

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 1

Application Number: C19/0003/18/MG

Date Registered: 03-01-2019

Application Type: Approve Reserved Matters

Community: Llanddeiniolen

Ward: Deiniolen

Proposal: Reserved matters in relation to application C13/0611/18/AM for a residential development of 17 houses (including two affordable homes) and new access - amended plans and additional information

Location: Rhiw Goch, Clwt-y-bont, Deiniolen, Caernarfon, LL55 3DE

Summary of the Recommendation: APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

1. Description:

- 1.1 This is a reserved matters application for the development of 17 houses to include two affordable homes along with a new access as approved under outline application C13/0611/18/AM. The outline application was approved, with only the scale, appearance, landscaping and access as reserved matters. This current application, therefore, is solely to assess these elements of the development because the principle of the development has already been approved under the outline application.
- 1.2 However, in addition to the above-mentioned reserved matters, there was also a need to comply with conditions by submitting details before any work commenced on the site:- (i) a Desk Study to assess the risk of potential pollution on the site; (ii) further information/explanation on flood alleviation measures; (iii) a Management Statement to be agreed with the Local Planning Authority for the watercourse that runs through the site; (iv) submit details and implement a surface water management system and (v) the full details of the access path to the water course, improvements to the inlet arrangements and removal of culvert.
- 1.3 To comply with the above requirements and to facilitate the process of dealing with these additional requirements, the applicant has submitted details which responded to these requirements and these are discussed in the following assessment.
- 1.4 The site is located to the south-west of Deiniolen on a section of derelict land which was, historically, used for the purpose of the climbing equipment manufacturing industry. More recently, the front section of the site is used for vehicle parking. The proposal involves creating a vehicular opening to the adjacent county road that serves Deiniolen and Clwt-y-bont to replace the existing access. The site is 94m wide, 76m deep with a surface area of 0.69 hectares.
- 1.5 The plans submitted with the application have been amended since the original plans were submitted and they now show:-
 - Improvements to the main access and to the estate road layout along with parking spaces.
 - Improvements to the layout of the houses within and in the vicinity of the estate.
 - Improvements to the design of the houses.
 - Improvements to the layout of the play area so that it is now located at the centre of the estate (in a site that is more accessible, safer and more public which allows for natural supervision by the community) rather than being located behind the houses in the north-east corner of the estate.
 - Change the location of the two affordable units in plots 11 and 12 to plots 4 and 7 (this is a matter for the applicant to submit an application to the Legal Section to change the wording of the legal agreement in relation to the new locations of the two affordable homes in the form of *a deed of variation*).
- 1.6 The houses will consist of natural slate roofs, a combination of white granite rendered walls and grey *Cedral* horizontal boards, grey coloured openings and UPVc rainwater goods/soffits with hit and miss timber fencing to the rear of the houses and black wrought iron railings around the

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

playing field and to the front of the houses. Details were also submitted in relation to the new access, the estate's internal road, parking spaces, cross-sections of the houses within the site, details of the height, width, length and layout of the two-storey houses in the form of detached, semi-detached and terraced houses along with a hard and soft landscaping plan for the development. These details discharge the matters that were reserved under condition number 3 of the outline application.

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 2011-2026 (LDP) adopted 31 July 2017:-

ISA1 - Infrastructure Provision

PS1 - The Welsh Language and Culture

TRA2 - Parking Standards

TRA4 - Managing transport impacts

PCYFF2 - Development Criteria.

PCYFF3 - Design and Place Shaping

PCYFF4 - Design and Landscaping

AMG2 - Special Landscape Areas.

PS20 - Preserving and, where Appropriate, Enhancing Heritage Assets

Supplementary Planning Guidance (SPG): Maintaining and Creating Distinctive and Sustainable Communities (2019).

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note (Wales) 15: Development and Flood Risk (2004).

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

TAN 12: Design (2016).

TAN24: The Historic Environment (2017)

3. Relevant Planning History:

- 3.1 Application C13/0611/18/AM – residential development of 17 houses (including two affordable homes) along with a new access approved January, 2016 subject to the applicant signing a legal agreement under Section 106 in relation to the two affordable homes.
- 3.2 Application C05A/0292/18/AM – residential development including two affordable homes (re-submittal of an application that was refused under reference C05A/0084/18/AM) approved in July, 2010 and subject to a Section 106 legal agreement relating to the two affordable homes.
- 3.3 Application C05A/0084/18/AM – residential development refused in March, 2005.

4. Consultations:

Community/Town Council:

It was resolved to submit the following observations on the development of 17 houses on the Rhiw Goch site, Clwt-y-bont.

- Increase the number of affordable homes to ensure an opportunity for local people to remain in their community.
- Amend the plan to include a proportion of houses that are suitable for older people (smaller, single-storey homes with one or two bedrooms) and those that have been designed to enable people to live independently for as long as possible - especially given that the Penisarwaun Residential Care Home has closed recently.
- Floods - there is a need to ensure that necessary flood prevention work is completed. We believe that this work should be completed whether or not the development goes ahead to safeguard the properties and land of local owners and residents.
- Three-storey houses- we do not believe that these are in keeping with the remainder of the houses in the area.
- Access and parking -ensure that the access is safe and that cars are able to enter and exit safely. Paint yellow lines near the site to prevent people from parking on the hill which is a dangerous location. Improve the quality of the main road - there will be a significant increase in traffic during the construction phase and once the houses are completed - the current condition of the road is sub-standard.

(It is noted here that the original plan has been changed and there are no longer three storey houses in the development).

- It is believed that the design of the houses should be improved by

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

including equipment such as solar panels and other alternative green and sustainable methods, we believe that we should look to the future and create an additional stock of housing that will be environmentally friendly.

- Gwynedd Council's application for World Heritage Site status - suggestion that discussions should be held with the officers of this project to see if they have an opinion on the development in relation to their application to UNESCO.
- Safeguard the Welsh name of the site and that new houses/streets that will be created are given Welsh names.
- Play area - install play equipment for children and young people such as a swing and slide.

Transportation Unit:

The amended plans are acceptable.

The design of the estate road is better than the original and enables traffic such as refuse and recycling lorries to manoeuvre through the estate with ease.

The parking levels are suitable for the size and number of houses. Despite the plan showing parking for some of the houses has been arranged one behind the other and the use of communal parking areas for some of the housing, these arrangements are not a reason for refusal.

Natural Resources Wales:

No objection but need to consult with the Council's Water and Environment Unit in relation to flood risk.

A Ground Contamination Investigation report was submitted with the application and it appears from its content that no significant contamination related to the historical use of the site was discovered. Need to contact the Public Protection Unit for more advice.

Welsh Water:

Whilst noting that foul water is discharged to the public sewer to the south of the site and surface water is discharged to the watercourse, Welsh Water has no objection to the application.

Public Protection Unit:

Following the receipt of a Phase 1 and Phase 2 Ground Contamination Survey Report, the Service is happy with the conclusions of the Report that states that no ground contamination was found on the application site.

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Nevertheless, the applicant should be notified of the following - should any evidence of ground contamination be discovered during the construction work that could have a detrimental impact on the development itself, the work should be halted at once and the Public Protection Unit contacted directly.

CADW:

No impact on the status of the Slate Industry of North Wales World Heritage Site or on the setting of nearby monuments.

Water and Environment Unit:

The applicant has been granted Ordinary Watercourse Land Drainage Consent under the Land Drainage Act, 1991 Section 23 which is effective from 22.10.20 to 22.10.22.

This permission is subject to conditions relating to :-

- Undertaking maintenance work to prevent flood risk.
- Work on the watercourse which runs through the site to be completed before 22.10.22.
- It should be ensured that otters do not use this part of the watercourse.
- No trees should be felled during the nesting period.
- Comply with the regulations relating to avoiding pollution in the environment.
- No removal of vegetation within 7m of the watercourse unless this is totally necessary.
- Any invasive species on the site will need to be eradicated safely.

Fire and Rescue Service:

The Fire Authority will have an opportunity to offer observations on the fire safety measures during the Building Regulations Consultation process.

Biodiversity Unit:

No response.

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has already expired and correspondence was received objecting on the following grounds:

- The road serving the site is a very busy road and is used by cars and buses and it is difficult to leave the house to enter the road and permitting this application would exacerbate the situation.
- There are no pavements on this part of the road which further undermines road safety.

The following observation was also received:-

- There is no objection to the application (there is a need for this type of housing in the area) however careful consideration should be given to reducing the flooding and overflowing along this section of the road.

5. Assessment of the material planning considerations:

The Principle of the Development

- 5.1 The application in question is a reserved matters application following outline permission for a development of 17 houses to include two affordable homes along with a new access. The principle of the proposal has already been accepted, therefore it is not possible for this application to reassess matters that have already been discussed and accepted when considering the outline application in accordance with the outline application and reserved matters procedure. Consequently, the only matters assessed in the reserved matters application are scale, appearance, landscaping and access. Additionally, the applicant has also submitted information and details to discharge some of the conditions imposed on the outline application and these details have been outlined in the description of the application provided above.

Visual Amenities

- 5.2 The site is located to the south-west of Deiniolen/Clwt-y-bont on an artificial plateau created in a depression in the land that extends downwards to the south-west. It is a relatively prominent site along the adjacent public road but is partly screened from the north and the east due to the topography of the surrounding landscape. Directly to the south of the site and below lies the structure of Melin Sarn, which is a grade II* listed building and is used for industrial purposes B1/B2/B8 - workshops and goods storage. It is not believed that developing this site for residential dwellings of the scale and appearance shown would have a significant effect on the setting of the mill structure given the location of the site in relation to the mill itself and the layout, design and external elevations of the proposed houses. The site is located within a Landscape of Outstanding Historic Interest with this section of it part of the Candidate Slate Industry of North-west Wales World Heritage Site. Notwithstanding this designation, given the principle of constructing 17 houses on this site has already been accepted and given the location

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

of the site within the landscape along with its proximity to the built areas of Melin Sarn, Deiniolen and Clwt y Bont, it is not believed that the development would have a significant impact on the layout, character or views in or out of this historic landscape.

- 5.3 It should also be remembered there has been a large structure on the site for years in the form of an industrial structure and the design and scale of this latest proposal is more domestic in nature and should not have a lesser impact on the visual amenities and the setting of the heritage assets in the local area.
- 5.4 The southern part of the site (where the site runs parallel to the county road) is located within the Landscape Conservation Area as included in the JLDP. The main aim of the designation is to safeguard, enhance or restore the recognised character and quality of these areas. In this particular case and given that the relatively urban character nearby includes dwellings and an industrial structure and also taking into consideration the unkempt condition of the site as it is, it is believed that the proposal would not affect the integrity of the landscape surrounding the site.
- 5.5 The site is currently deteriorating in terms of visual amenities (with vegetation being prominent on the site by now) and it is an eyesore in the landscape. Approving this application is likely to be a step towards improving the visual amenities in this part of the village. In respect of this assessment it is believed that the proposal is acceptable based on the requirements of Policy PCYFF3, AMG2 and PS20 of the LDP.

General and Residential Amenities

- 5.6 There are residential dwellings a stone's throw away from the site on the other side of the county road with the single-storey extended cottage, Dorlan Goch, located directly adjacent to the site itself and approximately 13m to the south of the proposed houses in plot numbers 6 to 8. Given the proposed layout and design of the houses on the site in relation to the setting and form of Dorlan Goch cottage, it is believed there would be no significant or substantial impact on the residential or general amenities of the occupants of Dorlan Goch on grounds of direct overlooking and loss of privacy. It is also noted there is a busy road between the application site and Dorlan Goch along with business units further down (Melin Sarn) where there is noise disturbance and it is not believed that approving the proposal would significantly exacerbate the current situation. It is, therefore, believed that the proposal is acceptable based on the requirements of Policies PCYFF2 of the LDP.

Transport and Access Matters

- 5.7 It is proposed to create a new access to replace the existing access for the housing development from the nearby class III county road. The access and the new footpaths on either side along with the design and location of the parking spaces have been amended following the advice of the Transportation Unit in response to the statutory consultation procedure. Despite the objection received to the application on grounds of road safety, the principle of creating a new access for 17 houses and replacing the existing access has already been accepted when considering the outline application. To this end, it is believed that the proposal is acceptable based on the requirements of Policy TRA2 and TRA4 of the LDP and that these details discharge the access matters that were reserved under condition 3 of the outline application.

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Drainage and Flood Matters

- 5.8 As referred to above, in addition to the need to comply with the reserved matters under the outline application, conditions 17, 18 and 19 required the applicant to submit details regarding (i) further information/explanation on flood alleviation measures; (ii) a Management Statement to be agreed with the Local Planning Authority for the watercourse that runs through the site; (iii) submit details and implement a surface water management system and (iv) submit the full details of access path to the water course, improvements to the inlet arrangements and removal of culvert.
- 5.9 To this end, detailed plans were submitted along with a Flood Consequence Assessment, an Addendum to the Flood Consequence Assessment, a Statement of the Details of Water Discharge from the Site and a Method Statement for Works on improvements to the watercourse that runs through the site and a Management Plan for the watercourse. In response to receiving the above-mentioned information, neither Natural Resources Wales nor Welsh Water have any objection to the application on grounds of flood prevention and disposal of foul water and surface water from the site. In addition to receiving the response of these statutory consultees, the Council's Water and Environment Unit has permitted the applicant to undertake improvement works to the watercourse which includes a gravel trap and building an inlet chamber with a weed screen. This work should ensure that floods will not derive from the watercourse to the proposed houses or out to the adjacent road. Bound with this permission is a list of conditions that the applicant must comply with and these involve:-
- Undertaking maintenance work to prevent flood risk.
 - Work on the watercourse which runs through the site to be completed before 22.10.22.
 - It should be ensured that otters do not use this part of the watercourse.
 - No trees should be felled during the nesting period.
 - Comply with the regulations relating to avoiding pollution in the environment.
 - No removal of vegetation within 7m of the watercourse unless this is totally necessary.
 - Any invasive species on the site will need to be eradicated safely.
- 5.10 It can be ensured that the applicant complies with these requirements by imposing a suitable condition on any planning consent that refers to the requirements of the Ordinary Watercourse Land Drainage Consent. Given the above, it is believed that the proposal complies with the requirements of Policy ISA1 of the LDP together with the advice included within TAN 15: Development and Flood Risk and consequently it will be possible to discharge conditions 17, 18 and 19 of the outline permission.

Pollution Matters

- 5.11 Condition no. 8 of the outline permission required the applicant to submit a Desk Study to assess the risk of potential pollution on the site. To this end, a Phase 1 and Phase 2 Ground Contamination Survey Report was submitted and following inspections and earth samples, no contaminated sources was found on the application site. As referred to above, the Public Protection Service is happy with the conclusions of the Contamination Report. Nevertheless, the applicant should be notified of the following - should any evidence of ground contamination be discovered during the construction work that could have a detrimental impact on the development itself, the work should be halted at once and the Public Protection Unit contacted directly. Given the above assessment, it is believed that the proposal complies with the requirements of Policy

PLANNING COMMITTEE	DATE: 22/03/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

ISA1 of the LDP and consequently condition number 8 can be discharged from the outline application.

Linguistic Matters

5.12 It is not mandatory for the applicant to submit a Welsh Language Statement as this is a reserved matters application (and a Language and Community Statement was submitted with the outline application), however a statement was submitted in accordance with the advice included in the SPG: Maintaining and Creating Distinctive and Sustainable Communities (2019), Appendix 5. The statement notes the following:-

- Matters related to the Welsh language have already been discussed under the outline application.
- The proposal seeks to meet the need for the type of housing proposed for this site based on the Gwynedd Local Housing Assessment/Gwynedd Housing Register along with the Tai Teg housing list.
- The houses provided within the application respond positively to local needs.
- Two of these will be affordable initially and in perpetuity.
- The names of the estate and the houses will be Welsh.

5.13 Given the above, it is believed that the proposal complies with the advice included in the relevant SPG.

6. Conclusions:

6.1 It is therefore confirmed, that the reserved matters on the outline permission for the residential development of 17 houses including two affordable homes and a new access are acceptable and in accordance with the planning policies noted above. It is also confirmed that the information submitted by the applicant to discharge conditions 3, 8, 17, 18 and 19 of the outline application is also acceptable.

7. Recommendation:

7.1 To delegate powers to the Assistant Head of the Environment Department to approve the application, subject to the following conditions:-

To approve – conditions:-

1. In accordance with the revised plans.
2. Comply with the requirements of the Ordinary Watercourse Land Drainage Consent.

A note for the applicant relating to Public Protection Service advice on ground contamination.