

PLANNING COMMITTEE	DATE: 26/02/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	DOLGELLAU

Number: 1

Application Number: C16/0564/35/LL

Date Registered: 31/08/2017

Application Type: Full - Planning

Community: Cricieth

Ward: Cricieth

Proposal: Application to erect 10 affordable units

Location: Waun Helyg Vacant land, Waun Helyg, Cricieth

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS

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1. Description:

- 1.1 This application is a full application to erect 10 social rent houses. It is submitted by Cartrefi Cymunedol Gwynedd on land that is in its ownership.
- 1.2 The existing site is part of closed off land on the outskirts of an existing housing estate (Waun Helyg). The site is located within the Cricieth development boundary and the whole site has been designated as a protected play area/playing field.
- 1.3 The proposal entails erecting 10 two-storey semi-detached houses (six houses with two bedrooms and four houses with three bedrooms) together with an estate road and parking areas in front of the houses and a garden shed each at the rear. It is intended to finish the houses with pebble-dash or render and a blue/grey faced brick and grey stone with a slate roof.
- 1.4 The following documents have been submitted as part of the application:
- Planning Statement
 - Affordable Housing Statement
 - Ecological Report
 - Design and Access Statement
 - Community and Language Statement
 - Flood Consequence Assessment
- 1.5 The application was submitted to the Planning Committee on 27.11.2017 but there was no quorum to deal with Cartrefi Cymunedol Gwynedd applications and, therefore, the application was deferred. Since then, the application has been amended and amended plans were received on 11.01.2018 providing a pavement and crossing on the B4411 and an open space within the site.

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 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 recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2017:**
- PS1: The Welsh Language and Culture
- PS2: Infrastructure and developer contributions

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ISA 1: Infrastructure Provision

ISA 4: Safeguarding existing open spaces

ISA 5: Provision of open spaces in new housing developments

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

TAI 2: Housing in Local Service Centres

TAI 8: Appropriate Housing Mix

PS 18: Affordable Housing

TAI 15: Affordable Housing Threshold and Distribution

PS19: Conserving and where appropriate enhancing the natural environment

Supplementary Planning Guidance: Affordable Housing 2009

Supplementary Planning Guidance: Housing Developments and Open Spaces of Recreational Value 2009

Supplementary Planning Guidance: Housing Developments and Educational Provision 2009

Supplementary Planning Guidance: Planning Obligations 2009

Supplementary Planning Guidance: Planning and the Welsh language 2009

2.4 **National Policies:**

Planning Policy Wales, Edition 9, (2016).

Technical Advice Note (TAN 2) "Planning and Affordable Housing" (June, 2006).

Technical Advice Note (TAN 12) "Design" (2016)

Technical Advice Note (TAN 15) "Development and Flood Risk" (2004)

Technical Advice Note (TAN 16) "Sports, Leisure and Open Spaces" (2009)

Technical Advice Note (TAN 20) "Planning and the Welsh Language" (2013)

3. **Relevant Planning History:**

None

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4. Consultations:

Community/Town Council:

Response 14.06.2016

No objection to building the affordable units, however, the members wish to emphasise that an area should be set aside as a play area for children within the development. Without a specific area the children will have to cross a busy and dangerous road to reach the play area at Ty'n Rhos.

Response 13.09.2016

The members are disappointed that there is no intention to include a new play area as part of this development or to extend the nearby provision, although there will evidently be more demand for such a provision having built the new houses.

As obvious concerns stem from the fact that children from Waun Helyg and the new development will have to continue to cross a busy road to reach the existing play area, members have major concerns regarding the safety plans submitted and therefore I would like to stress that we will only be able to support the application on condition that CCG can amend these plans.

The current situation whereby children are expected to cross the main road in order to reach the local play area, is very dangerous and Cricieth Town Council does not feel that the safety plans noted on the plan are acceptable as they stand. Members wish to emphasise that it is essential that the developer submits better plans to slow down the traffic in the area in question and to ensure that there is a much safer crossing for the children.

Response 21.02.2017

No objection to building the affordable units, however, there are concerns that no area had been earmarked for a children's play area. This is important as children would have to cross a dangerous/busy road to reach the play area at Ty'n Rhos. It should be emphasised that a play area is required as part of the development.

Transportation Unit:

Original response

I refer to the above application, and confirm that I have no objection to the proposal. As well as the development of a new estate the proposal includes the provision of a crossing on the B4411, however, it does not include a path to link this section of the site with the proposed crossing. I therefore recommend that as well as the

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conditions/notes below, that the applicant should provide this link path as part of the development.

Estate road conditions, street lighting, kerbs, parking area.

Response 07.02.2018

No objection to the proposal following amended plans proposing a pavement and crossing on the B4411.

Standard conditions

Natural Resources
Wales:

Response 30.06.2017

We have significant concerns regarding the development as submitted. As the site includes a water course and there is potential for it to block, it will be necessary to submit a Flooding Consequences Assessment. Propose a condition that ensures that preventative, mitigating and compensation measures including those described in the ecological report are included in a method statement and submitted to the satisfaction of the Planning Authority.

Response 09.02.2017

We continue to have significant concerns regarding the development as submitted:

- The hydrology and modelling should be updated and then the Flooding Consequences Assessment (FCA) should be updated

Propose a condition that ensures that preventative, mitigating and compensation measures including those described in the ecological report are included in a method statement and submitted to the satisfaction of the Planning Authority.

Response 28.04.2017

We continue to have significant concerns regarding the development as submitted:

- The applicant needs to provide a copy of the hydrology model that supports the revised FCA to NRA.

Propose a condition that ensures that preventative, mitigating and compensation measures including those described in the ecological report are included in a method statement and submitted to the satisfaction of the Planning Authority.

Response 08.06.2017

We continue to have significant concerns regarding the development as submitted. We ask the applicant to update the FCA to resolve the concerns regarding the gardens of the proposed houses and the finished floor levels. Propose a condition that ensures that preventative, mitigating and compensation measures including those described in the

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ecological report are included in a method statement and submitted to the satisfaction of the Planning Authority.

Response 22.09.2017

We have significant concerns regarding the development as submitted.

- The FCA needs to be updated to include an assessment of the 1% AEP + CC flooding incident with the blocked culvert
- The 1818/100D plan needs to be updated to include the type of boundary treatment recommended in the FCA

If the above is achieved, it will be necessary to attach a planning condition to ensure mitigation and compensation measures for bats to be agreed beforehand with the Local Planning Authority.

Response 29.09.2017

Further to more information received to support the application, the maintenance schedule will not be sufficient to reduce our concerns - the screen may be cleared and then it could be blocked again immediately. There is a need to update the FCA to assess the likely depth range of the 1% + nh incident and the blocked culvert. This would set suitable floor levels for the development.

Response 26.10.2017

Following the receipt of a revised Flooding Consequences Assessment, there is no objection to the application as long as conditions are imposed on the planning permission that deal with the floor levels of the units, type of fence around the site and to agree on mitigation and compensation measures for bats to be agreed beforehand with the Local Planning Authority.

Response 07.02.2018

I confirm that we are happy with the informal amended plan (1818/100F). The floor levels of the houses are correct, according to our latest response, and the fence details have been updated.

Welsh Water:	Drainage plan condition
Biodiversity Unit:	The ecology report submitted as part of the application is acceptable. The development is acceptable subject to landscaping conditions, protection of reptiles, disposal of Japanese Knotweed and agree to the disposal of trees,
Affordable Housing:	Waun Helyg scheme receives social housing grant money in 2017/2018. This development must comply with the requirements of the WG (DQR) standards.
Land Drainage Unit:	No objection

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Public Consultation: A notice was posted on the site and nearby residents were informed. The advertising period expired and one letter / correspondence was received making observations on the proposal on the following grounds:

- A play area with equipment is required with the houses as there is no play area on this side of the highway.
- Road danger for children having to cross to get to the play area.
- Highways matters
- Not enough variety of housing
- Japanese Knotweed is present on the site.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The site subject of this application is located within the development boundary of Cricieth and near an existing residential housing estate (Waun Helyg). There is an existing vehicular entrance from the B4411 into Waun Helyg estate, and this site would have access from this estate road. The proposal entails erecting 10 two-storey semi-detached houses (six houses with two bedrooms and four houses with three bedrooms) that will be provided and rented by Cartrefi Cymunedol Gwynedd. Based on this, and the observations of the Affordable Housing Unit, the proposal complies with the requirements of policies PCYFF 1, TAI 2, TAI 8, PS18 and TAI 15 which ensure developments within development boundaries, and a reasonable development within service centres that offer a specific number of affordable housing.

5.2 Although the principle of the development is confirmed under these policies, there are several other material matters that arise with this application that are discussed below.

Open spaces of recreational value

5.3 Please note that the application site is located on a Protected Open Site / Play Area in the JLDP and Policy ISA 4 is relevant to this. This policy states the following:

5.4 Proposals that will lead to the loss of existing open space including any associated facilities which has significant recreational, amenity or wildlife value will be refused unless they conform to the following criteria:

1. There is an overall surplus of provision in the community;
2. The long term requirement for the facility has ceased;
3. Alternative provision of the same standard can be offered in an area equally accessible to the local community in question;
4. The redevelopment of only a small part of the site would allow the retention and enhancement of the facility as a recreational resource.

5.5 It is noted that information from 'Fields in Trust' notes that there is an overall lack of provision of open spaces / play areas in Cricieth. This information was used as the background basis when preparing the JLDP. The JLDP refers to the figures of 'Fields in Trust' and 'areas where existing open space cannot meet the needs of the proposed housing development'. Whilst the same calculation is used to establish the need that

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stems from the development (Policy ISA 5) (352 m2 for the Needs of Playing pitches and 176 m2 for children's playing space), the JLDP considers the provision across Cricieth.

- 5.6 In considering the whole population (including the addition of this development), it is seen that there is a deficiency in Cricieth for all types of provision.
- 5.7 As the site is already protected as an open/play space and bearing in mind the nature of the development before us (Social Housing) and also considering that it is possible for these adults/children to use additional open spaces such as beaches etc.; it is considered that there is a real need for an open/play space for children (176 m2) as a result of this development and to this end it is deemed that such a place needs to be provided within the proposed development. It is possible to give a matching financial contribution; but this option is an exception where specific and unusual circumstances justify why it cannot be provided on the site.

Originally, it was intended to develop the site as a whole, which would lead to the loss of the protected open space / play area. By now, the site plan has been revised to provide a 261m2 open space/play area within the site. Though the proposal involves developing most of the existing designation, the amended site plan means that the open space provided would be used and would offer better benefits to the community than the vacant land which currently exists. Based on this improvement, therefore, it is considered that the proposal conforms with the requirements of policy ISA 4 and ISA 5 of the LDP.

Educational Facilities

- 5.8 Policies PS2 and ISA 1 of the LDP confirm, where a proposal generates a directly related need for new or improved infrastructure, that a financial contribution may be sought to secure improvements in order to make the proposal acceptable. In this case, it is necessary to consider whether this proposal would have a detrimental impact on the educational situation in Cricieth, specifically at Ysgol Treferythyr, and also bearing in mind the proposed units designated for housing in Cricieth alongside this proposal when establishing whether it is appropriate to secure an educational contribution. Previously (using September 2015 figures) it was calculated that the development in question would increase the number of pupils at Ysgol Treferythyr to its full capacity; this was without considering the impact of the development of the site designated for housing in Cricieth.
- 5.9 More recently, an assessment of the latest figures has been undertaken which confirms that this development (as well as other sites which have been submitted or designated for houses) would not lead to overcrowding at the school; to this end, therefore, a financial contribution will not be required in this case.

Language Matters

- 5.10 A Language and Community Statement was submitted as part of the application, and the LPA has no argument with its contents. By now, this development does not reach the threshold to submit a Language and Community Statement as it will not provide more than the indicative housing provision set for Cricieth, and it is considered that it gets to grips with evidence of need and demand for housing in the area. Therefore, to this end policy PS1 of the LDP is not relevant in this case.

Transport and access matters

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- 5.11 The proposal involves gaining access to the site via the existing estate road near the access to the estate from the B4411; and the development provides sufficient parking spaces for the units.
- 5.12 The proposal also offers a pedestrian crossing provision to cross the B4411 to facilitate access to the play area situated over the road to the development. Following receipt of amended plans, the proposal also includes the provision of a pavement which leads from this development to the crossing, in order to safeguard children and people using it to cross. The Transportation Unit supports the proposal based on these amended plans. As the crossing and part of the pavement are outside the application site and the applicant's land ownership, the provision will have to be secured via a condition.
- 5.13 Therefore, on this basis, it is considered that the proposal complies with the requirements of TRA 2, which ensures sufficient parking standards; and the requirements of policy TRA 4, in terms of road safety.

Flooding Matters

- 5.14 During the original consultation period, Natural Resources Wales confirmed that it had significant concerns regarding the development as submitted. It was confirmed that the site included a water course and there was the potential for it to block, and it would be necessary to submit a Flooding Consequences Assessment. Since then, several Assessments have been submitted to satisfy the requirements of Natural Resources Wales. By the end of October 2017 and having received several responses from NRA objecting, the officers of NRA confirmed that they were now satisfied with Flooding Consequences Assessment version 6; subject to conditions that will ensure the height of the finished floor levels of the proposed houses and the type of fence to be erected within the site.
- 5.15 It is noted that the watercourse had been culverted near the site access and work would be required on the culvert in order to provide an appropriate access to the site. The Local Planning Authority has consulted the Council's Land Drainage Unit and confirmation has been received stating that they do not object to the proposal.
- 5.16 On these grounds it is considered that the development can comply with the requirements of policy PS 5, PS6, PCYFF 2 and Technical Advice Note 15 'Development and Flood Risk' by imposing appropriate conditions.

Visual and General Amenities.

- 5.17 Policies PCYFF 2, PCYFF 3 and PCYFF 4 of the LDP are relevant to this application and involve design, finishes, elevations, landscaping and visual and general amenities.
- 5.18 The site is located on the outskirts of the existing Waun Helyg estate and behind Antipodes terrace. Recent planning permission was approved under reference number C16/0798/35/LL to erect two, two-storey houses within the curtilage of number 1 Antipodes terrace. The application site is separated from this site by a substantial retaining wall. It is intended to rebuild this wall and place a fence on top of it. It is not considered that the general development would have any effect on the terrace, due to the site layout and the location of the houses and the height of the wall and fence. Houses on plots 7 and 8 would be nearest to the boundary with curtilage of Number 1 Antipodes Terrace (approximately 1m).

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- 5.19 It is intended to finish the houses with pebble-dash or render and a blue/grey faced brick and grey stone with a slate roof. There are simple landscaping details around the site, but it is considered that more details would be required regarding the type of planting proposed on the site. Therefore, it is considered that the proposal is acceptable in terms of design, finishes, appearance, landscaping and visual and general amenities subject to landscaping conditions. Therefore, it is considered that the proposal complies with the requirements of policies PCYFF 2, 3 and 4,

Biodiversity Matters

- 5.20 An ecology report has been submitted as part of the application and the Biodiversity Unit considers its contents to be acceptable subject to the inclusion of landscaping conditions, protection of reptiles, disposal of Japanese Knotweed and agree to the disposal of trees. Therefore, it is considered that the proposal complies with the requirements of policy PS19 of the LDP.

Response to the public consultation

- 5.21 Following a period of public consultation, observations were received relating to play area, road danger, variety of housing and Japanese knotweed issues on the site. It is considered that these issues have received due consideration in the above report, and the observations do not change the recommendation.

6. Conclusions:

- 6.1 Having weighed up the proposed development and considered all the material planning matters, including local and national policies and guidances as well as the objection received, it is considered that the application to construct ten social rent semi-detached houses on this site complies with the requirements of the polices listed above, subject to relevant conditions.

7. Recommendation:

To approve subject to the following conditions:

1. Five years
2. Complete in accordance with the plans
3. Slate
4. Finish
5. Highways Conditions
6. Condition to ensure the pavement and crossing are completed prior to occupation of the houses
7. Conditions relating to the finished floor level
8. Bat mitigation measures
9. Landscaping and boundary details
10. Agree on a scheme to protect reptiles
11. Agree on trees to be disposed of in advance
12. Eradicate Japanese knotweed
13. Drainage plan

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