

PLANNING COMMITTEE	DATE: 01/07/2019
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	PWLLHELI

**Number: 3**

**Application Number: C19/0027/39/LL**

**Date Registered: 23/01/2019**

**Application Type: Full - Planning**

**Community: Llanengan**

**Ward: Llanengan**

**Proposal: Construction of two affordable dwellings (revised application)**

**Location: Land near Drws y Llan, Llanengan, Pwllheli, Gwynedd, LL537LH**

**Summary of the Recommendation: TO REFUSE**

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## 1. Description:

- 1.1 The application concerns the construction of two affordable houses. The houses would be detached and finished with slate roofs and the external walls would be finished with white render and a stone surface at the main entrance. Three solar panels would be installed on the roof of the front elevation of the houses. The houses would include a kitchen, dining room, living room, an utility room and a toilet on the ground floor; and three bedrooms (one of which would be en-suite), a bathroom and an office / store room on the first floor. Both properties would be served through one central access and the parking spaces and turning space would be located to the front of the houses. Externally, the houses measure approximately 9 metres by 8 metres, with a height to the apex of approximately 7.5 metres. The houses are measured internally with a floor area of approximately 116 square metres.
- 1.2 There are prospective occupiers for both houses in question. As part of the application, details were received on the prospective occupiers, as follows:
- House number 1 - the two people who intend to construct this house have lived in Lleifior, Llanengan with a parent for nine years, and the parents of the applicants have lived in Llanengan for over 14 years. They are a young couple, one of whom is a local builder and the other is a new Headteacher at a local school.
  - House number 2 - Both work locally as a builder and a dental nurse; one of them has lived in the village of Llanengan for over 15 years, and the applicant's parents and other family members still live in the area.
- 1.3 The applicants consider that due to house prices in the area, building a house of their own is the only option to live in the village and become part of the community. It is understood that they have kept an eye on the local housing market, but that prices in the area are high, with a two bedroom cottage in Llanengan for sale for £285,000, the chapel house was sold for £255,000 and the cheapest three bedroom houses in Abersoch and Mynytho were on the market for £395,000 and £299,500 respectively. It was noted that all houses on the affordable housing estate near the Church in Llanengan were sold; however, even if they were for sale, it would not have been a wise step to construct a house on other land when land had already been given to the applicants by family. It was noted that the affordable houses by the Harbour Hotel were for sale for £192,500 but that these were much too small and unsuitable to raise a family. As the applicants of both proposed houses worked in the construction field, it is considered that with construction costs, it would be possible to construct the houses for a maximum of between £70,000 and £90,000.
- 1.4 At the time of submitting the application, the prospective occupiers of neither house had been assessed by Tai Teg to find out whether they were in need of an affordable house. This was mainly due to the fact that they had seen some of the criteria for the Tai Teg assessment, and that an annual gross income of between £16,000 and £45,000 should be deserving, and if £45,000 was exceeded, the application would not be considered. The applicants noted that, therefore, due to their income, the Tai Teg assessment would not prove their need for an affordable house but due to house prices in the area, the only option would be to construct a house and the houses would certainly be affordable. Since submitting the application, the prospective occupiers of both properties have submitted details to Tai Teg for assessment, and the occupiers of one of the houses have proven successful with regard to confirming that they need an affordable house.

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- 1.5 As part of the application, an estimation was given for the proposed houses from Beresford Adams. This notes that the open market price of the houses would be £325,000.
- 1.6 The site itself is relatively level, however the land to the north-west of the site is on a slope and is mainly covered in gorse and ferns. From the plans that were submitted, this slope does not form part of the site. There is currently a boat and a shed made of corrugated sheets on the site.
- 1.7 The site is located in the countryside, on the outskirts of the Llangenan cluster of houses. The site lies within the Llŷn Area of Outstanding Natural Beauty, the Llŷn and Bardsey Landscape of Outstanding Historic Interest and the Llanengan Conservation Area. The site is located adjacent to a third class road. There is a house directly to the north-east of the site. There are also houses on the opposite side of the county road to the south, and another house is located further towards the south-west.
- 1.6 The application is submitted to Committee at the Local Member's request.

## 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 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**

TRA 2 - Parking standards  
 TRA 4 – Managing transport impacts  
 PCYFF 1 - Development boundaries  
 PCYFF 2 - Development criteria  
 PCYFF 3 - Design and place shaping  
 PCYFF 4 - Design and Landscaping  
 PCYFF 6 - Water conservation  
 PS 17 - Settlement Strategy  
 TAI 6 - Housing Clusters  
 PS 18 - Affordable housing  
 TAI 15 - Threshold of Affordable Housing and their Distribution  
 PS 19 - Conserving and enhancing the natural environment  
 AMG 1 - Areas of Outstanding Natural Beauty Management Plans  
 AMG 5 – Local Biodiversity Conservation  
 PS 20 - Conserving and enhancing cultural assets  
 AT 1 - Conservation Areas, World Heritage Sites and Lanscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance – Affordable Housing (2019)

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## Supplementary Planning Guidance – New Houses in Rural Villages

### 2.4 National Policies:

Planning Policy Wales (Edition 10, December 2018)

Technical Advice Note (TAN 2) Planning and Affordable Homes (2006).

TAN 12 Design (2009)

### 3. Relevant Planning History:

3.1 C15/0158/39/AM – Construction of a three bedroom dwelling and garage – Refused 21 May 2015.

3.2 Y18/000176 – response to a pre-application enquiry for the construction of two houses on 6 March 2018. The following main points were noted:

- Note the policy context of the LDP.
- The prospective occupiers must be assessed by Tai Teg to find out whether they are in need of an affordable house. The prospective occupiers will also be expected to comply with the definition of local need.
- Need to demonstrate that there is demand for affordable housing, and the reason that the demand cannot be satisfied through the housing stock and / or an existing site for affordable housing.
- An estimate of the housing's open market price is required.
- That the site is not located near a highlighted house on the maps, and therefore would not comply with criterion 2 of Policy TAI 6 or Policy PS 17.
- A development of two houses of a scale that could be in-keeping with the settlement.
- Note the maximum internal size of affordable housing and any attached garage.
- Boundary treatments that comply with the rural character of the area are required.
- Repeat the fact that officers would not be able to support the application as the site was not located directly adjacent to a building highlighted in the LDP maps.

3.2 C18/0926/39/LL – Construction of two affordable houses – Withdrawn by the applicant.

### 4. Consultations:

Community/Town Council: Support. Full support was expressed for two young local couples to construct affordable houses for themselves, which would enable them to contribute to, and stay in their community.

Transportation Unit: No objection to the proposal but more details are required in relation to the finish of the site's forecourt. The application includes adequate parking provision for both units, with satisfactory space for turning within the curtilage. A proposal to provide one central entrance is

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demonstrated, which is presumed to be the best design for this site, and I recommend including suitable conditions regarding the design of the entrance in accordance with the plans, and to keep the height of the boundary wall to no higher than 1m. I note that the boundary wall has been placed away from the highway, but the application does not include details regarding the finish or the boundaries intended for this plot. Is it intended to tarmac along the boundary wall, or to landscape the verge?

Biodiversity Unit: An ecological report has not been submitted with the application.

**Habitat**

The proposed site is 0.1 hectares and is grassland. The site abuts the road and has a slope which contains gorse and fern. This grassland habitat is likely to be of moderate biodiversity value, but the loss of 0.1 hectares would not be significant.

**Species**

The field has a record of a slow-worm and another one 150 metres from the site. There are reports of lizards and adders within 100 metres of the site. The site is likely to contain reptiles that are safeguarded under the Wildlife and Countryside Act 1981. Reptiles are listed as a species of high biodiversity value in Wales under section 7 of the Environment Act 2016. It is likely that there are three different reptile species on the site. This would be significant to local biodiversity. Therefore, I recommend that a reptile report be completed.

This report should assess the population and its significance for Gwynedd's biodiversity. It should propose a method for excluding reptiles while construction takes place and a programme of trapping and translocation. It should also include mitigation methods, such as winter hibernation sites that could be incorporated into a *clawdd*. A reptile assessment can only be completed during the summer months when reptiles are active.

I recommend that the new houses include bat and bird boxes in their eaves.

Welsh Water: It is intended to dispose of foul water into a sewer located on the road, and it is intended to discharge surface water into a soakaway through water harvesting tanks. On this basis, there is no objection to the proposal.

Housing Strategic Unit: Not received.

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AONB Unit: The site in question is in the highest part of the Llanengan village, and is within the AONB. The site is also within a Conservation Area. The principle of constructing affordable housing to meet real local need is supported. In this case, the intention is to construct two houses side by side. There are many elements that are similar to other houses in the vicinity - they are two-storey, with a symmetrical front elevation, a slate roof, a chimney stack and use of stone. The intention to create an earth / stone *clawdd* as a boundary with the road is noted, which would be in-keeping with the rural location. It is not believed that the development would affect the AONB.

Drainage Unit: Not received.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and a letter of objection / items of correspondence have been received on the following grounds:

- House number 2 is too close to the boundaries of the nearby property, Minffordd, which would cause overshadowing and loss of light.
- A previous application for a house was refused on the site.
- The site is within a Conservation Area and an Area of Outstanding Natural Beauty.
- Overlooking and loss of privacy.
- The access is adjacent to an existing access, and there are three accesses within approximately 25 metres. This will, therefore, create a hazard for house occupiers and road users in general.
- Concern that the proposal would disturb protected species.
- A lack of consultation by the applicant with neighbours.

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

- Loss of views
- A historical agreement in terms of providing a parking space for the Bwlch Gwyn property (a property located adjacent to the site) on a parcel of the application site.

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A letter / correspondence was received, supporting / giving comments on the application based on:

- An opportunity for two local Welsh couples to construct houses in the area where they live and were brought up.
- Housing in the area is too expensive.
- The houses are in-keeping with the area.
- There is an argument over having houses of a larger size.
- They adhere to policies.

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 Llanengan has been designated as a cluster in the LDP. Policy TAI 6 is the relevant housing policy for clusters, and this can enable the construction of houses in clusters if compliance can be secured with all criteria contained in the policy.

### 5.2 *Criterion 1 - The need for an affordable house for local community need (in accordance with the list of terms) has been proven.*

At the time of submitting the application, the prospective occupiers of neither house had been assessed by Tai Teg to find out if they were in need of an affordable house. This is mainly due to the fact that they had seen some of the criteria for the Tai Teg assessment, and that an annual gross income of between £16,000 and £45,000 should be deserving, and if £45,000 was exceeded, the application would not be considered. The applicants noted that, therefore, due to their income, the Tai Teg assessment would not prove their need for an affordable house but due to house prices in the area, the only option would be to construct a house and the houses would certainly be affordable. Since submitting the application, the prospective occupiers of both properties have submitted details to Tai Teg for assessment, and the occupiers of house number 1 have proven successful with regard to confirming that they need an affordable house. The applicants of house number 2 were unsuccessful. Details were received from one of the applicants, referring to the fact that the Tai Teg assessment methods related to a mortgage to buy rather than to construct, and that this, therefore, did not assess the true situation with regard to the affordable need. The applicant's point is acknowledged; however, in accordance with section 8.2.1 of the Supplementary Planning Guidance: Affordable Housing (2019), when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and they need to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house. Therefore, the need for an affordable house for the initial occupiers of house number 1 has been proven; however, the need for an affordable house for the occupier of house number 2 has not been proven. In light of this, the proposal does not fully meet criterion 1 with regard to proving the need for affordable housing.

5.3 The new Affordable Housing SPG was adopted relatively recently, and with regard to proving the local need in the context of criterion 1, it requires the submission of a supporting statement, noting how the individual satisfies the relevant local connection requirements, and that this should be submitted as a form, which is available as an attachment to the Affordable Housing SPG. Local need for clusters is defined as people in need of an affordable house who have resided within the cluster in the surrounding

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rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past. In paragraph 8.1.3 of the Affordable Housing SPG, 'nearby rural area' is defined as a 6km distance from the application site and the entire area of any Community Council divided by the 6km distance, excluding properties within the development boundary of any settlement with the exception of the settlement where the application was located. Although the relevant form referred to was not completed in the Affordable Housing SPG, details were received as part of the application from the background of the prospective occupiers. These details refer to the fact that the applicant for house number 1 has lived with his/her parent for 9 years in Llanengan, and that one of the applicants for house number 2 had lived in the village of Llanengan for over 15 years. Therefore, it is reasonable to accept that they comply as they have lived within the cluster or in the surrounding rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past.

5.4 In light of the above, it is therefore considered that the proposal does not fully meet the requirements of criterion 1 of Policy TAI 6, or fully meets the requirements of the Affordable Housing SPG.

5.5 ***Criterion 2 - The site is an infill site, between buildings highlighted on the relevant Inset Map, or a site directly opposite the curtilage of a highlighted building.***

This criterion requires that the site is an infill site between buildings highlighted on the relevant inset map, or is a site immediately opposite a highlighted building's curtilage. The site in question is not an infill site. Although the Drws y Llan property, located to the south-west, is highlighted in red, the property to the north-east, Minffordd, is not highlighted and, therefore, the site cannot be an infill site between highlighted buildings. Otherwise, only sites directly opposite the highlighted building's curtilage are acceptable. Strategic Policy PS 17 also supports this viewpoint, stating that only sites near a dwelling which are highlighted (on the infill maps) will be considered. The site in question would not be located directly near the property's curtilage to the south-west of the site (Drws y Llan), and the property to the north-east (Minffordd) is not highlighted on the plans. The houses are highlighted in red on the other side of the county road. However, as the road is located between these buildings and the site, the site in question would not be located immediately adjacent to the curtilage of a building that has been highlighted in red. The New Houses in Rural Villages Supplementary Planning Guidance gives an idea of the type of sites which are acceptable in relation to this part of the policy, and that sites where there is a road between the building that is highlighted in red and the site are not suitable. It is, therefore, not considered that the proposal of developing the site in question would conform to criterion 2 of Policy TAI 6 or to Policy PS 17.

5.6 ***Criterion 3 - The scale of the development is consistent with the character of the settlement.***

It is reasonable to accept that a development of two houses on a scale consistent with the character of the settlement would be acceptable with regard to criterion 3. Additionally, some of the characteristics seen in the design of the houses reflect housing in the vicinity and are considered acceptable.

5.7 ***Criterion 4 - That the proposal would not create an intrusive feature in the countryside, and would not create a piecemeal development pattern, or create a ribbon development contrary to the general development patterns of the settlement.***

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Additionally, it is not considered that the proposal is contrary to criterion 4 of Policy TAI 6 as it is not considered that developing the site would create an obtrusive feature in the countryside and that developing the site would appear to follow the general pattern of development found in Llanengan.

5.8 ***Criterion 5 - The size of the property reflects the specific need for an affordable house in terms of the size and the number of bedrooms.***

From the information submitted, it appears that couples are interested in the house, but couples who do not currently have any children. Whilst the applicants do not have a current need for three bedrooms, it is considered that constructing three bedroom houses is reasonable in terms of size. The houses in question are two-storey, and the internal surface area is approximately 116 square metres. At the time of dealing with the previous application (C18/0926/39/LL) which was withdrawn, along with the pre-application advice, reference was made on many occasions to the maximum size of affordable houses as noted in the relevant SPG at the time, namely the Affordable Housing SPG (2009). At the time, the size of affordable three bedroom houses was measured internally as 100 square metres. Since the application was submitted, a new SGP Affordable Housing has been adopted. From looking at this SPG, it can be seen that the size of the affordable houses have been reduced in comparison to the previous Affordable Housing SPG; now, the size for a two-storey, 5 person, three bedroom house is 94 square metres. Therefore, the houses that are the subject of this application are larger than what is designated in the Affordable Housing, SPG and it is not considered that the size reflects the size of an affordable property. The applicants have referred to an affordable housing site in Mynytho, and have alleged that the houses on this site are larger than what is currently noted in the Affordable Housing SPG. These houses were three bedroom dormer houses. This means that the bedrooms are partially located in the roof space. On paper, these houses measure 116 square metres internally, but having considered the useful floor space on the first floor, the internal floor surface area of these houses came down to 99 metres square, which was in-keeping with the Affordable Housing SPG, which was currently active. It is considered that the houses in the existing application have an internal floor surface area of approximately 116 square metres, which is contrary to the requirements of criterion 5 of Policy TAI 6 of the LDP, along with the requirements of the Affordable Housing SPG.

5.9 ***Criterion 6 - Due to the more sensitive rural location than usual, the development will be required to make the best use of the natural features of the site and retain any natural features on the site or on the site boundary which are worth retaining.***

The site is currently surrounded by a fence, and there is elevated land towards the rear of the site, which is mainly covered with gorse and fern. The proposal would not extend into the elevated land to the rear of the site and, therefore, the natural features there would be retained. It is intended to construct a stone wall / *clawdd* on the boundary with the county road, and it is considered that this would be in-keeping with the area. It is intended to have a post and wire fence on the other boundaries, and this is relatively rural in nature. It would also be possible to impose a condition to agree on the landscape details for the proposal. As a result of the above, it is considered that the area's features would be retained, and it is intended to include suitable features for the other boundaries. It is considered that the proposal is acceptable in relation to criterion 6 of Policy TAI 6 of the LDP.

5.10 ***Criterion 7 - There are mechanisms to restrict the occupancy of the house initially and in perpetuity to those who have a need for an affordable house.***

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If all matters were acceptable, it would be possible to bind both proposed houses as affordable homes through a 106 agreement. However, policy TAI 6 along with Policies PS 17 and TAI 15 promote affordable housing only within clusters such as Llanengan. The houses should not only be affordable for the applicants (first owners), but they should also be houses that continue to be affordable for any future prospective buyers. As part of the application, an estimation was given for the proposed houses from Beresford Adams. This notes that the open market price of the houses would be £325,000. In an area such as Llanengan, where house prices are high, it is customary when preparing a 106 agreement to provide a discount of approximately 40% or 45% in the house price when they are sold on. In this case, a 40% reduction would create a development worth £195,000 and even by issuing a 45% discount, the price would still be £178,500. The Gwynedd and Anglesey Joint Local Development Plan 2011-2026 in para. 6.4.99 states: "In 2015 median house price in Anglesey and Gwynedd stood at approximately £156,000 and £144,000, respectively. While this is not considered high by national standards, when compared to average household income they are considered unaffordable. At entry level the problem is more pronounced and many local people, especially younger people, often find themselves priced out of the market". It is stated in paragraph 3.3.7 of the Affordable Housing SPG that affordable houses provided as intermediate houses must be affordably priced for the proposal area. The Councils use the median income of a household, multiplied by 3.5, along with the 5% or 10% deposit, based on the level required by mortgage providers. It can be seen in appendix 4 of the Affordable Housing SPG for the Llanengan area, which includes Sarn Bach, Llangian, Mynytho and Llanengan, that the median income for a household is £29,127 and that 3.5 x the income of the household is £101,944. From these figures, it can therefore be seen that the value of the houses that are the subject of the existing application, even with a 45% discount in the 106 agreement, would be substantially higher than what the mortgage of families in the area could obtain, should the houses be sold in future. Within the parish of Llanengan, there have been cases in the past where affordable houses have been approved and, as in the case of this application, the applicants have noted that they would be affordable housing for them for life, where house prices are high, and therefore they are not affordable houses in reality, which means that a 106 agreement has been withdrawn, and the houses then become open market housing. It is, therefore, considered that this proposal is not in-keeping with the requirements of criterion 7 of Policy TAI 6 and that it does not adhere to Policies PS 17 and TAI 15, as the proposal would not be able to ensure that the houses continue to be affordable forever in light of their price.

- 5.11 The comments of the applicants regarding house prices in the area are recognised, and that there are a lack of suitable houses for affordable prices. However, it can be seen that houses have been approved in the area as affordable housing and that they remain empty. The applicants themselves have referred to the fact that houses on the site of the former Harbour hotel in Abersoch are still for sale, but that they are too small in their opinion. When the applicants were looking, the affordable houses near the Church in Llanengan had not been taken. However, whilst preparing this report, it was seen that one of these affordable houses on the site was for sale. Therefore, houses that have received permission as affordable houses are available in the area.
- 5.12 Therefore, in light of the above, it can be seen that this proposal does not meet a number of the criteria of Policy TAI 6, and that it is also contrary to the requirements of Policies PS 17 and TAI 15 as the proposal would not provide affordable housing.

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### Visual amenities

- 5.13 The design of the houses is relatively traditional, with slate pitched-roofs and the external walls being of render and stone on the porches. It is considered that the design of the houses is suitable with regards to their size and scale, and that they would be in-keeping with the surrounding houses. It is considered that the proposal would not cause significant harm in terms of the visual amenities of the area. It is not considered that it would have a detrimental impact on the character of the Conservation Area nor that it would have more than a local impact on the Area of Outstanding Natural Beauty. The site lies within the Llŷn AONB and the observations of the AONB Unit on the proposal were received. These observations note that there are many elements that are similar to other houses in the vicinity - they are two-storey, with symmetrical front elevations, slate roofs and chimney stacks and use of stone. The intention to create an earth / stone *clawdd* as a boundary with the road, which would be in-keeping with the rural location, is noted; and, the AONB Unit does not consider that the development would disrupt the AONB. There is agreement with these observations. It is considered that the proposal would be acceptable in terms of Policies PCYFF 3, AMG 1, PS 20 and AT 1 of the LDP. Should the application be approved, it would be possible to impose conditions with regard to agreeing the exact materials and also in terms of agreeing on a full landscape plan for the site to ensure that the proposal is in-keeping with its rural background.

### General and residential amenities

- 5.14 There are residential dwellings situated near the site. The closest, namely Minffordd, is located to the north-eastern boundary. There are two ground floor windows on the side of the houses that would face this property. As they are ground floor windows, it would be possible to construct a fence / shrub up to 2 metres high on this boundary without any planning permission, which would overcome any overlooking concerns. As other houses are located further away or on the other side of the county road, it is also not considered that the proposal would cause overlooking for any other houses. The houses that are the subject of the application are located at the rear of the site compared to the property to the north-east, and it is not considered that they would cause substantial overshadowing in terms of the nearby property or its garden. It is not considered that the proposal would cause significant harm to the amenities of the local community. The proposal is considered to be acceptable with regard to the amenities aspect of Policy PCYFF 2 of the LDP.

### Transport and access matters

- 5.15 There is an existing vehicular entrance to the site, and the proposal would involve having one access to serve both properties. It is intended to prepare a turning space within the curtilage, along with parking spaces for four cars (two for each property). The Transportation Unit had no objection to the proposal, but should the proposal be approved, it would be required to include highways conditions relating to the access, parking and turning spaces, agreement on surfacing methods near the highway, and also the height of the boundary walls. The proposal is considered to be acceptable in relation to Policies TRA 2 and TRA 4 of the LDP.
- 5.16 Correspondence was received, which submitted observations on the application by a third party, which referred to a historical agreement for having a parking space for the Bwlch Gwyn property, which is located opposite the site. Such agreements are not a planning matter, and therefore this would be a matter to be settled between the land owners and the owner of Bwlch Gwyn.

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## **Biodiversity matters**

- 5.17 Observations were received from the Biodiversity Unit on the proposal, which noted that there was a record of slow-worm in the field, and another record on a site 150 metres away. There are also reports of lizards and adders within 100 metres of the site. Therefore, the Biodiversity Unit is of the opinion that the site is likely to contain reptiles that are safeguarded under the Wildlife and Countryside Act 1981, and recommends that a reptile report is completed for the proposal. As the proposal is unacceptable in principle for more than one reason, a reptile report was not requested, as this would involve additional costs for the applicants on a proposal that is entirely contrary to policies, which are not possible to overcome by amending the application. Therefore, as it stands, it is considered that the proposal is also contrary to the requirements of Policy AMG 5 as it currently cannot be ensured that the proposal would avoid substantial detrimental impact to the area's biodiversity.

## **6. Conclusions:**

- 6.1 From the above assessment, it can therefore be seen that the proposal is contrary to many criteria within Policy TAI 6. The need for an affordable house for local need has not been proven for both houses, contrary to criterion 1; the site is not on an infill site between buildings or a site that is directly opposite a building's highlighted curtilage, which is contrary to criterion 2; the size of the houses is larger than what is noted in the Affordable Housing SPG, therefore it is contrary to criterion 5; and, the price of the houses, even with a discount, would not ensure that they are affordable houses forever, contrary to criterion 7. In addition to the final point, the proposal would not comply with the requirements of Policies PS 17 and TAI 15, which require affordable housing to be placed only in the housing clusters identified in the LDP. The proposal is, therefore, also contrary to the requirements of Affordable Housing SPG (2019). Also, the proposal is currently contrary to Policy AMG of the LDP as it cannot be ensured, in the absence of a reptile survey, that the proposal would avoid substantial detrimental impact on the area's biodiversity. Therefore, in light of the above, it must be recommended to refuse the application.

## **7. Recommendation:**

- 7.1 To refuse – reasons:
1. In accordance with the Supplementary Planning Guidance: Affordable Housing (2019), when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and they need to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house. Both applicants have not been successful in being assessed by Tai Teg and, therefore, it is not considered that an affordable house for local need has been fully proven. The proposal is, therefore, contrary to criterion 1 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
  2. The site is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building; therefore, it is contrary

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to the requirements of Criterion 2 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan.

3. The size of the houses does not reflect the size of affordable houses as noted in the Supplementary Planning Guidance: Affordable Housing; therefore, it is considered that the proposal is contrary to criterion 5 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
4. In light of the open market price of the houses, they cannot be justified as an affordable development because the value of the houses, even at a reduced price, would be too high to satisfy any affordable need. It is considered that the proposal is, therefore, contrary to criterion 7 of Policy TAI 6, Policy PS 17 and Policy TAI 15 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
5. In the absence of a reptile survey, it cannot be ensured that the proposal would avoid substantial detrimental impact on the area's biodiversity. The proposal was, therefore, contrary to Policy AMG 5 of the Gwynedd and Anglesey Joint Local Development Plan.