

PLANNING COMMITTEE	DATE: 01/04/2019
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

Number: 2

Application Number: C18/1198/45/AM

Date Registered: 02/01/2019

Application Type: Outline

Community: Pwllheli

Ward: Pwllheli North

Proposal: Build 15 new dwellings, of which five are affordable, create a new vehicular entrance and internal access road

Location: Former Hockey Field, Salem Terrace, Pwllheli, Gwynedd, LL535UB

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

1.1 This is an outline application for a residential development to build 15 dwellings and create a new vehicular entrance and internal access road. This is an outline application with some reserved matters. The entrance and setting form part of this outline application and the appearance, landscaping and scale are reserved matters. The plans submitted as part of the application show the layout of the site with the 15 houses located around the boundaries of the field. The proposed houses are a mixture of single-storey and two-storey buildings and are also two, three and five bedroomed. Also within the plan are terraced, semi-detached and detached houses. There are four types of houses altogether in the proposal, and roughly, the size of the houses would be as follows:

- 4.2.1 type of house (H) - approximately 7.6m to 8.6m in length, 5.3m to 6.3m in width, and between 7.7m and 8.8m in height.
- 5.3.1 type of house (H) - approximately 8.6m to 9.6m in length, 5.4m to 6.4m in width, and between 8.1m and 9.1m in height.
- 3.2.3 type of house (B) - approximately 8.5m to 9.5m in length, 7.1m to 8.1m in width, and between 4.4m and 5.4m in height.
- 7.4.1 type of house (H) - approximately 9.1m to 10.1m in length, 8.5m to 9.5m in width, and between 8.4m and 9.4m in height.

Five of the houses will be designated affordable houses. It is intended to create a new access on the site's north-eastern boundary. 33 parking spaces would be provided within the curilage of the houses. This would include two parking spaces for 2/3 bedroomed houses and three parking spaces for the four-bedroomed houses. Trees, hedgerows, *cloddiau* and a wall surround the site's boundary. Some of the trees and hedgerows would have to be felled when developing the site.

1.2 As the proposal is for the development of 10 houses or more, it is considered to be a major development. To this end, the applicant undertook a public consultation before submitting an application and has submitted a report outlining this consultation as part of the application, as required. In addition, as part of the application, a Design, Access and Planning Statement, a Porosity and Infiltration Test Report, an Ecological Assessment, an Initial Trees Report, and a Trees Impact Assessment were carried out.

1.3 The site lies within the development boundary of Pwllheli and the land has been designated for housing in the LDP. The site is located within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. A public footpath lies north of the site. A class 3 road abuts the site to the east. There are three dwellings near the site and the Coleg Meirion Dwyfor site is opposite.

1.4 The application is submitted to the committee as it involves five or more houses.

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 made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty

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and the 'sustainable development principle', as set out in the 2015 Act. In reaching 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.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PS 1 - The Welsh Language and Culture
 PS 2 - Infrastructure and developer contributions
 ISA 1 - Infrastructure Provision
 ISA5 - Provision of open spaces in new housing developments
 PS 4 - Sustainable transport, development and accessibility
 TRA 2 - Parking standards
 TRA 4 - Managing transport impacts
 PS 5 - Sustainable developments
 PS 6 – Mitigating the Effects of Climate Change and Adapting to Them
 PCYFF 1 - Development boundaries
 PCYFF 2 - Development criteria
 PCYFF 3 - Design and Place Shaping
 PCYFF 4 - Design and Landscaping
 PCYFF 6 - Water conservation
 PS 16- Housing provision
 PS 17 - Settlement Strategy
 TAI 1 - Housing in the Sub-regional Centre and the Urban Service Centres
 TAI 8 - An appropriate mix of housing
 PS 18 - Affordable housing
 TAI 15 - Threshold of Affordable Housing and their Distribution
 PS 19 - Conserving and enhancing the natural environment
 AMG 5 - Local Biodiversity Conservation
 PS 20 - Conserving and enhancing cultural assets
 AT 1 - Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance: Affordable Housing (November 2009)

Supplementary Planning Guidance: Housing Mix (October 2018)

2.4 **National Policies:**

Planning Policy Wales (Edition 10, December 2018)
 Technical Advice Note 2: Planning and Affordable Housing Planning and Affordable Housing
 Technical Advice Note 12: Design
 Technical Advice Note 18: Transportation

3. **Relevant Planning History:**

- 3.1 Y18/002091 - Pre-application enquiry about the development to build 15 houses on the site. Refer that the principle is acceptable as the site is within the boundary and has been designated for housing. Draw attention to some matters such as:
- The need to justify the lower density of houses on the site than that recommended in the housing designation.
 - Note that the percentage of affordable houses is acceptable but perhaps necessary to look at the mixture of affordable houses.
 - Refer to the size of the affordable houses.

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- Recommend that the two houses on either side of the entrance road should be rotated so that their main façades run parallel to Salem Terrace in order to reflect the development pattern of the area.
- Note that the Transportation Unit is satisfied with the entrance but that parking spaces need to be reviewed.
- Note that some biodiversity and trees matters arise from the proposal.
- The Education Unit has confirmed sufficient capacity within Pwllheli schools to accommodate the proposal.
- Give details of the expected financial contribution toward play areas.

4. Consultations:

Community/Town Council: Agree but draw attention to the use of an already busy road.

Transportation Unit: No objection. Layout of the estate road, the improvements in terms of providing footpaths and widening the road a little, and the parking provision for every unit is acceptable and complies with usual requirements. The only comment I can provide about parking is that consideration should be given to moving plot 12 a little to provide parallel parking rather than one behind the other. I note that the site stands apart from a large swathe of Pwllheli, and there is no link such as a footpath between the two sites. However, the lack of footpaths is a feature of the area with many streets such as Salem Terrace, parts of Penlôn Llŷn and farther up toward the Penrallt and Denio areas. Salem Terrace already serves Coleg Meirion Dwyfor and several students choose to walk along the road; it is deemed that the traffic calming measures keeps traffic speeds low and appropriate for the site. I recommend including standard conditions / notes about the design and structure of the estate road on any permission granted.

Natural Resources Wales: We believe that the proposed development does not affect a matter listed in our consultation subjects. We note that the ecological report presented in support of the above application noted that no protected species of relevance to NRW used the application site. We welcome the mitigation measures contained in the report.

Welsh Water: Having assessed the drainage plan, it is noted that only foul water run-off will be connected to the public sewer and we have no objection to the proposal in principle. We ask that a condition be included, restricting foul water only to link to the public sewer, in accordance with the details submitted.

We do not anticipate any problems with Sewerage Treatment Work associated with the proposal.

Water supply will be provided for the proposal.

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Biodiversity Unit: The applicant has provided an ecological survey carried out by Ecoscope, dated July 2018. The survey is a little weak from the botanical / habitat aspect, as it does not identify the clover species; this would give a better idea of the type of grassland.

Habitats

I visited the site today, and the grassland (0.42ha) is semi-improved and has no species relating to intensive farming and improvement, such as the perennial rye-grass (*Lolium perenne*), and there is a lack of variety of flowers also. The grassland is dominated by grasses (mainly the common bent (*Agrostis capillaris*), plenty of the Yorkshire fog (*holcus lanatus*) and some tall oat-grass (*Arrhenatherum elatius*)). This grassland habitat is of moderate biodiversity value.

Hedgerows on top of old stone faced *cloddiau* surround the field on three sides. The hedge on the northern part of the field forms part of a green path, lined on both sides by a hedge with a footpath running through it. This hedge, as it forms part of a double hedge and sustains several tree and fern species, is likely to be eligible as an important hedge under Hedgerow Regulations.

A cement wall stands on the boundary with the road and above that is a plot of land, approximately 10 metres wide, between the road and the field (area of approximately 0.1 hectare), which mainly consists of blackthorn brushwood, ferns, brambles and ivy. This is a good habitat for reptiles.

Species

The ecological report produced by Ecoscope has assessed the potential of the site to support reptiles as low, but I disagree with this assessment. Slow-worms have been recorded at the property opposite. Many habitat features favour reptiles, such as *cloddiau*, brambles, grassland, ferns, and several habitats in the nearby landscape that are likely to support reptiles. Therefore, I recommend, before any work begins on the site, that a programme of capturing and relocating reptiles take place. This should happen during summer months.

Birds are likely to nest in the trees and hedgerows and I recommend a condition, therefore, not to clear the site during the bird nesting season.

A barn owl has been recorded within 1km of the site. Barn owls hunt voles that live in rough grasslands, similar to this site, and it is possible that barn owls occasionally feed across the field and developing the field would mean a loss of feeding habitat. However, this would be a minimal to negligible impact on the local barn owl population.

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There are several bat species in the area. The field and hedgerows maintain a feeding habitat and the wooded corridors around the peripheries act as flight paths. The loss of these habitats in relation to bats is likely to be negligible. Ecoscope's ecological report details lighting measures to reduce the impact on bats and I recommend that this be included as a planning condition.

Mitigation Measures and Enhancing Biodiversity

The new houses should have inbuilt bat and bird boxes. This would contribute towards compensating for the habitat loss.

Summary

I do not object to the proposal but measures are required to ensure wildlife and biodiversity are protected.

In addition to my comments above, I would like a planning condition to ensure the hedgerows are protected. Hedgerows are habitats registered as important habitats for biodiversity in Wales under the Environment Act 2016. I suggest that the planning condition asks for a fence to be agreed to protect the hedgerows during the construction period.

Footpaths Unit: Not received.

Trees Unit: The BS5839 submitted with the application acknowledges that RPA T8 could be disrupted by the development, but the disruption would be within acceptable levels - that is, less than 20% in accordance with BS5837. The trees identified for felling are acceptable as they have grown into the wall or on the site's boundary (self seeded) and they could develop and create weak spots in the wall along the road; thus, we have a satisfactory justification for this.

As the other trees do not belong to the site, and the plans and tree reports state the need for them to be pruned back to the 'legal boundary', a condition must be included in which it states the owner's rights in future.

There are no recommendations about erecting RPZ fencing or advice on how to reduce the impact on tree roots in the tree report. Because of the number of houses that will be built on the site, this information is needed and must be followed during construction work so that the trees abutting the site are not damaged.

Further to my comments above, the appendix to the trees report has been submitted and it shows the location of the 'herras fencing' for the root protection area and to reduce the impact and harm to the roots. The fence will have to be

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measured and erected before any work can begin on site, and it will need to remain there during the construction work.

Housing Strategic
Unit:

Information about the need:

There are 192 applicants on the Gwynedd Council common housing register waiting list

Information on the type of need:

The following shows the number of bedrooms that the applicants wish to have:

- 1 bedroom - 151 selected as first choice
- 2 bedrooms - 193 selected as first choice
- 3 bedrooms - 91 selected as first choice
- 4 bedrooms - 23 selected as first choice

(Figures from Gwynedd Council's Common Housing Register)

The clear greater demand for 1 and 2 bedroomed units is noted.

Suitability of the Scheme:

Based on the above information it seems that the Plan addresses the need in the area. Plans are expected to include 30% affordable housing.

If a Housing Association were a partner for this development, the design of the property would have to conform with WG standards (DQR). It is noted that four terraced houses and one bungalow are to be developed as affordable units. I see no reference to a housing association in the application. I would like to know whether the developer has contacted the housing associations.

On average, a terraced property in Pwllheli sells for approximately £164,841 (Zoopla). There would be a need to consider a discount of around 40% if they are not affordable in the first place. It is noted that this information is provided without having received the open market price for the properties that will be developed. These figures could change with an open market price.

On average, a detached property in Pwllheli sells for approximately £297,999. Such a property would not be affordable whatever the discount.

57% are priced out of the market in this area.

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Flood Risk and Coastal Erosion Management Unit: Although confident that it would be possible to dispose of surface water from the development in an acceptable way, we will await specific details in a detailed drainage strategy. A condition is, therefore, proposed for a water disposal plan to be submitted and agreed before the development commences.

Municipal Unit: Not received.

Fire and Rescue Service: The Fire Authority will have an opportunity to provide observations on the fire safety measures during the Building Regulations Consultation process. The report submitted with the application relates to vehicular access and water supply.

Public Consultation: A notice was placed in the press and on the site and nearby residents were informed. The advertisement period has expired and letters / correspondence were received objecting on the following grounds:

- Concerns regarding road safety.
- Increase in the traffic using Salem Terrace, a narrow, steep and winding road, that has no pavement for pedestrians.
- There is heavy traffic use on the road already, which is worse at some times of the day.
- Concern about the traffic and the effect on the road during the construction period.
- Need to create a safe footpath to the centre of Pwllheli.
- Visual impact of the proposal on the Pwllheli skyline.
- Density of the development is not in keeping with the rural character of Penrallt and it will have a negative impact on the community.
- Loss of light.
- Loss of privacy.
- The proposal dominates nearby houses.
- Question the need for more houses in Pwllheli.
- Brownfield sites available within Pwllheli town that could be developed.
- Most of the houses are not affordable.
- Impact on biodiversity.
- The proposal will create inconvenience when connected to the public sewer.
- The public sewer is old and inadequate for the development.
- Effect of the surface water from the development.
- Question the advertisement methods.

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As well as the above objections, objections were received that were not material planning objections and these included:

- The field was given to the former primary school as a playing field.
- There is dispute about the ownership of the field.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site lies within the development boundary of Pwllheli and the land has been designated for housing in the LDP. Policy TAI 1 supports housing developments that meet the Plan's strategy. Within Policy TAI 1 it is noted for site T30, which is the site in question, that 17 units are expected; this is based on a density of 30 units per hectare which is required under Policy PCYFF 2. The proposal in question is for the development of 15 houses, which is lower than the density of 30 units per hectare required in Policy PCYFF 2. Paragraph 5.3 of the Design and Access and Planning Statement submitted by the applicant outlines some of the restrictions relating to the development of the site. These include the trees on the periphery, with some of the trees outside the land of the site, and where the root protection area has influenced the setting of the houses within the site. The need to provide a new vehicular access and its location to secure adequate visibility splays influences the development of the site. The proposal also needs to include a mix of housing in terms of size and parking provision and garden. Taking these restrictions into consideration, it is considered that locating 15 units on the site rather than the 17 recommended in Policy TAI 1 is reasonable. It is considered that there are valid reasons in this case to go under the 30 units per hectare in this instance, and that the proposal is acceptable in relation to point 3 of Policy PCYFF 2. It is therefore considered that the proposal is acceptable in terms of Policy TAI 1 of the LDP.
- 5.2 Policy TAI 15 requires an affordable housing contribution on residential developments of two or more housing units. For Pwllheli, a contribution of 30% is required within Larger Coastal Settlements such as Pwllheli. As part of the development the applicants suggests that five out of the 15 houses should be for affordable needs. This is 33% of the units on the site and the number of affordable units here is therefore in keeping with the requirements of Policy TAI 15. The applicant proposes that units 1-5 be designated affordable units. These are all two-bedroomed units and are four terraced houses and one bungalow. It is noted in the Design, Access, and Planning Statement that in designing the houses the DQR requirements were considered. There are no details in the application stating whether a Housing Association is interested in the affordable houses. Although advantageous to have a variety of houses offered as affordable, the comments of the Housing Strategic Unit outlines that there is demand in the area for two-bedroomed houses as first choice and the comments of the Housing Strategic Unit confirm the proposal in question addresses the need. As a result of the above, it is considered that providing five units for affordable need would address the demand in accordance with Policy TAI 15 of the LDP. No details have been submitted about the size of the houses, but as part of the reserved matters application, the size of the affordable houses would have to comply with the maximum sizes allowed in the Supplementary Planning Guidance - Affordable Housing.

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- 5.3 In terms of Policy TAI 8, the development would provide a variety of houses on the site, including two-storey and one-storey houses, terraced houses, semi-detached houses and detached houses. There is also variety in the number of bedrooms - there are two-, three- and four-bedroomed houses. There is an affordable housing element within the proposal. It is considered that the proposal in question offers an appropriate mix of houses on the site and that it is acceptable in the context of Policy TAI 8 and the Supplementary Planning Guidance - Housing Mix.

Visual amenities

- 5.4 This is an outline application and full details of the design of the proposal relating to scale and external appearance has not yet been submitted. The setting of the site forms part of the application and, from the plans submitted, it can be seen that the intention is to locate the houses around the periphery of the site with the estate road running through the centre. The size and type of houses within the proposal vary. Since giving the pre-planning advice, units 1 and 15, which are the two units on either side of the entrance, have been rotated so that their main façades run parallel with Salem Terrace. This was the recommendation in the pre-application advice as this is a feature of the surrounding area. It is realised that the site is on elevated land and that the houses on the southern side of the site would mainly be visible from Pwllheli itself, with the site located between Coleg Meirion Dwyfor toward the east and Y Garn property to the west. However, in securing an acceptable design for the houses as part of the reserved matters application, it is not considered that the proposal would have a detrimental impact on the visual amenities of the area. Although some trees and hedgerows would be lost as part of the development, it is also intended to retain trees and hedgerows where possible around the site and this would be a way of softening the impact of the proposal on the landscape. In terms of the layout, the proposal is considered to be acceptable and the matters relating to the appearance and scale are reserved matters for consideration. It is, therefore, considered that the proposal, relating to the outline application, is acceptable in terms of Policy PCYFF 3 of the LDP. The final landscaping plans would also be included in the reserved matters to be fully assessed against the requirements of Policy PCYFF 4 of the LDP.
- 5.5 This site is located within the Llŷn and Bardsey Island Area of Outstanding Historic Interest. The proposal is for the construction of houses. It is considered that the impact of the proposal would be local and that it would not have an impact on the wider historic landscape. It is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

General and residential amenities

- 5.6 Concern was raised in the objections that the proposal would cause overlooking of nearby houses. We do not have the final design for the houses as this is a reserved matter; therefore, the overlooking situation cannot be fully assessed. The closest house to Erw Villa (the property to the north), however, is a bungalow and it is not, therefore, considered that issues of overlooking would arise from that property toward Erw Villa. The intention is to have a terrace of four houses next to the bungalow, but from the site plan, there are approximately 24 metres between the property on plot 2 and the buildings at Erw Villa. Furthermore, there are trees / hedgerows along the boundary of the site and that of Erw Villa, and there is a public footpath between the site and the Erw Villa property. Considering these distances and the fact that there are trees/hedgerows and a public footpath between the site and the nearby property, it is

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not considered that there would be a detrimental impact from overlooking. The proposed houses to the west of the site (plots 7-10) back onto Y Garn property. The owners of Y Garn recently received permission to convert an outbuilding into a holiday unit and work is currently taking place to convert the building. There would be approximately 18 metres between this holiday unit and the proposed houses. Y Garn dwelling is farther still from the site. There are also trees and hedgerows along the western boundary. It is considered that there is reasonable distance between the proposed houses and Y Garn property and the holiday unit at Y Garn. Matters of overlooking will be considered at a later date with the reserved matters when assessing the final design for the proposed houses.

- 5.7 It is realised that developing the site in question would mean changes for nearby residents and developing it for housing would create more traffic. However, the land has been earmarked for a greater number of houses in the LDP than what is proposed here. Inconvenience during the construction work is something that would naturally arise with any construction work and there is nothing out of the ordinary in that respect. It is not considered, however, that developing this site would have a substantial detrimental impact on the amenities of the local neighbourhood and the proposal is acceptable in terms of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.8 As part of the proposal, it is intended to create a new vehicular access to the class 3 road (Salem Terrace) and it is intended to provide 33 parking spaces within the curtilage of the houses. Many objections were received to the application relating to road safety and that Salem Terrace was not suitable to serve the proposed number of dwellings. There were concerns that Salem Terrace was a narrow and steep road containing many blind corners where there is no designated footpath. The Transportation Unit was consulted about the application and it has no objection to the proposal. It was noted that the layout of the estate road, improvements through providing footpaths and the widening of the road a little, and the parking provision for every unit, would be acceptable and would comply with the usual requirements. The comments also note that the site is separate from most of Pwllheli and that there is no link such as a footpath between the two sites. However, the lack of a footpath is a feature of the area and many streets such as Salem Terrace, parts of Penlôn Llŷn and farther up toward the areas of Penrallt and Denio. Salem Terrace already serves Coleg Meirion Dwyfor and many students choose to walk along the road, and it is deemed that traffic calming measures keep traffic speeds low and appropriate for the site. The Transportation Unit did not object to the proposal but it did recommend standard conditions with regard to the design and construction of the road. Although the concerns raised are noted in the objections, it is not considered that the proposal would cause unacceptable harm to the safe and effective operations of the highway and it is considered to be acceptable in terms of Policy TRA 4 of the LDP. The number of parking spaces offered are acceptable in terms of Policy TRA 2 of the LDP.

Trees and Biodiversity Matters

- 5.9 An Ecological Assessment was submitted as part of the application. The Biodiversity Unit was consulted on the proposal. The Biodiversity Unit has no objection to the proposal only that measures are required to ensure wildlife and biodiversity are protected. It recommends conditions involving the relocation of reptiles, no clearing of the site during bird nesting season, adherence to the lighting details in the ecological

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report to ensure that there will not be too much light on the site affecting bats, protection of hedgerows during the construction period. It is considered, as a result of imposing appropriate conditions on the planning application, that the proposal is acceptable in terms of Policy AMG 5 of the LDP.

- 5.10 A Step 1 Trees Assessment and a Trees Impact Assessment were submitted as part of the application. More details were subsequently received about the fence that is to be installed around the tree root protection area during the construction period. With the site surrounded by trees and hedgerows on four sides, it is unavoidable that developing the site will lead to some loss of trees and hedgerows. The comments of the Trees Unit on the proposal were received noting that the disturbance relating to trees fell within acceptable levels, that is, 20%, in accordance with BD5837. The trees identified for felling are acceptable as they have grown into the wall or on the site's boundary (self-seeded) and they could develop and create weak spots in the wall along the road; thus, we have a satisfactory justification for this. The comments, however, refer to the need to impose a condition to state what the rights of the owners of the houses would be in future, as some of the trees are on adjoining land. It is not considered appropriate to impose a condition relating to the rights of the owners of the houses on the planning application as this would be a matter between the landowners at the time and would not form part of the planning application. Since receiving the comments from the Trees Unit, more details have been received about the fence that is to be erected during the construction work. If these details are acceptable to the Trees Unit, it is considered that a condition could be imposed to carry out the work in accordance with the details submitted or otherwise impose a condition to agree the fence details. It is considered, if a condition is imposed to ensure a suitable fence is installed to protect the roots of trees during the construction period, the proposal's effect on trees would be acceptable.

Language Matters

- 5.11 Policy PS 1 of the LDP, relates to the Welsh Language and Culture. Figures show that 323 housing units are needed in Pwllheli over the period of the plan and between 2011 and 2017, 76 units have been completed and permission was granted in April 2017 for a further 13 units. There is capacity, therefore, for the development of 15 houses as the application shows. Furthermore, the comments received as part of the application from the Housing Strategic Unit notes that the proposal addresses the demand for housing in the area. From the information received, there is no need to submit a Welsh Language Statement as part of the application.

Community matters

- 5.12 Policy PS 2 and ISA 1 of the LDP requires that a sufficient infrastructure provision should exist to cope with developments. This infrastructure could, for example, relate to ensuring adequate capacity at schools in the area, sports and leisure facilities, service infrastructure facilities, such as water supply, drainage, and sewerage.
- 5.13 With any planning applications for housing, it must be ensured that there are sufficient educational facilities to cope with any increase in the number of pupils from new residential developments. Supplementary Planning Guidance (SPG) 'Housing Development and Educational Provision' also applies to this aspect of the application. Information was received from the Education Department on the pre-planning application advice enquiry in December 2018 that there were enough places available

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in the primary and secondary school in Pwllheli for the proposal. There is no need, therefore, for a financial contribution toward the educational facilities in the area.

- 5.14 ISA 5 involves providing open spaces in new housing developments if the proposal is for 10 houses or more. No play area is shown on the site of the application and the applicant has noted a willingness, in the Design, Access and Planning Statement, to make a financial contribution toward play areas/ open spaces. The Policy Unit was consulted but at the time of writing the report, no response had been received. However, as part of the pre-planning application enquiry the Policy Unit assessed the possible contribution toward play areas / open spaces, which concluded that a contribution of approximately £4,995 would be necessary. Any financial contribution made would have to come through a 106 agreement. It is considered, if this were done, that the proposal would be acceptable in terms of Policy ISA 5 of the LDP.
- 5.15 Welsh Water has confirmed it does not consider that there are any problems in relation to Foul Water Treatment Work and that there is sufficient water supply to serve the proposal. It is, therefore, considered that a contribution toward services such as sewage and water as part of the application would be unnecessary.
- 5.16 It is, therefore, considered that as a result of a financial contribution toward play areas / open spaces and also by binding five of the houses as affordable houses through a 106 agreement, that the proposal is acceptable in relation to Policy PS 2 and ISA 1 of the LDP.

Infrastructure matters

- 5.17 A Porosity and Infiltration Tests Report was submitted as part of the application. This document serves as a water conservation statement for the application. The report sets out the method of disposing of surface water along with details about how to deal with water conservation. The Flood Risk and Coastal Erosion Management Unit was consulted. The Unit stated in its comments that it is confident in the ability to dispose of surface water from the development in an acceptable way but that it is eager to see specific details in a detailed drainage strategy. It recommends a condition that a surface water plan be submitted and agreed before the development commences. It is considered, if the condition were imposed, that the proposal would be acceptable in relation to Policy PCYFF 6 of the LDP.

Any other considerations

- 5.18 Objections have noted that the land in question was given to the former primary school to be used as a playing field and that no rights exist to develop it for housing. It is not clear from the letters whether the field was a gift or whether there was a formal covenant on the land. However, either way, this is not a planning matter.
- 5.19 Objections also question the procedure for advertising the application. In accordance with the system for advertising major applications, the application was advertised in the press, on a pole next to the site and a letter was sent to the neighbours. It is considered that the correct procedure has been followed to advertise the application.

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6. Conclusions:

- 6.1 The site lies within the development boundary of Pwllheli and the land has been designated for residential development in the LDP. As a result of the above assessment it is considered that the proposal is acceptable to be approved subject to signing a 106 agreement for the affordable houses and also in relation to obtaining a financial contribution toward play areas/open spaces.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to signing a 106 agreement to bind five of the units as affordable housing and also to make a financial contribution toward playing fields / open spaces and subject to the following conditions:-

1. The commencement of the development and the submission of reserved matters (appearance, landscaping, scale)
2. Slate on the roof
3. Agree on materials for the external elevations.
4. Road conditions
5. Welsh Water condition to connect foul water only to the public sewer
6. Submit and agree on a detailed drainage strategy
7. Relocate reptiles
8. No site clearance work during the nesting season
9. Lighting plan in accordance with what is in the ecological assessment.
10. Protect hedgerows.
11. Fence to protect trees roots.
12. Standard condition for major developments to inform of commencement of work.
13. Removal of general development rights for the affordable houses.
14. Restriction on Working hours.