travelling on this county road through Mynytho. There are open fields to the south of the site. The site itself has currently overgrown with various vegetation including thorns and gorse. The Foel Gron Site of Special Scientific Interest and Mynytho Common Land are located around 270 metres to the west.
- 1.3 A Design and Access Statement, a Community and Language Statement along with a letter providing the background to the application have been submitted. More recently, an Affordable Housing Statement (July 2014) and an Ecological Report were submitted. A letter from the Cynefin Group was also submitted, outlining their proposal to buy all nine units from the applicant to sell them on to eligible individuals as affordable houses to be purchased.
- 1.4 The application is submitted to the Committee as it involves five or more dwellings and that three or more correspondences were received which were contrary to the recommendation.

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

## **2. Relevant Policies:**

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

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

### **POLICY B8 – THE LLŶN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB)**

Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site.

**POLICY B10 – PROTECTING AND ENHANCING LANDSCAPE CONSERVATION AREAS** – Protect and enhance Landscape Conservation Areas by ensuring that proposals conform to a series of criteria aimed at avoiding significant damage to recognised features.

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

**POLICY B22 – BUILDING DESIGN** - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

**POLICY B23 – AMENITIES** - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

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

**POLICY B27 – LANDSCAPING SCHEMES** - Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

**POLICY C1 - LOCATING NEW DEVELOPMENT** – Land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

**POLICY C7 – BUILDING IN A SUSTAINABLE MANNER** - Proposals for new developments or for adapting and changing the use of land or buildings will be refused unless consideration is given to specific environmental matters. Proposals

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

**CH7 – AFFORDABLE HOUSING ON RURAL EXCEPTION SITES DIRECTLY ADJOINING THE BOUNDARIES OF VILLAGES AND LOCAL CENTRES –** Permit affordable dwellings on rural sites directly adjoining the boundaries of Villages and Local Centres provided they conform to criteria relating to local need, affordability and impact on the form of the settlement.

**POLICY CH33 – SAFETY ON ROADS AND STREETS -** Development proposals will be approved provided they conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

**POLICY CH36 – PRIVATE CAR PARKING FACILITIES -** Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines 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.

Supplementary Planning Guidance: Planning Obligations (November 2009)

Supplementary Planning Guidance: Affordable Housing (November 2009)

Supplementary Planning Guidance: Planning and the Welsh Language (November 2009)

Supplementary Planning Guidance: Planning for sustainable building (April 2010)

### **2.3 National Policies:**

Planning Policy Wales - 7<sup>th</sup> Edition, July 2014

TAN 2: Planning and Affordable Housing  
TAN 12: Design  
TAN 18: Transport  
TAN 20: The Welsh Language

### **3. Relevant Planning History:**

3.1 The site has no relevant planning history.

### **4. Consultations:**

Community/Town Council:	Support as there is a real need for this type of housing in the community and that they match the remainder of the existing estate.
Transportation Unit:	No objection to the proposal, but recommend several conditions and notes to be appended to any permission. These conditions would involve the estate road and parking spaces.
Welsh Water:	No objection but conditions need to be imposed on any planning permission relating to foul water, surface water and land drainage. Also note that a public sewer runs through part of the site.

<b>PLANNING COMMITTEE</b>	<b>DATE: 02/03/2015</b>
<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

Natural Resources Wales:

No objection.

Need to impose a condition relating to submitting a surface water drainage plan based on sustainable drainage principles.

Refer to a copy of the Ecological Report - Part 1 dated 16 July 2014. Mitigating measures that are outlined in the report should be implemented fully to ensure that the development does not affect reptiles and birds that are protected under the Wildlife and Countryside Act 1981 (as amended).

Biodiversity Unit:

An Ecological Report and a comprehensive Methodology Statement have been submitted. The author is Dr Cathy Wuster (Green Man Ecology) and it is of a high standard. I would like to impose a condition that the measures detailed in part 7 of the report are followed exactly as described.

The main interest on-site is the reptiles that are present. The timings of the different aspects of the work are vital due to the potential to harm or kill reptiles. It is essential that the ecologist is present to supervise some aspects of the work. I would like the developer to keep a register of the tasks to be completed, with relevant tasks being signed by the ecologist and for this register to be made available to Gwynedd Council officers.

Part of the methodology statement refers to the need for a 106 agreement. It is vital that the banks are managed in the described method, but it is a matter for the officers to decide whether this should be implemented through a section 106 or through a condition.

I would like to impose a condition that the measures described in part 7.2 of the report are implemented. I would also like to include a condition that reptile surveys are conducted every summer for 5 years after completing the development (see the methodology statement).

Strategic Housing Unit:

Following work by Tai Teg and the Rural Housing Facilitator there are 12 households that have noted their wish to live in the area (specific Tai Teg questionnaire for the area - information December 2014).

There are 72 applications on the Gwynedd common housing register that have selected Llanengan Community Council as an area (Gwynedd Council's Common Housing Register - February 2014)

There will be an element of duplication amongst the above, therefore the figures should only be treated as a general indicator of the need.

The below figures show the numbers of bedrooms that the applicants through Tai Teg are suitable for:

- 2 bedrooms - 6 applications
- 3 bedrooms - 6 applications

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

Based on the above information it seems that the Plan addresses the need to some extent. The above information shows the need for variation in the type of properties that are offered. The Housing Association is a partner for this development. It is noted that all of these units are affordable.

As part of the Strategic Housing Unit's observations, the Gwynedd Rural Housing Facilitator's observations were received. The summary of the observations is below and states:

### **Background: Mynytho Housing Scheme**

Essential research has been undertaken to find information about the exact nature and level of the need to have a development that provides intermediate affordable housing, either for intermediate rent with an opportunity to buy at a later date or to be purchased through shared equity with the Eryri Housing Association or the Cynefin Group as it is now known. The comments refer to a process of identifying suitable lands and how the site was chosen.

### **Local Need - June 2014**

According to the data from the Tai Teg waiting lists to buy, and the Council's waiting list to rent houses, it was seen that the need for housing in this area continued to be quite significant following a housing development in Garmon Road, Abersoch some years ago and a few developments since then to respond to the need. A hundred letters were sent out to those that were on the Tai Teg list in the Llŷn dependency area of the UDP, along with a questionnaire requesting details about finance and interest in this plan. Images of the proposed plan and the aim of the plan were displayed. 23 responded positively, stating that they would be interested in buying a house on the site of the proposed plan, with some of those who responded at the open day in 2012 remaining on the list. 12 have sent their finance details in terms of income and spending, and conform to local conditions (either with the community council or the closest community council and cannot afford to buy on the open market but are able to get a mortgage). The need that came to light from this research by the Tai Teg officer showed that couples and young families wished to buy at an affordable price. This model of buying part of the houses is attractive and provides security for the buyer that he/she would be able to sell it to the Housing Association if his/her circumstances were to change, at the percentage at which they bought it with inflation and interest. The Housing Association implements this plan without a grant through using their assets at their own risk.

### **House Sizes**

A provision of houses that is flexible to local affordable need is vital to the future of the community, and the Council are in a strong situation to ensure this to safeguard and maintain

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

thriving Welsh communities for the future through approving suitable housing for couples and families to have sufficient space to grow. Lifelong houses are offered here, which will enable the local buyers to live in suitable housing in an area where there are no opportunities to buy small two bedroom affordable housing or larger three bedroom houses in this area at present, and it is likely that there will not be much change in terms of possible developments in the future. What we have here is a proposal to develop an affordable shared equity scheme that is affordable for people who have sufficient income to be able to afford a mortgage that is three times their income, and are therefore flexible in terms of what they can afford regarding the size of the houses and their need now and for the future. It must be remembered that these will be houses to buy, and there is potential for those who move into them to leave smaller houses behind which will help others to fill them in due course.

### Conclusion

The people who have expressed their interest in buying these houses are local residents, and according to the Tai Teg assessment are unable to afford houses on the open market. This is a pioneering model in Gwynedd which makes the best use of financial resources to help local residents. There will also be potential to maintain other services in this community for the future. This application is supported to satisfy the local need.

Tai Teg:

See above.

Public Consultation:

A notice was posted on-site and nearby residents were notified. The further re-consultation period (which involves only the amended design) will come to an end on 13 February 2015. Several letters / correspondences were received objecting based on the following material planning matters:

- Outside the development boundary
- Not a reasonable extension - a site of this size is not a reasonable extension and is an extension into the countryside.
- Need to use brownfield or empty / redundant buildings.
- Within the Landscape Conservation Area and does not safeguard the special character of the area's landscape.
- Located near the Area of Outstanding Natural Beauty and need to consider views in and out of the AONB.
- No landscape statement has been submitted.
- Overlooking.
- Affects the amenities of nearby residents.
- Out of character and does not respect the scale of existing surrounding buildings (the initial plan was for two-storey housing and is now for single-storey housing).

<b>PLANNING COMMITTEE</b>	<b>DATE: 02/03/2015</b>
<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

- Existing houses are on large plots and there is enough space between them, the proposed plan seems like overcrowding.
- No evidence of real need has been shown, and question the method of collecting evidence relating to the need. No Assessment of Local Housing Need has been undertaken for Mynytho.
- An appeal was determined in Llanrug with the inspector making it clear that 11 dwellings on an exception site is not small under the definition of TAN 2. Mynytho is a smaller village and therefore this proposal does not correspond with the definition of 'small' either.
- Is it certain that those who have put their names down will still need and be interested in having one of the houses?
- No demand for affordable housing in the area.
- Previously built affordable houses are still empty.
- Need to see what the housing needs are, in relation to providing the Local Plan before approving applications of this type.
- Affordable housing statement does not expand on how the data was collected.
- The affordable housing statement refers to 12 three bedroom houses and 11 two bedroom houses which is about 50% of both. Therefore why is the entire estate three bedrooms?
- Increase in traffic and impacts road safety.
- Bats in the field and the area.
- A valuable site in terms of wildlife.
- The ecological review submitted cannot show the breadth of species and wildlife that are to be protected as it was undertaken over a period of days rather than months.
- Need to safeguard the stone banks that surround the site.
- A lot of damage has already been done to nature and wildlife near Cornwall Estate and this would create more.
- An unsustainable site - bus is an infrequent service and a lack of community facilities in Mynytho.
- Drainage problems with water accumulating on / near the site. Creates flooding problems.
- Not enough room in the local schools.

As well as this, general observations were received regarding:

- Can the surgery/medical service cope with the increase in patients?

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

- An application made as part of the Local Development Plan procedure for the site to be made into a wildlife site.
- Doubt the information regarding how the plan will be funded
- No single-storey dwellings for the elderly or disabled people where an upper floor is a waste of empty space.
- Several homes for sale in the area

As well as the above objections, three petitions were received - one with 18 names, one with 84 names and one with 1 name objecting to the proposal.

Letters/correspondences were received supporting the application on the following grounds:

- An opportunity for local people to buy houses.
- Housing plans of this type are essential to enable young people in the area to have their own houses.
- Need affordable housing to keep local people and children in the area.
- An interest in buying houses in the plan.

In addition to the above-mentioned letters of support, a petition was received with 19 signatories supporting the proposal.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 Policy C1 of the GUDP states that land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments, and that new buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy in the Plan. One of the cases that can be approved is affordable housing on suitable sites directly adjacent to development boundaries.
- 5.2 The site of the application lies outside the Mynytho development boundary but directly adjacent to it, and therefore the proposal must be considered under Policy CH7 which involves affordable housing on rural exception sites which are immediately on the outskirts of villages and local centres. This policy states that proposals for affordable houses on suitable rural sites immediately abutting the boundaries of villages and local centres, as an exception to normal housing policies, will be permitted if they can comply with all of the noted criteria. The Supplementary Planning Guidance: Affordable Housing has also been adopted which expands on and supports this policy, and states in paragraph 2.28 that in exceptional circumstances the UDP will grant permission on suitable land which lies either within or directly adjacent to the development boundaries of specific types of settlements to respond to

<b>PLANNING COMMITTEE</b>	<b>DATE: 02/03/2015</b>
<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

the need for affordable housing in local communities. Paragraph 2.29 of the Supplementary Planning Guidance states that sites and proposals of this type will be assessed based on proven need, the suitability of the site, local requirements and affordability. The policy and the Supplementary Planning Guidance clearly state that the aim is to supply affordable housing on sites that have been designated for housing or other sites that become available unexpectedly within development boundaries. Therefore it is seen that only when there are no such sites available will rural exception sites be approved, and even then only small sites would be supported. This is reiterated in Technical Advice Note 2: Planning and Affordable Housing, which states in paragraph 10.13 that a rural exception site should be on a small scale.

- 5.3 The proposal is for the provision of nine houses on a site that is directly adjacent to the development boundary of the village of Mynytho. All of these houses would be three bedroom houses and would be of the same design, namely two-storey houses but with the first floor rooms located in the roof. Therefore, it would first be necessary to assess whether the general local need for affordable housing has been proven for the number and type of houses in question. When the application was originally submitted, the only information that was submitted regarding the need was the details of a public meeting that was held in March 2012, and the support for the development expressed in that meeting. From that meeting, 9 local people showed an interest in occupying the houses. This information was based on one public meeting that was held two years prior to submitting the application, and there was no certainty whether those who had showed an interest at that time were still interested by now. Also, there was no confirmation whether those who showed an interest were in real need of an affordable house and whether they had been assessed to be in need in terms of affordability. As well as this, the information did not portray the need in terms of the type of houses that were needed and the number of bedrooms requested. Also, information was not to hand regarding whether those who were interested wanted their own building plot, to buy, a shared ownership scheme or to rent. It was also not known whether those in need of an affordable house were willing to move to other settlements in the vicinity to meet their needs for an affordable house. As the proposal is for affordable housing on a rural exception site the applicant was referred to the Supplementary Planning Guidance on the need to submit an Affordable Housing Statement with applications for affordable housing.
- 5.4 In light of the above the applicant submitted a further justification in the form of an Affordable Housing Assessment (July 2014). The information showed that there was 100 people on the Tai Teg waiting list in the Llŷn Dependency area and that 23 families/couples/individuals had expressed an interest in buying one of the houses. Of the 23, 12 wanted a three bedroom property and 11 wanted a two bedroom property. Of the 23, 12 have sent income details etc. so that they can be assessed further. The Statement notes that there is an intention to develop the plan to be managed by the Cynefin Group and that the proposed houses would be provided to be sold as part of a shared equity scheme and not as rented housing but (at the time) no confirmation of this had been offered by the Cynefin Group.
- 5.5 By now a clear statement has been received from the Cynefin Group (11/2/15) which states that they intend to buy the 9 units from the applicant to sell them on as affordable houses and as part of a shared equity scheme. If it is not possible to sell all the units some of them would be rented with the option for the tenant to buy in the future. The statement by the Cynefin Group confirms that they are confident that buyers will be in place for these houses based on the 12 people above who have shown an interest.

<b>PLANNING COMMITTEE</b>	<b>DATE: 02/03/2015</b>
<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

- 5.6 Confirmation of the Cynfein Group's intention to buy these units significantly strengthens the case in terms of proving the need. They have also confirmed that a real interest has been expressed by individuals/families on the Tai Teg list to buy these houses through a shared equity scheme. The Cynfein Group are confident that a need for the houses exists. The fact that a housing association is interested in the development reduces the risk of a speculative development and as has already been noted, strengthens the information and the evidence that has been received regarding the need to develop a rural exception site.
- 5.7 Reference has been made by the objectors of the proposal to the appeal in Llanrug on a rural exception site for 11 houses. In that appeal statement, the Inspector stated, "while I accept that the site of the appeal could be considered small in terms of the general size of the existing built area in Llanrug, a development of 11 affordable dwellings would not count as 'a small site' under TAN2 terms". In that appeal, consideration was given to the need that had been submitted for the houses and the Inspector stated "while I can see that the information provided confirms the demand for affordable housing in Llanrug, I have not been convinced that there is a demand for the number of houses claimed. For example, the respondents were not asked whether they would be ready to move to affordable housing in other settlements in the area if the opportunity were to arise. . . However, according to the information in front of me I have not been convinced that the need for this scale of affordable housing is adequately proven to justify the development of this site as a rural exception site."
- 5.8 As well as this, contrary to Mynytho, housing sites had been designated within the Llanrug boundaries with an aspect of affordable housing provision in some parts and the priority to develop affordable housing was given to such sites rather than developing rural exception sites.
- 5.9 More recently, as an appeal for a rural exception site was approved on a site near Plas Ffrancon, Bethesda. It was a permission for 24 residential units, 16 of which formed a rural exception site. The Inspector's report stated: 'an Assessment of the Local Housing Market shows that there is a need for 105 affordable housing units every year in Gwynedd's administrative area. This corresponds to over half of the current completion rate per year of housing requirements. This shows a significant shortage in terms of affordable housing provision for local need'...'the identified need for 105 affordable units'..is not..'satisfied through providing planning permissions, because half of the annual requirement is approved on average'. The Inspector also confirms that it is 'common ground between both sides that the local housing register, Tai Teg, is a reliable source of local need for affordable housing'.
- 5.10 The Inspector 'comes to the conclusion, focusing on the general need noted and set out in the Local Housing Market Assessment, the local need register, the current affordable housing provision and the general completion rates of houses on the market, that the first test is met'. This would be the first test of policy CH7 which involves proving the general local need for affordable housing.
- 5.11 Supporting the need for 105 affordable housing units per year (Local Housing Market Assessment) is more recent work, namely the Anglesey Local Housing Market Assessment and the Gwynedd Housing Needs Study, which provide an estimate of the number of affordable housing that are likely to be required in Anglesey and Gwynedd. It is noted that this figure is around 1,344 housing units per year for five years to satisfy the needs that have accumulated over the years as well as the needs that are coming to light. This is based on around 709 affordable units per year in

<b>PLANNING COMMITTEE</b>	<b>DATE: 02/03/2015</b>
<b>REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER</b>	<b>DOLGELLAU</b>

Gwynedd and the remainder in Anglesey. These figures are based on the Welsh Government's methodology which estimates 25% of household incomes towards housing costs. It is noted that this is not a statement of the number of new affordable houses that will need to be built, as a portion of the need could also be met through alternative means.

- 5.12 As a result, and based on the information submitted with the application, the information regarding the Tai Teg waiting list in the Llŷn dependency catchment, the further enquiries made with Tai Teg about the 9 houses, the confidence of the Cynefin Group that there are potential buyers for the affordable houses, the Assessments noted above as well as the appeal decision in Bethesda (above), officers do not believe that there is a strong basis to refuse the proposal on the grounds of an unproven general local need for affordable housing. Therefore it is considered that the proposal complies with criterion 1 of Policy CH7.
- 5.13 Criterion 2 of Policy CH7 states that the development should form a reasonable extension to the village or local centre, and criterion 3 requests that the development does not form an unacceptable extension to the countryside or creates a fragmented pattern. The site is located directly adjacent to an existing estate of houses with the estate's built form to the north and east. Though the proposal is quite a substantial site, it is considered that the site in question would form a logical extension of the adjacent estate and therefore would not form an unacceptable extension to the countryside. It is considered that the completed proposal would appear as part of a larger housing estate set against the village's built form. Cornwall Estate is somewhat uniform but the remaining surrounding residential developments are somewhat scattered and/or fragmented without a definite development pattern. It is therefore considered that the location is suitable in terms of criteria 2 and 3 of Policy CH7.
- 5.14 Also, paragraph 10.11 of Technical Advice Note 2: Planning and Affordable Housing states that 'Local planning authorities and applicants for planning permission should work collaboratively in order to establish an appropriate and well-integrated mix of housing types and tenures which will contribute to the identified need for affordable housing, and to the objective of achieving mixed and sustainable communities. Applicants should demonstrate and justify how they have arrived at a particular mix of housing having regard to development plan policies. If, having had regard to all material considerations, the local planning authority considers that the proposal for a site does not contribute sufficiently towards the objective of creating mixed communities, then the local planning authority will need to negotiate a revision of the mix of housing or may refuse the application'. As well as this, paragraph 10.13 of the Technical Advice Note states that 'rural exception sites should be small (as locally defined in the development plan), solely for affordable housing and on land within or adjoining existing rural settlements which would not otherwise be released for market housing.'
- 5.15 Officers raised these matters with the agent and the applicant, expressing concern that the proposal was not mixed and that nine houses were not viewed as a small site. The Cynefin Group confirmed that the need identified by them was for three bedroom houses (which in essence is a family home) and that they did not intend to change the mix. In terms of the size of the site, concern was expressed that the site could not be considered 'small', and the number that could be acceptable was discussed. A smaller number of houses was not seen as a viable amount by the applicant/the Cynefin Group and it was corroborated that the need for nine houses existed. Though officers are not completely convinced that the site is a 'small' one, the other material planning matters must also be weighed up such as the need (which is accepted) and the fact

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

that the site is suitable in principle for such a housing development, as well as the consideration that the proposal would not form an unacceptable extension to the countryside or create a fragmented pattern - although it is a site for nine houses. To this end, and although officers are not completely convinced that the site is 'small', having weighed up all the considerations it is believed that it would not be suitable to refuse the proposal on this basis alone.

- 5.16 Criterion 4 of Policy CH7 requests that the occupancy of the houses is restricted to affordable housing. To this end, the applicant is aware that he or she would be requested to sign an affordable housing 106 agreement for general local need if the application were to be approved.

- 5.17 As a method of ensuring property affordability, the Supplementary Planning Guidance: Affordable Housing provides guidelines in terms of ensuring that the affordable houses are of a suitable size and respond to a specific type of need. The size of dwellings should not be excessive in terms of the size of the property that is required to meet the targeted need. As is noted above officers are not completely convinced that the demand on this site is for three bedroom affordable housing and that there should be an improved mix of houses. This issue has been raised with the applicant and he and the Cynefin Group have stated that 3 bedroom houses would meet the need that has been identified on the site. As a result all the houses that are the subject of the application are three bedroom houses and the internal area in its entirety is around 116 m<sup>2</sup>. However, due to the fact that the first floor rooms are in the roof's cavity it is considered that the useable floor area would be less than this and would come down to around 99 m<sup>2</sup>. This would conform to the requirements in the Supplementary Planning Guidance as three bedroom houses are meant to be around 100 m<sup>2</sup> in size as internally measured. It is therefore considered that the houses conform to the sizes noted in the Supplementary Planning Guidance: Affordable Housing (2009).

#### **Language and Community Matters**

- 5.18 A Language and Community Assessment was received as part of the application and the Joint Planning Policy Unit was contacted for their observations. Their response had not been received at the time of preparing the agenda and it is trusted that this will be received prior to the date of the Committee. However, the proposal is for providing affordable housing units adjacent to the development boundary, and this could be considered as a method of safeguarding and maintaining thriving Welsh communities for the future through approving suitable housing for couples and families to stay in their communities. We await the observations of the Joint Policy Unit on the community and language assessment but considering the type of application in question, it is not anticipated that the proposal would have a significant impact on the Welsh language and the community and that it would be acceptable from the aspect of Policy A2 of the GUDP.

#### **Visual amenities**

- 5.19 Since the application has been submitted, the proposal has been amended in terms of the design of the houses at the officers' request to have an improved and more suitable plan for the site. The main amendment is that the dormer windows which were dominant in the design of the houses have been removed from the proposal and have been exchanged for roof windows. The proposal in its entirety is much simpler and more suitable for the site. It is intended to finish the houses in a combination of render and wooden cladding, and the roofs would be made of slate. Solar panels would be installed on the roofs of the houses. It is considered that the design of the houses is now acceptable and they would be suitable for the site in terms of their scale, size and

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

form. Though the density on the site would be higher than the rest of the estate, it is not considered that the density shown on the plans is excessive for the site and therefore it is not considered that the proposal is an over-development. It is also considered that the materials to be used are acceptable. Also, since it has been submitted there is now an intention to use the natural hedges around the site as boundaries for the houses, rather than the original proposal of erecting fences completely around the site. It is considered that this is also an improvement and is a more natural form of developing the site. A plan could be conditioned to maintain the hedges as required.

- 5.20 The site would be visible while travelling along the county road. However, the houses built would seem like an extension of the current estate and would be set against an existing built background. It is not considered that the proposal would stand out obtrusively in the landscape. Therefore, it is not considered that the proposal would have a detrimental impact on the visual amenities of the area which is also a Landscape Conservation Area. Nor is it considered that the proposal would impact on views into and out of the AONB, which is located around 250 metres to the west.
- 5.21 As a result, it is considered that the proposal is acceptable in terms of Policies B8, B10, B22, B25 and B27.

#### **General and residential amenities**

- 5.22 Residential dwellings are situated adjacent to the site. Two dwelling houses border the site to the north and one dwelling house borders the site to the east. The site of the application is on a lower level than the neighbouring houses and therefore it is not considered that over-looking would derive from the ground floor windows. The dormer windows that were included on the front and rear elevation of the houses have now been omitted and exchanged for roof windows. Due to the location of the proposed houses in relation to the existing houses it is considered that the development would ensure reasonable privacy to users of the nearby properties. It is intended to install a first floor window on the gable end of some of the units which would not cause over-looking. It is considered that it would be possible to provide a first floor window on the gable end of most of the houses and omit the northern elevation of plot 1 which would face number 7 Cornwall Estate. This could be ensured through a suitable condition and therefore it is not considered that the proposal would cause significant harm to the amenities of the local community in terms of over-looking or a loss of privacy.
- 5.23 As was previously noted, although the density of the site would be higher than the remainder of the estate, it is not considered that the density shown on the plans is excessive for the site and therefore it is not considered that the proposal is an over-development. It is therefore considered that the proposal complies with the requirements of criterion 2 of Policy B23.
- 5.24 In light of constructing 9 additional houses there would certainly be an increase in traffic using the existing estate road that leads to the site. However, it is not considered that this increase would be to such extents that would cause significant harm to local amenities in terms of the increase in traffic and the associated noise, and it is not considered contrary to criterion 3 of Policy B23. The amenities of neighbouring residents can also be safeguarded during the construction period through imposing conditions on the working hours on site.
- 5.25 As a result of the above, it is considered that the proposal is acceptable in respect of Policy B23 of the GUDP.

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

### **Transport and Access Matters**

- 5.26 Although observations were received referring to an unacceptable increase in the number of vehicles that would be using the local roads and concern about the proposed access, the Transportation Unit does not object to the application. Therefore it is considered that the development is acceptable, in terms of transportation and access matters, and satisfies the requirements of policies CH33 and CH36. If the application is approved conditions would need to be imposed involving the estate road and parking spaces.

### **Biodiversity Matters**

- 5.27 Since the application has been submitted an ecological report has been submitted for the site. As part of the assessment it was recommended to keep a part of the south-western corner of the site for wildlife and this has been displayed on plans. The Biodiversity Unit's observations were received following submitting this ecological assessment. The observations state that the assessment is of a high standard and states that the main interest on site is the reptiles that are present. The timings of the various aspects of the work are vital due to the potential to harm or kill reptiles and it is vital that the ecologist is present to supervise some aspects of the work. The Biodiversity Unit recommends that if the proposal is approved, conditions are imposed on the permission that state that the work must be completed in accordance with part 7 of the report (mitigating measures). It is also recommended to impose a condition that the improvement measures which were recommended in part 7.2 of the report are implemented. It is also considered that a condition should be imposed to undertake a reptile survey every summer for 5 years from the completion of the development. Observations were also received by Natural Resources Wales on the proposal, and they too consider that mitigating measures that are outlined in the report should be fully implemented to ensure that the development does not impact on reptiles and birds that are protected under the Wildlife and Countryside Act 1981 (as amended).
- 5.28 Part of the methodology statement refers to the need for a 106 agreement between the developer and the owners of the properties to ensure that the hedges that surround the site are protected. If the application is approved it would be possible to impose a condition on the permission to ensure that the hedges remain and that they are not demolished / taken down without the approval of the Local Planning Authority. However, it is considered that controlling the hedges is a matter between the applicant and the owners as well as ensuring that they are managed in the method described in the ecological report.
- 5.29 If the site is developed in accordance with the mitigation and improvement measures found in part 7 of the ecological report, it is not considered that the proposal would have a detrimental impact on protected species, and it is therefore acceptable in terms of Policy B20 of the GUDP.

### **Sustainability matters**

- 5.30 A pre-assessment report was submitted in relation to compliance with Level 3 of the Code for Sustainable Homes. This assessment shows that it is anticipated that the houses would reach Level 3 of the Code. Since submitting the application the national planning guidelines relating to the Code for Sustainable Homes have been removed. However, it is considered that the fact that the houses would have reached level 3 of the Code shows that the houses themselves would be sustainable and acceptable in terms of Policy C7 of the GDUP which involves building in a sustainable manner.

PLANNING COMMITTEE	DATE: 02/03/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

### **Response to the public consultation**

- 5.31 Some objections referred to matters such as drainage and water accumulating. Neither Natural Resources Wales nor Welsh Water have objected to the proposal on these grounds and therefore it is considered that it is possible to accommodate the development in terms of connection to the public system. Also, if the application is approved Natural Resources Wales are eager to impose a condition relating to introducing a surface water drainage plan based on sustainable drainage principles.
- 5.32 It is considered that the above assessment gives due attention to the other planning objections received.

## **6. Conclusions:**

- 6.1 Based on the above assessment and having weighed up all planning considerations that are relevant to the application, it is believed that the proposal to construct 9 houses on this rural exception site in Mynytho is in accordance with local and national relevant policies and is acceptable to be approved subject to signing a 106 Agreement to ensure the affordability of the houses in the long term, and also subject to material planning conditions.

## **7. Recommendation:**

- 7.1 To delegate the power to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 Agreement to ensure that all the residential units onsite are affordable houses for general local need and to relevant conditions relating to:

1. Time
2. Plans
3. Slate
4. Agree on all materials beforehand
5. Removal of permitted development rights
6. No other windows (apart from those shown on the plan)
7. No first floor window on the northern elevation/gable end of the house on plot 1
8. A plan for retaining/protecting/maintaining hedges
9. Boundary details to be agreed
10. Welsh Water conditions
11. Highways conditions
12. Biodiversity/wildlife conditions
13. Control working hours
14. Landscaping



Rhif y Cais / Application Number :

C14/0172/39/LL

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

Y safle/The site

Aberdaron

Nefyn

Pwllheli

Criccieth

Porthmadog

Blaenau Ffestiniog

Barmouth

Dolgellau

Tywyn

Bangor

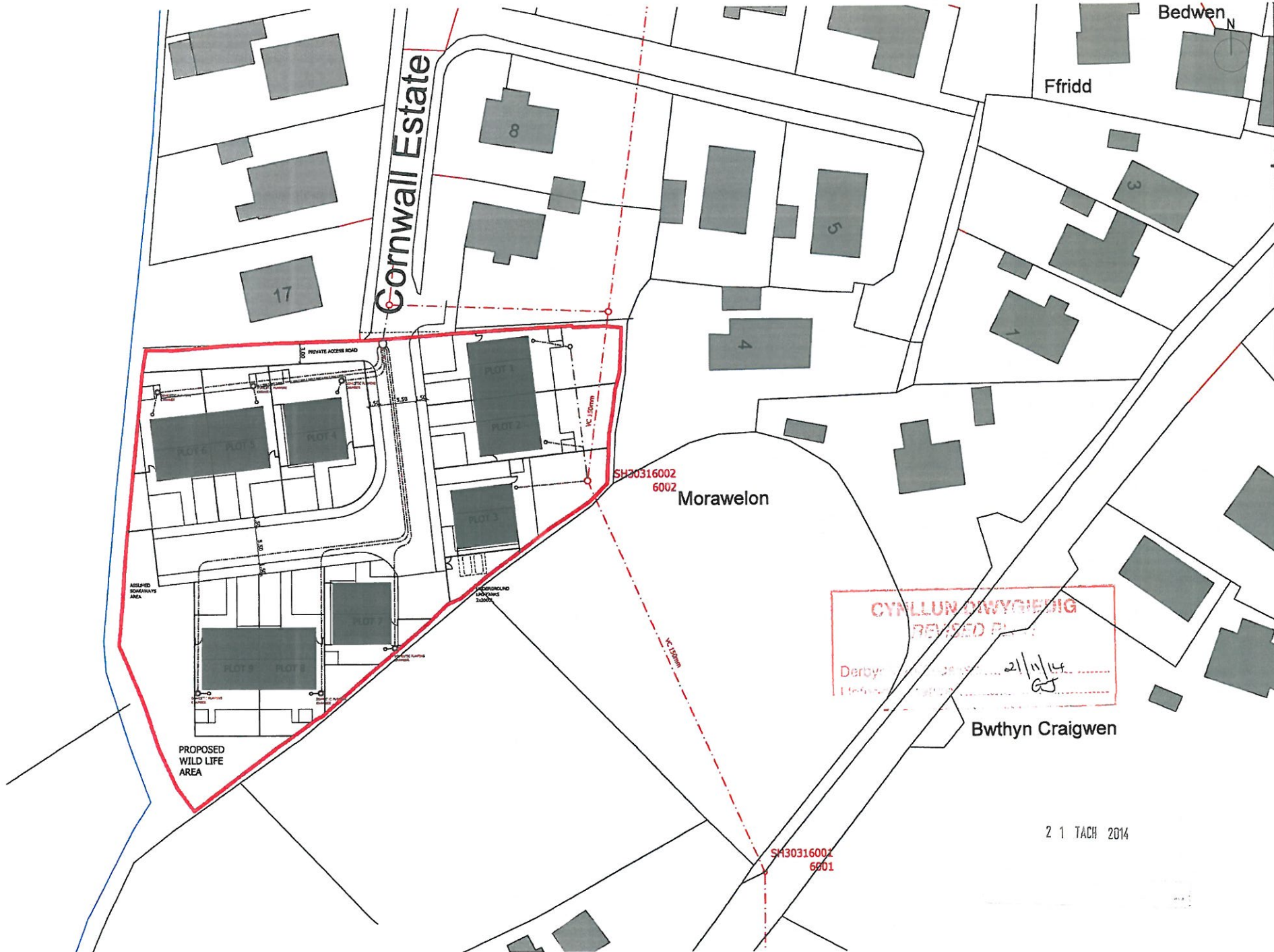
Bethesda

Caernarfon

A gyfnewid y map hon o Osodwyd yn Ordnance Survey  
ydyd chennid yd y Ordnance Survey  
ar nenn Rhedder Llywodraethol  
© Chwiffrant y Gorn.  
Mae a gyfnewid y map hon o Osodwyd yn Ordnance Survey  
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









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<b>aka architects</b> United Kingdom: aka arch limited, 13 Stanley Road, Criccieth, LL52 0EH, T: +44(0)7857 85328 Czech Republic: Gavrilov AG, Rimavska 21, Priejava 2, 120 00, T: +420 776 330613 E-MAIL: info@aka-arch.com WEB: www.aka-arch.com	PROPOSED 9 SUSTAINABLE DWELLING HOUSES CORNWALL ESTATE, MYNTTHO PWLLHELI, GWYNEDD, LL53 7RH				DRAWN TITLE SCALE DATE CHECKED DATE PROJECT DRAWING NO.
	FOR NORTH WALES TIMBER FRAMES LTD				DRAWN SCALE DATE CHECKED DATE PROJECT DRAWING NO.
	PROPOSED BLOCK PLAN				DRAWN SCALE DATE CHECKED DATE PROJECT DRAWING NO.
	21/11/14 GS				DRAWN SCALE DATE CHECKED DATE PROJECT DRAWING NO.

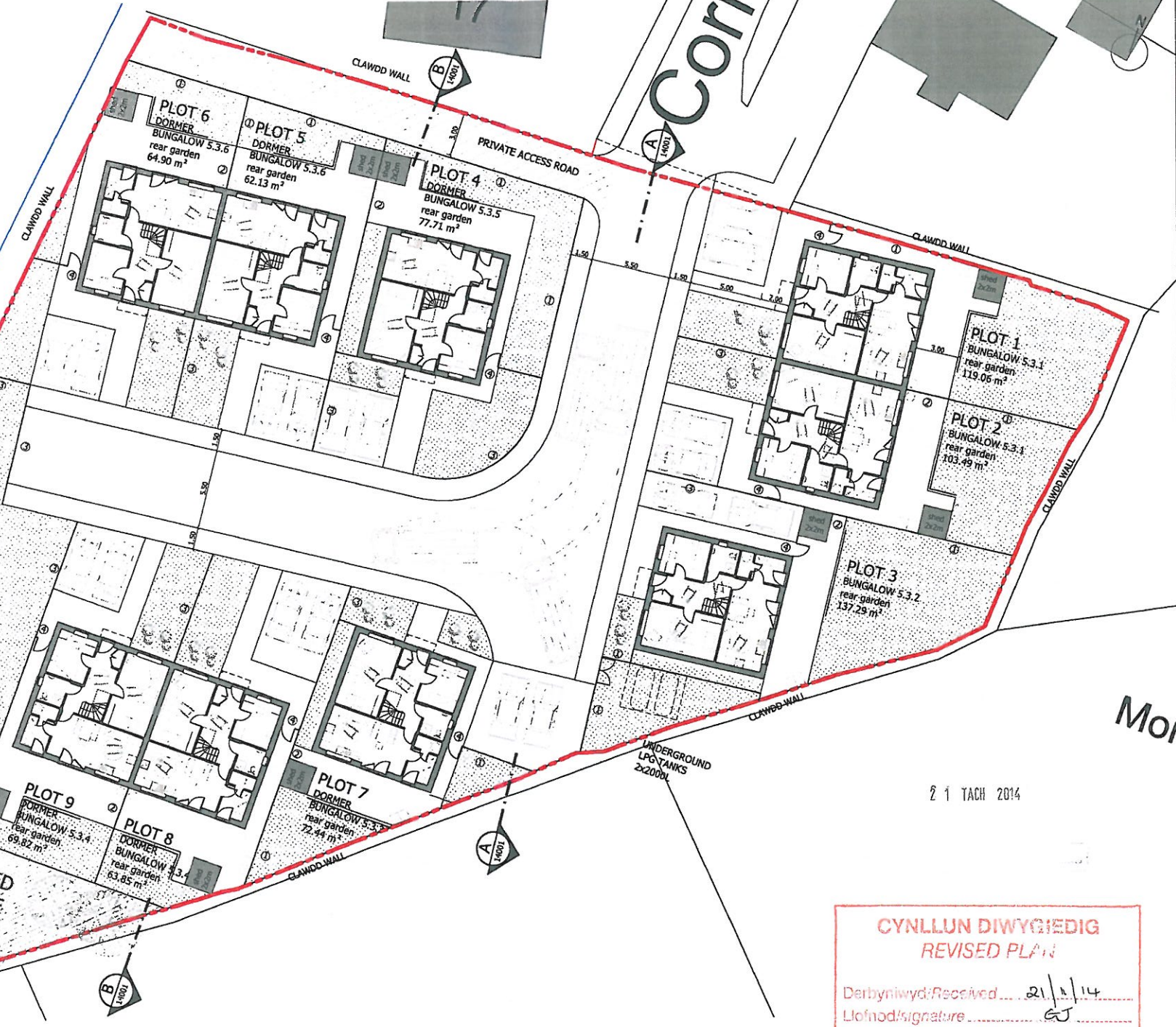
-  TARMAC
-  CONCRETE
-  CRASHED SLATE
-  GRASS
-  PLANTS, LOW SHRUBS
-  WILD LIFE AREA
-  min 6M CLOTHES LINE
-  BIN
-  WATER BUTT
-  COMPOST BIN

#### FENCING:

- 1 - close boarded fencing of 1.5m high with topped trellis of 0.3m high
- 2 - close boarded fencing of 1.8m high
- 3 - low separating barrier 0.5m
- 4 - timber gate of 1.8m high

ASSUMED SOAKAWAYS

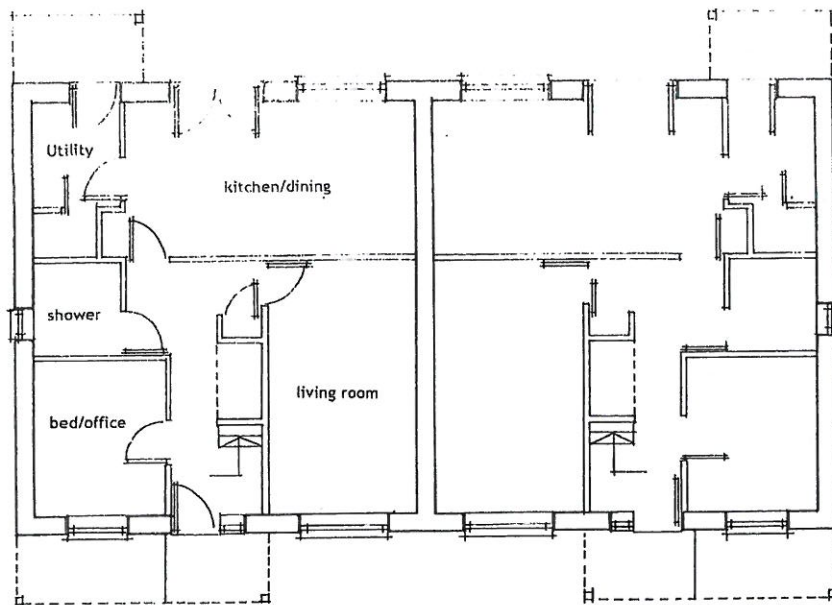
PROPOSED WILD LIFE AREA



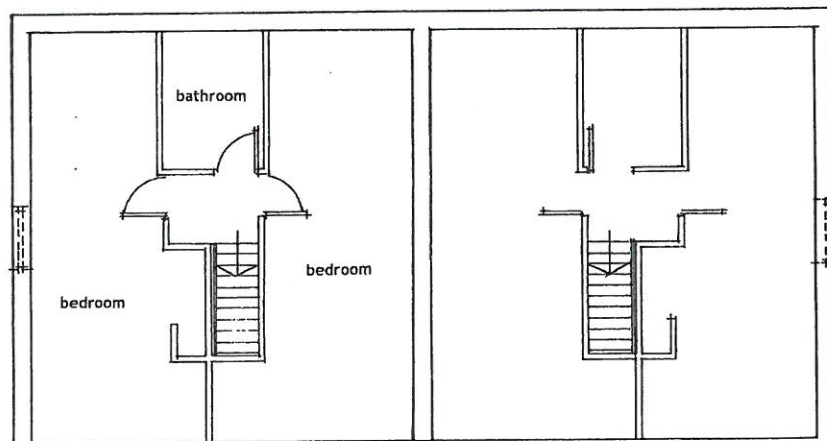
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DATE:	SCALE:	DATE:	SCALE:
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DESIGNER:	DATE:	DATE:	DATE:
FOR NORTH WALES	08/02/2014	08/02/2014	08/02/2014
TIMBER FRAMES LTD	08/02/2014	08/02/2014	08/02/2014
PROPOSED 9 SUSTAINABLE DWELLING HOUSES	08/02/2014	08/02/2014	08/02/2014
CORNWALL ESTATE, MYNYTHO	08/02/2014	08/02/2014	08/02/2014
PWLLHELI, GWYNEDD, LL53 7RH	08/02/2014	08/02/2014	08/02/2014
21 TACH 2014	08/02/2014	08/02/2014	08/02/2014
CYNLLUN DIWYGIEDIG	08/02/2014	08/02/2014	08/02/2014
REVISED PLAN	08/02/2014	08/02/2014	08/02/2014
Derbyniwyd/Received	08/02/2014	08/02/2014	08/02/2014
Llofnod/signature	08/02/2014	08/02/2014	08/02/2014

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GROUND FLOOR



FIRST FLOOR

9 AFFORDABLE DWELLINGS: Cornwall Estate, Mynytho  
FOR: North Wales TimberFrames Ltd

PROPOSED PLANS - Plots 1&2, 5&6, 8&9

Date: JANUARY 2015

Scale: 1:100

Drawing No: CE 01

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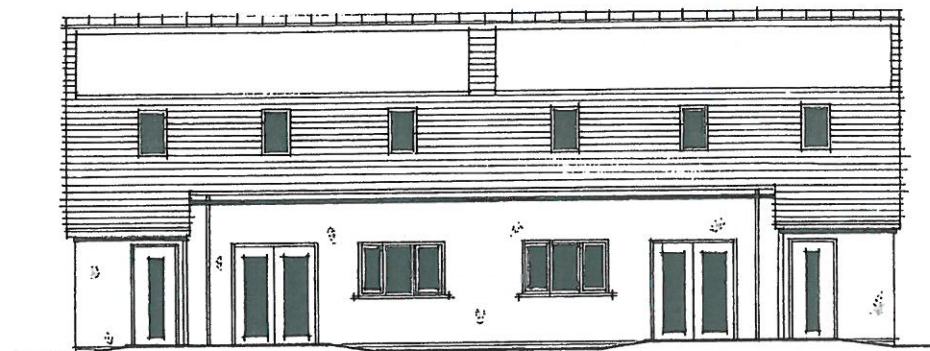
CYNLLUN DIWYGIEDIG  
REVISED PLAN

Derbyniwyd/Received 30/1/15  
Llofnod/signature [Signature]



FRONT ELEVATION

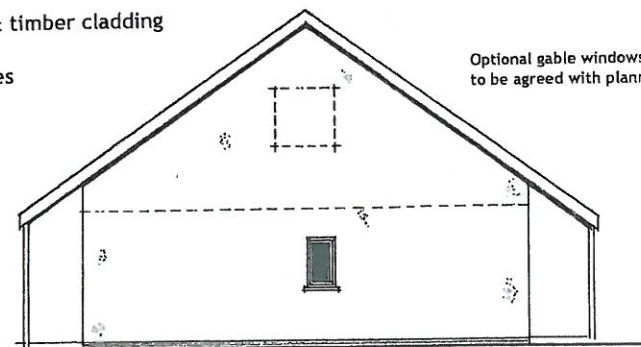
PV panels to be located on front/rear  
dependent on location of plot



REAR ELEVATION

Roof: slate  
Walls: coloured render & timber cladding  
Doors/  
Windows: upvc & veluxes

Optional gable windows, actual plots  
to be agreed with planning authority



SIDE ELEVATION

9 AFFORDABLE DWELLINGS: Cornwall Estate, Mynytho  
FOR: North Wales TimberFrames Ltd

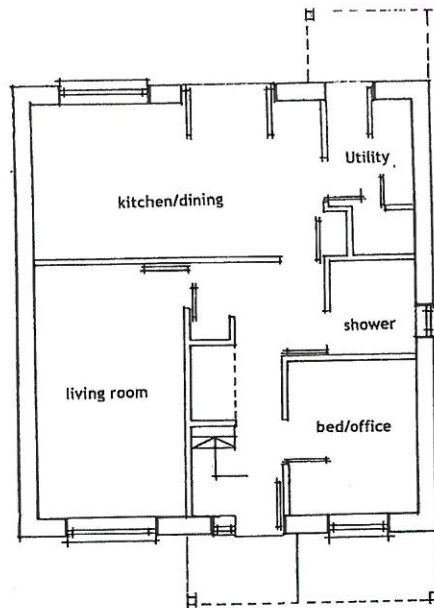
# PROPOSED PLANS - Plots 3, 4 & 7

Date: JANUARY 2015

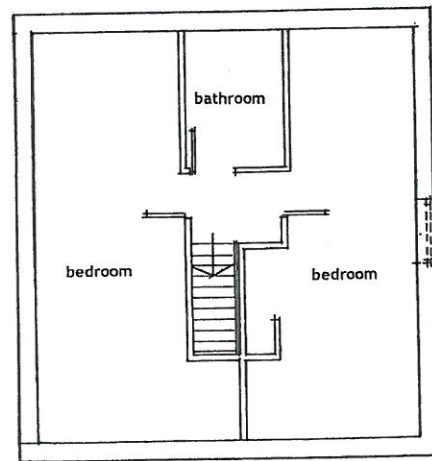
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Drawing No: CE 02

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GROUND FLOOR



FIRST FLOOR



REAR ELEVATION

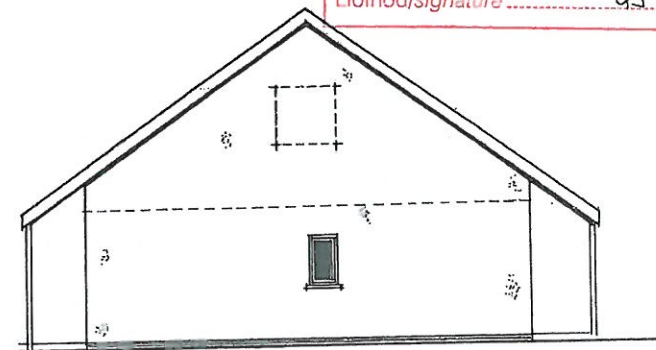


FRONT ELEVATION

Roof: slate  
Walls: coloured render & timber cladding  
Doors/  
Windows: upvc & veluxes

CYNLLUN DIWYBODAIG  
REVISED PLAN

Derbyniwyd/Received 30/1/15  
Llofnod/signature GS



SIDE ELEVATION