

PLANNING COMMITTEE	DATE: 13/06/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 9

Application Number: C21/1206/25/LL

Date Registered: 17/12/2021

Application Type: Full

Community: Pentir

Ward: Pentir

Proposal: Residential development including 6 two-storey houses and one single-storey affordable house, associated works and creation of additional parking spaces (amended plans)

Location: Land Adjacent to Bro Infryn, Glasinfryn, LL57 4UR

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to erect six affordable two-storey houses and one single-storey affordable house along with associated works on the western periphery of Stad Bro Infryn in Glasinfryn. The application can be split into several different elements, which include: -

- Provision of affordable units in the form of: One two-storey 2 bedroom house (3 persons), four two-storey 2 bedroom houses (4 persons), two two-storey 3 bedroom houses (5 persons) and a single-storey 2 bedroom house (3 persons).
- The 2 bedroom houses would be for intermediate rent and the remainder of the houses for social rent.
- Provision of infrastructure to include parking spaces, footpaths, turning space, redirecting *BT cable* and redirecting the public sewer.
- Erection of various fences around the site boundary and between the houses.
- Site bin stores in the gardens of the houses.
- Landscaping work.

1.2 The site lies at the end of a *cul-de-sac* within Stad Bro Infryn at the eastern outskirts of Glasinfryn on a 0.26ha section of level grassland. There is vegetation on the eastern and northern boundary of the site with the estate road and houses and gardens/amenity space located to the west and the south of the application site. There is agricultural land to the north and heritage assets are located in the vicinity of the application including the Penrhyn Quarry Railway which is located approximately 95m to the east and which forms part of the Slate Landscape of North West Wales World Heritage Site.

1.3 The site lies adjacent to the existing houses that form Stad Bro Infryn and Glasinfryn has been identified as a cluster village in the Gwynedd and Anglesey Joint Local Development Plan, 2017 (LDP). The following documents were submitted to support the application - Preliminary Ecological Report, Reptiles Assessment, Trees Assessment, Housing Needs Survey, Design, Access and Planning Statement and Welsh Language Statement.

1.4 Following discussions between the applicant, the local councillor and a number of the residents of the estate, the application was amended to provide additional parking spaces in the form of laybys on the northern and southern sides of the lawned area which is located at the centre of the estate also including a tree planting plan. Although not essential in planning terms and a private land issue between the applicant and nearby residents, it is also proposed to create a footpath to the rear of houses 1 to 4 Bro Infryn to continue with the informal access to the rear of the house. Changes have also been made to the bungalow's design to ensure that it is suitable for a family with specific needs.

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 (Wales) Act 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

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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: -

Policy PS 1 - the Welsh language and culture.

Policy PS 2 - infrastructure and developer contributions.

Policy ISA 1 - infrastructure provision.

Policy ISA 5 - provision of open spaces in new housing developments.

Policy TRA 2 - parking standards.

Policy TRA 4 – managing transport impacts.

Policy PS 4 - sustainable transport, development and accessibility.

Policy PS 5 – sustainable development.

Policy PCYFF 2 - development criteria.

Policy PCYFF 3 – design and place shaping.

Policy PCYFF 4 - design and landscaping.

Policy PCYFF 5 - carbon management.

Policy PCYFF 6 - water conservation.

Policy PS 17 - settlement strategy.

Policy TAI 6 - housing clusters

Policy TAI 8 - an appropriate mix of housing.

Policy TAI 15 - threshold of affordable housing and their distribution.

Policy AMG 5 - local biodiversity conservation.

Policy PS 20 - preserving and where appropriate enhancing heritage assets.

Gwynedd Planning Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable Housing.

SPG: Housing Developments and Educational Provision.

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2.4 National Policies:

A letter from the Minister for Housing and Local Government, 2019 regarding focusing on supplying social housing in Wales.

Planning Policy Wales, Edition 11 (2021).

Future Wales: The National Plan 2040. The National Plan 2040.

Wales Development Quality Requirements, Appendix A and B (2021).

Technical Advice Note (TAN) 2: Planning and Affordable Housing.

TAN5: Planning and Nature Conservation (2009).

TAN12 Design (2016).

TAN24: The Historic Environment (2017).

3. Relevant Planning History:

- 3.1 Pre-application enquiry number Y18/002120 for the erection of seven social housing units (Cartrefi Cymunedol Gwynedd) - acceptable in principle and there will be a need to follow the guidelines of the Transportation Unit, Biodiversity Unit and the Water and Environment Unit. No advice was given on visual amenities or on residential amenities as this enquiry related to the principle of the development.

4. Consultations:

Town/Community Council: No response.

Transportation Unit: No response.

Natural Resources Wales: No observations on the proposed development.

Welsh Water: Need to include a condition to submit a method statement and a risk assessment in relation to the main sewer that crosses the site.

Public Protection Unit: No response.

CADW: The development will have an element of prominence from monuments and the World Heritage Site, however this prominence would be seen within the context of an extension to the houses that

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are already present in Stad Bro Infryn and therefore the proposal would not have a detrimental impact on local heritage assets.

Biodiversity Unit: The Preliminary Ecological Evaluation along with the Reptiles Assessment have been completed to a good standard and we agree with the mitigation measures that are recommended in these documents and it is recommended to include a planning condition to this end with any permission.

Trees Unit: Need a tree planting plan for the peripheries of the site to provide wildlife corridors.

Water and Environment Unit: Our maps show that a water-course runs across the development site, but it does not appear that the scheme would disrupt its flow in any way. Nevertheless, the developer is advised to avoid installing / constructing any structures within three metres of the course as this could impede maintenance in future. Additionally, an Ordinary Watercourse Consent will be required for any work that could affect the flow of the watercourse.

Since 7 January 2019, sustainable drainage systems (SuDS) are required to control surface water for every new development of more than one dwelling or where the building surface area has drainage implications of 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers. These systems must be approved by Gwynedd Council in its role as SuDS Approval Body (SAB) prior to commencement of the construction work. Due to the size and nature of the development, an application will need to be submitted to the SAB for approval before construction work commences.

A drainage plan has been submitted with the planning application which shows that the developer has considered sustainable measures, but until an application is made to the SAB, there is still some uncertainty as to whether the proposed plan for the site would enable the development to fully comply with the series of national SuDS standards. Early consultation with the SAB is recommended.

Strategic Housing Unit: **Suitability of the Scheme:**

The information provided in the planning application by means of the affordable housing statement is consistent with the information regarding the need in the area.

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Based on the above information it appears that the Plan:- -

Meets the need in the area - the scheme is included within a programme that will receive a Social Housing Grant from WG.

These schemes contribute directly to the aim of Gwynedd Council's Housing Action Plan to provide more housing to meet with the current high demand that exists in the county.

Education Information Officer: Sufficient capacity at Ysgol Gynradd Llandygai and Tryfan and Friars secondary schools.

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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 development is very close to existing houses and there is a possibility that the proposal could cause noise disturbance.
- The site is not suitable for housing development due to its size and shape.
- Parking is already a problem within the estate.
- The site is vulnerable to flooding.
- The proposal could affect the parking space/access of one of the nearby houses.

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

Approving the application could impact the value of nearby private houses.

- There is a more suitable site at the other end of the estate where the play area is currently located and which is not in frequent use. The play area could be exchanged with the site of this application.

The application was re-advertised by placing notices on the site and contacting nearby occupants after the receipt of amended plans regarding additional parking spaces, a tree planting plan and amendments to the single-storey house on plot number 7 and a letter of objection was received from one nearby resident, stating: -

- Erecting a house so close to the property/garden of 14 Bro Infryn would raise concerns of loss of privacy.
- There would be disturbance should the main water pipe nearby be affected by the construction work.
- Dangerous parking issues within the estate and it is difficult to drive past vehicles that are used to parking on the estate road.
- Flooding problems in the area and a number of houses were recently affected.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of constructing houses on this particular site in Glasinfryn is based on Policies TAI 6, TAI 8 and TAI 15 of the LDP. Policy TAI 6 (Housing Clusters) identifies Glasinfryn as a *Cluster* within the LDP and criterion 1 of the policy states that new housing units must be affordable housing units that meet local needs within the identified clusters and only sites that are 100% affordable will be supported in clusters. As all of the houses would be affordable and controlled by a Registered Social Landlord, the proposal as submitted would not only comply with this aspect

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- of the policy but would also comply with the requirements of Policy TAI 15 (threshold of affordable housing and their distribution).
- 5.2 Criterion 2 of Policy TAI 6 states that proposals for new housing in clusters must be infill sites between buildings coloured on the relevant Inset Maps, or they must be sites that are directly adjacent to a coloured building. To this end, the site lies at the end of a *cul-de-sac* on the northern edge of the estate and directly adjacent to coloured houses, therefore, the proposal complies with the second criterion.
- 5.3 Criterion 3 states that any residential development should be of a scale that is consistent with the settlement's character. Although objections have been received questioning the size of the site for this current development, in this case, it is considered that constructing seven additional houses as an extension to the existing site is on a scale that is commensurate with the character, density and form of the estate itself and that it would not lead to an over-development of the site.
- 5.4 Criterion 4 states that the proposal should not create an intrusive feature in the countryside, and should not introduce a fragmented development pattern, nor create a ribbon development contrary to the general development pattern of the settlement. The plans submitted with the application mean that number 7, the single-storey house, is an extension of a row of existing single-storey houses for the elderly located on the eastern edge of the estate while the two-storey houses of plots 1 to 4 form an extension to the two-storey houses that are located within the estate itself and directly adjacent to the *cul-de-sac* road. The two-storey houses on plots 5 and 6 would be located at the end of the *cul-de-sac* and would create a crescent on this section of the estate. It is considered that this type of plan would create a reasonable and natural extension to the estate's current form.
- 5.5 Criterion 5 states that the size of the property must reflect a specific need for affordable housing in terms of the size of the houses in general and the number of bedrooms. In this case, it is confirmed that all the houses comply with the Wales Development Quality Requirement Standards (Creating Beautiful Homes and Places, 2021) for the provision of affordable homes.
- 5.6 Criterion 6 states that due to the more sensitive rural location, 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 proposal involves losing six broad leaf trees on the site's northern and eastern boundaries but these have been identified as examples of low value trees within the Trees Assessment submitted with the application. The Assessment continues to state that this development would provide a good opportunity to carry out a new tree planting plan across the site as part of a soft landscaping plan and this could be ensured by including a suitable condition with any planning permission.
- 5.7 Criterion 7 of the policy states that a mechanism will be needed to restrict the occupancy of the houses initially and in perpetuity to those who have a need for an affordable home. The site is being developed by a Registered Social Landlord and as the proposal will receive a Social Housing Grant from Welsh Government, the developer will be restricted by law (for example through land charges) to ensure that the proposed houses are affordable now and in perpetuity. In addition to these restrictions, any planning permission would be subject to an appropriate condition to ensure that the affordable housing details are submitted and approved by the Local Planning Authority.
- 5.8 Policy TAI 8 seeks to ensure that all new residential development should contribute to improving the balance of housing and meet the identified needs of the whole community. To this end, the

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applicant has submitted a Housing Needs Survey by a Rural Housing Facilitator (Grŵp Cynefin) with the application which refers to the following: -

- 65.7% of households in Gwynedd are entirely priced out and buying a house on the open market is not an option for many.
- There is currently only one rented unit in Glasinfryn with a monthly rent of £725.00.
- There are two empty houses in the area; six second homes with one unit registered as a self-catering business.
- There are 68 people on the social housing register for Pentir Community Council area and 23% have stated that they need a bungalow; 19% need a flat; 46% need a house and 14% need a *maisonette*.
- Of those who need a house, 6% need a one bedroom house; 15% need a two-bedroom house; 18% need a three bedroom house and 7% need a four bedroom house.
- Two people are registered on the Tai Teg Register for an affordable house in Glasinfryn.
- In an on-line questionnaire by Grŵp Cynefin in 2020, 29 households expressed their need for a house and it can be considered that at least 23 of these need an affordable house in the form of a two bedroom bungalow and two and three bedroom houses.

5.9 In addition to the above-mentioned information, the Council's Housing Strategic Unit also confirms that the development meets the need for this type of housing in the area. Given this information, it is believed that this proposal is acceptable in terms of meeting the need for affordable housing for the local community and it therefore complies with the requirements of Policy TAI 8 of the LDP.

5.10 Taking the above assessment into consideration and the fact that all houses are affordable, it is believed that the application is acceptable in principle but the proposal also needs to comply with other relevant policies and these are discussed below.

Indicative housing supply

5.11 The indicative housing supply for every cluster within Gwynedd-Dwyfor during the period of the Plan (2011-26) is 40 units (including a 10% 'slippage allowance', i.e. the method of calculating the figure has considered potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions etc).

5.12 During the period 2011-20, a total of 12 units were completed in each cluster identified within Gwynedd-Arfon. The windfall land bank for all these settlements, i.e. sites with extant planning permission, was 15 units in April 2020. This means that there is currently capacity within the indicative provision for the Clusters in Gwynedd-Arfon.

Visual amenities

5.13 As referred to above, the site is located adjacent to the northern part of the established Bro Infryn housing estate on the eastern outskirts of Glasinfryn village. The existing houses are of a standard design with natural slate roofs, walls of mixed colour pebble-dash and uPVC windows. The houses that are subject to this application will consist of natural slate roofs (to include solar panels), white rendered walls and grey brick panels, grey coloured UPV-c windows and black coloured UPV-c rainwater goods. Given the layout, design, scale, materials and elevations of the proposed houses, it is believed that they would not be incongruous structures in this part of the streetscape and they would not have a detrimental impact on the setting of local heritage assets and to this end, therefore, it is believed that the proposal complies with the requirements of Policies PCYFF 3 and AT 1 of the LDP.

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General and residential amenities

- 5.14 As referred to above, the site is located on the northern peripheries of an established housing estate with houses located to the west and to the south of the site itself. Given the element of overlooking, loss of privacy and creation of dominant structures, the house in plot 1 has been located 3m from the gable-end of house number 14 Bro Infryn (see the above-mentioned objections from the occupants of this property) with a 1.8m hit and miss timber fence erected between them. There are windows on the ground floor and the first floor of the northern gable of number 14, however there are no openings on the southern gable of the house in plot 1 of the development. Therefore, it is not considered that there will be any overlooking or loss of privacy between these two houses and it is not considered there would be significant shadowing to the detriment of the amenities of the occupants of number 14 given the flow of sunlight.
- 5.15 House numbers 1 to 6 Bro Infryn and their rear gardens are located to the west of the houses in plots 1 to 4 of the development and the rears of houses 7 to 14 are located to the east of plots 1 to 4. There will be between 35m and 42m of space, in the form of gardens, between the rears of numbers 1 to 6 Bro Infryn and the rear of plots 1 to 4 and it is not believed there will be any significant overlooking or loss of privacy as a result of the development due to this distance between them and given that there is already a greater level of community and permissive overlooking between houses on the estate. The rears of numbers 7 to 14 would be located nearer to the rears of proposed plots 1 to 4, however, it is believed that this would not create any significant overlooking given there is already permissive and community overlooking between the rears of the existing houses in this part of the estate. The single-storey house on plot 7 of the development would be located 4m from the gable-end of a single-storey house, number 28 Bro Infryn (one of the older people homes within the estate) with a footway and fencing located between the two houses. Number 28 does not have any openings on its northern gable and there will be a car port on the southern gable of plot 7 and no openings. Therefore, it is not considered that there will be any overlooking or loss of privacy into number 28 and it is not considered that there would be significant shadowing to the detriment of the amenities of the occupants of number 28 given the direction of sunlight and the fact that the house on plot 7 will be single-storey.
- 5.16 As referred to above, an objection was received involving the possibility that developing the site could cause noise disturbance to the detriment of residential and general amenities of nearby residents. It is acknowledged there would be some increase in noise and disturbance leading from this development during the construction phase but this would be for a temporary period only and conditions could be included on any planning permission to restrict the development's hours of operation and limit the noise levels caused by the construction work. Given the above assessment, it is therefore believed that the proposal complies with the requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.17 The proposal involves providing 14 parking spaces to the front of the houses for the prospective occupants of the proposed development along with a turning space which is an extension of the existing turning space at the end of the *cul-de-sac*. Additionally, and as referred to above, the plan was amended to provide additional parking spaces within the estate in the form of lay-bys following discussions between the applicant, the local councillor and some of the estate's residents on the Council's adoption standards. There will be access to the site from the estate's unclassified county road and an existing junction further to the west of the class III county road. Although no response

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had been received from the Transportation Unit to the proposal, it had no objection to the pre-application enquiry on grounds of parking requirements and it is confirmed that the arrangement that has been submitted with this current application reflects the arrangement shown in the enquiry. Any developer would be expected extend the estate road by signing an agreement under Section 38 of the Highways Act including ensuring that the surface water drainage arrangement is acceptable for extending the road itself. Subject to including relevant conditions, it is believed therefore, that the proposal could comply with the requirements of Policies TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.18 A Preliminary Ecology Evaluation, a Reptiles Assessment and a Trees Assessment were submitted with the application and following the Biodiversity Unit's response to the proposal, there is no objection to it on grounds of safeguarding and improving local biodiversity subject to including an appropriate condition that states there will be a need to comply with the mitigation measure noted in those documents. It is therefore considered that the proposal is acceptable based on the requirements of Policy AM 5 of the LDP.

Educational matters and open spaces

- 5.19 Policy ISA 1 of the LDP and the relevant Supplementary Planning Guidance state that proposals will only be granted where adequate infrastructure capacity exists or where it is delivered in a timely manner. If a proposal creates a direct need for infrastructure, then, the developer must fund it. In this context, there is sufficient capacity in the local schools for this development along with the fact that no financial contribution is needed to provide play areas as the proposal involves building fewer than ten houses.

Linguistic matters

- 5.20 The relevant policy here is Policy PS 1 of the LDP, which states, in some situations, planning applications will need to include a Welsh language statement or a Welsh language impact assessment to assess the impact of developments on the language. However, in this particular case, there is no requirement for a Welsh Language Statement as there is enough supply in Gwynedd cluster villages for additional housing. Nevertheless, the applicant did submit a language statement and the Statement concludes that approving the proposal would have a positive impact on the Welsh language considering the local housing market as it would provide seven affordable homes to address the local need initially and in perpetuity. It also states, without developments like these, many local residents would move out of their areas. It is considered that the majority of prospective occupants are local, and to this end, the proposal would have a neutral impact on the number of Welsh speakers in Glasinfryn.

6. Conclusions:

- 6.1 Taking the above assessment into account, it is considered that the proposal to develop seven affordable homes is a positive response to the housing needs that have been identified in the area. In assessing the application, full consideration has been given to the observations received in response to the consultation period and the response received from statutory consultees. Based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, therefore, it is believed that this proposal is acceptable subject to the inclusion of the following conditions.

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7. Recommendation:

7.1 To delegate the right to the Senior Planning Manager to approve the application, subject to the following conditions:

To approve – conditions:

1. Five years.
2. In accordance with the plans.
3. Details of the solar panels.
4. Landscaping plan.
5. Natural slate.
6. Development to be undertaken in accordance with the biodiversity mitigation measures.
7. Working hours limited to 8:00-18:00 during the week; 08:00 - 12:00 on Saturdays and not at all on Sundays and Bank Holidays.
8. Restrict noise levels.
9. Submit a Construction Method Statement.
10. Welsh Water condition to submit a Method Statement and Risk Assessment regarding the main sewer that crosses the site.
11. Ensure a plan/arrangement for providing the affordable housing.
12. Remove permitted development rights from the affordable dwellings.

NOTE: Inform the applicant of the need to submit a sustainable drainage strategy plan for approval by the Council's Water and Environment Unit.

NOTE: Inform the applicant of the need to sign an agreement under Section 38 of the Highways Act.