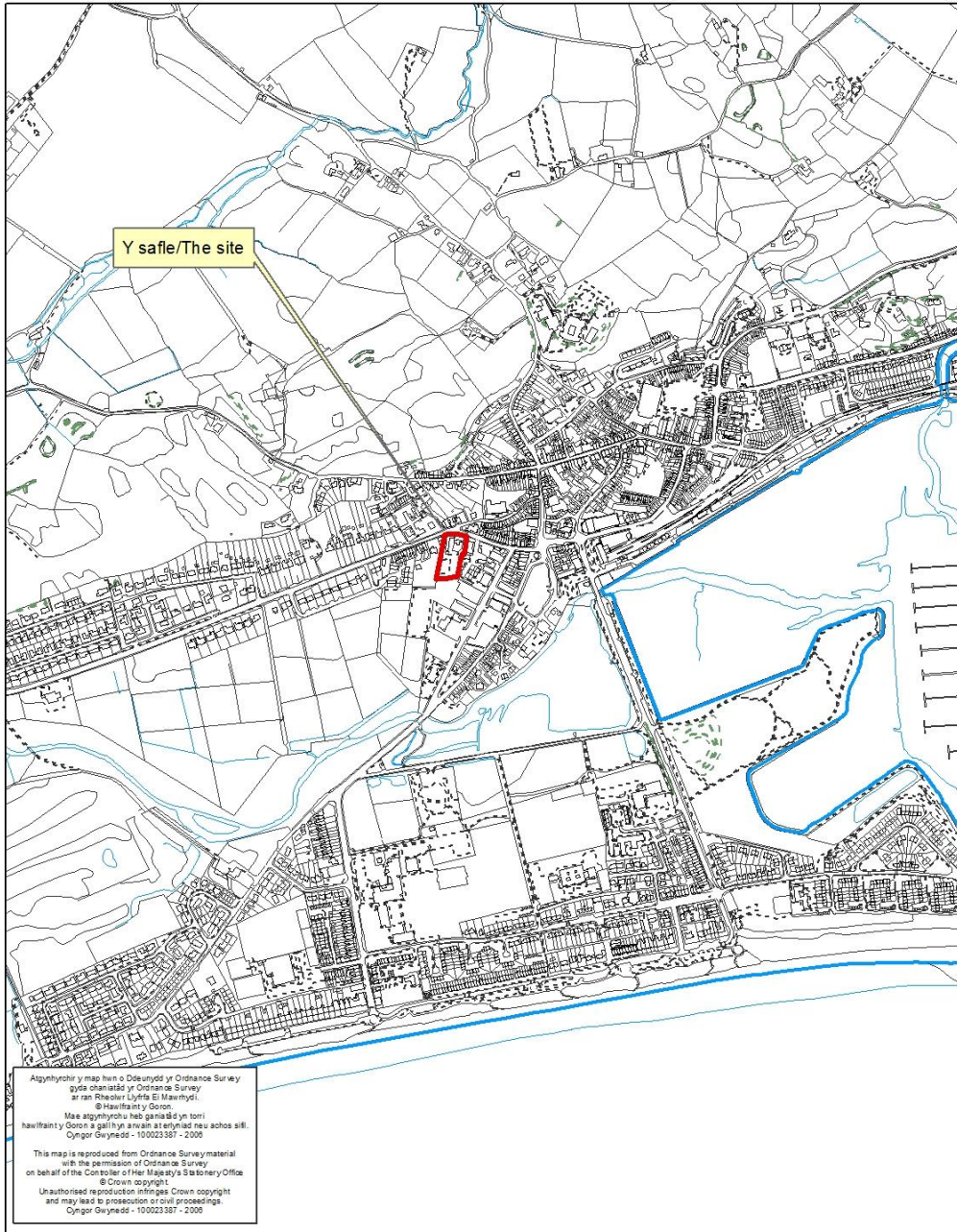


Number: 5.8



Rhif y Cais / Application Number : C14/1118/45/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C14/1118/45/LL  
Date Registered: 14/11/2014  
Application Type:: Full - Planning  
Community:: Pwllheli  
Ward: Pwllheli North

Proposal: DEMOLISH EXISTING BUILDINGS AND ERECTION OF RETIREMENT LIVING HOUSES (30 UNITS) ALONG WITH COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING.

Location: LAND BY ALA COTTAGE, ALA ROAD, PWLLHELI, LL535BU

**Summary of the Recommendation:** TO REFUSE

**1. Description:**

1.1 This is a development to demolish existing buildings and construct a new building to provide 30 retirement apartments along with community facilities for the residents within the development. The 30 retirement apartments would include 17 one-bedroom apartments and 13 two-bedroom apartments.

From the information submitted with the application, it is understood that the units would be sold on a 125 year lease with the accommodation needing to be occupied by a person aged over 60 years or in the case of a couple that one of them is aged over 60 years and the other is aged over 55 years. The development would be a combination of a three and two-storey building and would include the following:-

- Ground floor - 11 retirement apartments, communal lounge and kitchen, mobility scooter storage area, office, toilets, stores, machine room, visitor bedroom, bins/recycling storage area and a lift.
- First floor – 14 retirement apartments, stores, machine room and lift.
- Second floor - five retirement apartments, communal roof terrace, kitchen, toilet and lift.

It is intended to finish the development's roof with slates and the exterior walls would be a combination of coloured render, buff coloured bricks and an element of red bricks, along with an element of zinc cladding. There would be a vehicular and pedestrian access off Ala Road. It is intended to also obtain a pedestrian access to link to the Lidl car park towards the southern boundary of the site. The development would include 22 parking spaces, including a car port which also operates as a bat roost. The proposal also includes landscaping.

1.2 The site is located within the development boundary of Pwllheli, with the southern part of the site forming a part of a larger site that has been designated for redevelopment within the GUDP. Part of the site's access road falls within the Conservation Site with the remainder of the site abutting the Conservation Area. The entire site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. To the north lies a Class 1 road (A497), namely Ala Road. To the north-east of the site lies a police station and to the east lies a church and commercial garage. To the south lies the Lidl site and to the west lie dwelling houses. The Neigwl residence lies on the western boundary also,

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

which is a Grade II listed building. The entire site lies within a C1 flooding zone.

1.3 The following documents were received as part of the planning application:-

- Flood Consequence Assessment
- Design, access and sustainability statement
- Planning Statement
- Community and linguistic statement
- Bat survey
- Step 1 Extended Habitats Survey
- Planning and Affordable Housing Liabilities Statement
- Housing supply and demand report
- Statement of community involvement
- Trees survey
- Arboriculture report
- Drainage report
- Japanese Knotweed survey
- Transport Statement
- Planning conditions report
- Utilities Report
- Contaminated land part 1 and 2 reports

1.4 The application is submitted to Committee as it relates to five or more houses (apartments).

## 2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan. Planning considerations include National Planning Policy and the Unitary Development Plan.

### 2.2 Gwynedd Unitary Development Plan 2009:

**POLICY A1 - ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS**  
 - Ensure that sufficient information is provided with the planning application regarding any environmental impacts or other likely and substantial impacts in the form of an environmental assessment or assessments of other impacts.

**POLICY A2 - PROTECT THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES** - Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

**POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF A LISTED BUILDING** - Ensure that proposals have no adverse effect on the setting of Listed Buildings and that they conform to a number of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

**POLICY B4 – DEVELOPMENT WITHIN OR THAT AFFECTS THE SETTING OF CONSERVATION AREAS** - Ensure that proposals within conservation areas, or which affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

**POLICY B7 - SITES OF ARCHAEOLOGICAL IMPORTANCE** - Refuse proposals which will damage or destroy archaeological remains which are of national importance (whether they are registered or not) or their setting. It also refuses any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

**POLICY B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS** - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

**POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT** - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

**POLICY B22 – BUILDING DESIGN** - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

**POLICY B23 – AMENITIES** - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aiming to safeguard the recognised features and amenities of the local area.

**POLICY B25 – BUILDING MATERIALS** - Safeguard the visual character by ensuring that the building materials are of high standard and in keeping with the character and appearance of the local area.

**POLICY B27 – LANDSCAPING SCHEMES** - Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

**POLICY B29 – DEVELOPMENT ON LAND AT RISK OF FLOODING** - Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they conform to a series of criteria relevant to the features on the site and to the purpose of the development.

**POLICY B32 - INCREASING SURFACE WATER** - Refuse proposals which do not include flood reduction measures or appropriate alleviating measures which will lead to a reduction in the volume and scale of surface water reaching and flowing into rivers and other water courses.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

**POLICY B35 – AVOIDING THE SPREAD OF INVASIVE SPECIES -** Ensure that measures are taken to deal with invasive species where the development involves the disturbance of soil that is contaminated by invasive species.

**POLICY C1 – LOCATING NEW DEVELOPMENT -** Land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

**POLICY C3 – RE-USING PREVIOUSLY USED SITES -** Proposals will be approved that prioritise re-using land and buildings previously developed and located within or around development boundaries, provided that the site or the building and the use are suitable.

**POLICY C7 – BUILDING IN A SUSTAINABLE MANNER -** Proposals for new developments or for adapting and changing the use of land or buildings will be refused unless consideration is given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

**POLICY CH3 - NEW HOUSES ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND URBAN CENTRES –** Approve the construction of houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and Urban Centres.

**POLICY CH6 – AFFORDABLE DWELLINGS ON EACH DESIGNATED SITE IN THE PLAN AREA AND ON UNDESIGNATED WINDFALL SITES WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES –** Refuse proposals to develop housing on sites that have been designated for housing or on windfall sites within the development boundaries of the sub-regional centre and the urban centres where it is not possible to comply with criteria controlling affordability and the local need of the development.

**POLICY CH30 – ACCESS FOR ALL -** Refuse proposals for residential/business/ commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

**POLICY CH33 – SAFETY ON ROADS AND STREETS -** Development proposals will be approved if they can conform to specific criteria regarding the vehicular access, standard of the existing road network and traffic calming measures.

**POLICY CH36 – PRIVATE CAR PARKING FACILITIES -** Proposals for new development, extension of existing development or change of use will be refused unless off-street parking is provided in accordance with the Council’s

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

Supplementary Planning Guidance – Development Briefs (2009)

Supplementary Planning Guidance – Planning for Sustainable Building (April 2010)

Supplementary Planning Guidance - Affordable Housing (November 2009)

Supplementary Planning Guidance – Planning and the Welsh Language (2009)

Supplementary Planning Guidance – Planning obligations (2009)

### 2.3 National Policies:

Planning Policy Wales - (Edition 8, January 2016)

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12: Design

Technical Advice Note 15: Development and Flood Risk.

Technical Advice Note 18: Transportation

Technical Advice Note 20: Planning and the Welsh language

### 3. Relevant Planning History:

3.1 C10D/0247/45/AM - Residential development of 28 houses together with formation of new vehicular access, estate road and associated works - The application was submitted to Committee on 28 February 2011 when it was resolved to approve the application subject to signing a 106 agreement binding six units as affordable houses. The application remains unresolved as no 106 agreement has been signed.

3.2 C10D/0246/45/CR - Demolition of two associated outbuildings linked to a listed building - Land near Ala Cottage, Ala Road, Pwllheli - Approved 28 April 2011.

3.3 C09D/0398/45/AM – Outline application to demolish a house, a former veterinary surgery and outbuildings and construct 28 houses. The application was withdrawn on 26 January 2010.

3.4 963 – Construction of new house near Veterinary Surgery, Pwllheli - Approved 21 September 1949.

### 4. Consultations:

Community/Town Council: Approve subject to the applicant ensuring that there are affordable houses within the scheme in accordance with Gwynedd Council's requirements according to the size of the development or that they pay a financial amount in accordance with these requirements so that Gwynedd Council can construct affordable houses in another site in the town. Concern was also expressed as they are houses for elderly people, it could place additional strain on the town's surgery which is already under pressure due to the failure to attract doctors to such rural areas.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Transportation Unit: No objection to the proposal. The access is comparable to that approved for the previous housing development and the parking provision within the site complies with the CSS Wales parking standards requirements. I recommend conditions relating to providing the parking area prior to occupation, construction of the access, visibility splays, highways act licences and agreements.

Natural Resources Wales: Thank you for consulting us on the additional flood risk and bat information, which we received either directly from the applicants' flood risk and bats advisers, or from yourselves from 15th December 2015 onwards. This will be all relevant information received from our previous response dated 18th December 2015 onwards.

We maintain our objection to the application on the following protected species (bats) and flood risk grounds:

**Protected Species (bats)**

NRW welcomes the amendments to the bat mitigation at Ala Cottage which are listed within the letter of the 8/12/15 from Innovation Group Environmental Services. However, there are a few points that need further attention:

1. We agree with the inclusion of the brown long-eared bat roost within the loft of the main building. However, the dimensions will need to be added to the architect's drawing.
2. The bat access points are presently positioned on opposite roof elevations, and within the central part of the roof. This is likely to increase the flow of cold air through the roost. Therefore, we advise that these access points remain on the same elevations but are moved further towards the gable of the building, in order to contain any draughts at one end of the roost. The addition of internal baffles near the access points, to further protect the roost, may also help with this. Any amendments will need to be shown on the architect's drawing and submitted for approval.
3. Lighting and vegetation will be key components of this development for bats. The lighting and vegetation plans will need to be agreed at the planning stage.
4. Details of the audit scheme and monitoring will need to be submitted prior to determination (e.g. what will be included for audit and how many monitoring visits will be undertaken).

In conclusion, we can give further views when provided with the information indicated above. We maintain our protected species (bats) objection in the meantime.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

### **Flood Risk**

We refer to the submitted revised Flood Consequences Assessment (FCA) (LK Consult Ltd, FRA 14 1025-R1, December 2015) and plans (Site Plan LKC 14 1025 Fig 1 & Section Drawings LKC 14 1025 Fig 2) giving details of the proposed compensatory storage.

We refer also to the LK Group's email of the 18/12/15 in which they ask whether we would have a preference as to whether we would prefer to see maximum compensatory storage or minimum depths of flooding in the parking and landscaping area. Unfortunately before we had the opportunity to respond to this email, the proposed final ground levels and revised FCA were submitted formally to Gwynedd Council. Had we had the opportunity to respond, we would have requested that full compensatory storage is achieved while at the same time minimising any depths of flooding to the car parking area. The plans submitted show an 'over compensation' in storage of 51.98m<sup>3</sup>. Ideally we would wish to see this volume used to reduce levels of flooding in the lowest portion of the site (discussed further below). For completeness we would also ask that the following points within the revised FCA are amended/ revised further;

- Section 5.7 Managing Surface Water and SuDS – “If part of the car parking area could be constructed as permeable paving this would reduce the impermeable area and flows by 35%”.
- Due to the high water table and the limited SuDS options we would like to see this taken forward and included within the recommendations of the FCA.
- Section 6.1.1 Proposed site levels and Development Level (Pluvial & Fluvial flooding) – “This area or an equivalent should remain low to maintain the volume available for potential flooding but above 2.2m so as not to result in flooding greater than 600mm deep”. If we are assuming a flood level of 3.0m AOD then this would allow for depths of flooding of up to 800mm.
- Section 6.1.2 Safe Access – The second paragraph which refers to 100 – 600mm of flooding on the access is rather confusing. It would be useful to have a clear plan showing the access route for all apartments with proposed ground levels (once finalised) clearly shown. The incorrect level of the road referred to as 3.4 m AOD (should be 4.3m AOD) needs amending.
- Section 7 Conclusions and Recommendations – “The plot is within the flood warning area .....It is recommended that the occupiers should register to be included within the warning procedure”.

In view of the nature of this development (sheltered living accommodation) it may be considered prudent that the



PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

management company themselves sign up to receive any flood warnings (either in addition to, or instead of, the residents themselves) and in turn warn the residents individually of any need to evacuate, move possessions or vehicles etc.

### **Compensatory Storage**

We note that the applicant proposes to provide compensatory storage and that this may be partly achieved by lowering land identified on Drawing No. NW-(2009)-S4-AC-001-3 as “proposed extended carpark for Lidl”. The majority of the volume gain is shown to be through section A-A. As we understand that this land is not included in the red-line boundary of the current planning application, we are unclear how the applicant proposes to ensure that this work occurs. The FCA seems to indicate that the lowering of this land is an integral part of the compensatory storage (to mitigate for losses due to land-raising elsewhere on the site). Unless your authority is confident that the lowering of this land – outside the red-line boundary – can be included as a pre-commencement condition, we object to the development in its current form. We would ask to be re-consulted on this aspect. Should it be possible to overcome the above objection, we would ask that the developer should submit a revised detailed site-plan– showing both existing and proposed site levels. We would recommend a planning condition which refers to this site-plan, specifying that ground levels need to be set “in accordance with drawing No xxxx”. This would allow all parties to understand the requirements of land re-profiling and to would allow the LPA to enforce on any such condition.

Notwithstanding the above, it must be noted that any flooding of a car-park would be contrary to section A1.14 of TAN15 (which requires developments to be flood free in the 0.5% probability event). However, our response takes account of the fact that the site is already developed with extensive hard-standing which could be used for car-parking. If your authority is of the view that the site could not be currently used for car-parking without the need for additional planning permission, we would ask to be re-consulted.

### **Finished Floor Level**

We are satisfied that the proposed finished floor level of 3.87m AOD is sufficient to ensure compliance with Section A 1.14 of TAN 15 while also allowing for a suitable amount of freeboard. We would ask for the following condition to be included on any planning permission granted, if the above objections may be overcome:

CONDITION: The finished floor level of the development shall be set no lower than 3.87m AOD.

REASON: To protect the development from flooding.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Welsh Water: Recommend including conditions relating to surface water, foul water and land drainage on any planning permission.

Public Protection: Not received.

Biodiversity Unit: New information has been submitted and the developer has been discussing with Natural Resources Wales regarding this development and I reiterate the latest observations of Natural Resources Wales, namely that further information is needed:-

1. Include the internal measurements for the roost in the main building loft on the plans.
2. Move two accesses to the roost towards the roof's gable end to reduce the area of the roost where a draught sweeps through it. Include the details of internal baffles and show details on the amended plans.
3. Submit lighting and planting plans. These are very important elements of the measures to mitigate the impact on bats; therefore, information is needed before a decision is made.
4. Details of the plan to monitor the effectiveness of the mitigation measures. Again, this is needed before a decision can be made.

Trees Unit: Happy with the information submitted. Propose conditions that the work complies with the trees report on the root protection plan, no work to be carried out on the trees without permission and trees to be replanted in ones are lost within five years.

Housing Strategic Unit: There is no provision for affordable houses.

Gwynedd Archaeological Planning Service: I have checked the application against the regional Historic Environment Record (HER) and established that the proposal has archaeological implications. The buildings to be demolished are recorded on the tithe map of 1844 and therefore date from at least the mid-19th Century. They are not named on historic mapping and it would appear likely that they originally comprised a house and outbuildings. It is not presently known whether there was any relationship between the group and the adjacent listed dwelling 'Neigwl' or the nearby workhouse, established in the 1830s. The buildings have undergone various alterations over the years and it is not clear how much historic fabric and detailing remains, particularly internally, However, from the information available, it would appear that alterations have been additions rather than replacements, and the buildings thereby form a part of the Pwllheli historic townscape.

We commented on previous proposals for redevelopment at the site (C10D/0247/45/AM) noting the historic interest in the building and recommending that the building be recorded

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

archaeologically prior to demolition. Since the application does not appear to have progressed, this record has not been undertaken, and this recommendation remains appropriate.

In light of the above comments and in accordance with Planning Policy Wales 2014 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology appropriate mitigation is required. In order to secure such mitigation it is suggested that a condition for a programme of archaeological work be included on any planning consent.

**Public Consultation:**

A notice was posted on the site and nearby residents were notified. The advertisement period has expired and two letters / items of correspondence have been received objecting on the following grounds:

- Road Safety.
- Manage the working hours when demolishing and constructing.

As well as the objections noted above, objections were received which were not valid planning objections which include:

- Matters relating to the day-to-day running of the site when operational.

Five letters / items of correspondence were received which supported the proposal in principle but voiced concern about some aspects of the proposal, including:-

- Concern about the proximity of the building to tree roots on the boundary with nearby properties.
- Concern that a three-storey building was not in-keeping with the townscape.
- Concern that there was an excessive number of units on the site and unsure as to whether the price would be affordable to local people.
- Matters involving the day-to-day running of the company.

Sixteen letters / correspondences were received which supported the application on the grounds of:

- Lack of this type of accommodation in Pwllheli and the vicinity and there is a demand for it.
- The site is convenient and suitable for this type of development.
- The site is currently untidy and is an eyesore.
- Improves a dangerous corner of the road.
- Economic benefit to local businesses.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

## 5. Assessment of the relevant planning considerations:

### **The principle of the development**

- 5.1 The application site lies within the Pwllheli development boundary as shown on the GUDP proposal maps. No part of the site has been specifically designated for housing in the GUDP. Policy C1 of the GUDP states that land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. Furthermore, the policy states that new buildings, structures and ancillary facilities in the countryside (i.e. outside development boundaries and outside the developed form of rural villages) will be refused with the exception of development that is permitted by another policy of the Plan.
- 5.2 The site is also considered to be one that has been previously developed. Policy C3 of the GUDP states that proposals that give priority, wherever possible, to reusing previously developed land or buildings that are located within or near development boundaries, rather than using Greenfield sites, will be approved provided that the site or building and the proposed use are suitable and conform to the Plan's objectives and development strategy. The proposal would therefore make acceptable use of previously developed land.
- 5.3 Policy CH3 of the GUDP states that applications for the construction of houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and the Urban Centres will be approved. In relation to housing developments in town centres, Policy CH6 of the GUDP also applies. This policy states that proposals for housing developments on a site, or on part of a site that can accommodate five or more housing units will be refused unless they comply with the criteria of the policy. Criteria 1 of Policy CH6 asks for a percentage of the units provided to be allocated for general need for affordable houses, unless the Local Planning Authority can be satisfied, after considering all relevant factors, that it would be inappropriate to provide affordable housing on the site.
- 5.4 Consequently, and subject to assessment of the following issues: affordability, language and community, economic, visual, general and residential amenities, transportation, flooding and biodiversity, the principle of the proposal is considered acceptable.

### **Affordable housing matters**

- 5.5 The proposal concerns providing 30 retirement apartments. These apartments are self-sufficient and therefore fall to be considered under the GUDP's housing policies and not under the policies relating to residential/nursing homes. Policy CH6 of the GUDP states that a percentage (that will vary from site to site), of the units provided as part of the scheme on any site in Bangor, Blaenau Ffestiniog, Caernarfon, Porthmadog and Pwllheli should be ones that meet the need for affordable housing unless the Planning Authority can be satisfied, after considering all relevant factors, that it would be inappropriate to provide affordable houses on the site.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

5.6 It is initially believed that the need for such a development, i.e. a development to be used by older people, needs to be considered. It is noted that the applicant has provided justification with the planning application for the development. In terms of the Pwllheli North ward (where the application site is located), information from the 2011 Census shows that 19.8% of the ward's population is aged 65 years and over (this figure is 24.7% for the Pwllheli South ward). In terms of the age group who would be eligible to live in the proposed units, namely people who are aged 60 or over, the Census notes that 26.7% of the population of the Pwllheli North ward fits into this category (this figure is 30.5% for the Pwllheli South ward). It is noted that the population of Gwynedd continues to age, and the 2011 population projections support this: [The information below is based on population projection information off the Stats Wales website]

Growth rate projections for specific age groups (compared with 2011-based figures) for the select years - Gwynedd

	2011	2016	2021	2026	2031	2036
<b>Children (0-15 years old)</b>	-	-2.8%	-1.5%	-1.9%	+1.0%	+2.6%
<b>Population aged 65 or over</b>	-	+8.8%	+13.3%	+19.7%	+27.1%	+31.8%
<b>Total population</b>	-	+1.3%	+3.0%	+5.0%	+6.9%	+8.5%

Projections of the percentage of the population belonging to the specific age groups in the select years - Gwynedd

	2011	2016	2021	2026	2031	2036
<b>Children (0-15 years old)</b>	17.2%	16.5%	16.4%	16.0%	16.2%	16.2%
<b>Population aged 65 or over</b>	20.8%	22.4%	22.9%	23.8%	24.8%	25.3%
<b>Total population</b>	100%	100%	100%	100%	100%	100%

5.7 In terms of considering the affordable provision in accordance with Policy CH6, note the following information provided by the Joint Planning Policy Unit:

- A total of 32 affordable units were relevant to consider in the Pwllheli Town Council area for the Gwynedd Joint Housing Land Availability Study 2014. According to the field work for this joint study (April 2014), sixteen of these

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

units had been completed, whilst one of the other sixteen units had been commenced.

- Four sites have been specifically designated for houses in Pwllheli in the UDP. It would be expected that developments on these sites would include an affordable housing element.
- The information in relation to the Housing Land Availability Joint Study April 2013 suggests that 54 units can be provided on these sites up to the year 2018. When transferring the percentage of affordable units expected to be provided on these sites (as noted in the UDP) to this information, it would be expected for 20 affordable units to be provided on these sites in the period up to 2016.
- The 2011 Census noted that 586 of the 1,154 household spaces occupied in the Pwllheli North ward (where this site is located) were owner-occupied. A total of 198 units were rented socially. In terms of the Pwllheli South ward, it is noted that 449 of the 966 household spaces occupied were owner-occupied, whilst 234 units were rented socially.
- When comparing information in terms of median house prices (£115,000 based on 21 sales) with median income (£19,925) in 2013, it should be noted that the affordability ratio for the Pwllheli North ward is 5.8 i.e. the house prices median is 5.8 greater than the income median (household).<sup>1</sup> The affordability ratio for the Pwllheli South ward was 9.4 (Median house prices = £173,000 based on 19 sales; Median income = £18,476).
- Information from Gwynedd Council's Corporate Research Unit, based on 2013 data, notes that 64.7% of households were priced out of the market in the Pwllheli North ward. This figure is 74.2% for the Pwllheli South ward. This information is based on the number of households with an income that is less than 1/3.5 of the lowest quartile house price [lowest quartile house price in the Pwllheli North ward in 2013 = £98,250; Pwllheli South ward = £113,500].

Therefore on this basis, there is no doubt that we accept that there is justification to request affordable housing unless other matters such as feasibility prevents that.

- 5.8 However, in accordance with the policy as seen above, consideration must also be given to the financial feasibility of providing affordable housing on the site. It is noted in paragraph 10.6 of Technical Advice Note 2: Planning and Affordable Housing that the viability of a site will be a critical factor to consider in determining thresholds (for affordable housing), particularly on small sites. The impact of specific costs on the viability of a development is a factor which is considered in the first criterion of Policy CH6. This criterion states that a proportion of the units on a site of this type should be affordable, unless it can be demonstrated to the satisfaction of the Planning Authority that, having considered all the relevant factors, it would be inappropriate to provide affordable housing on the site. Paragraph 5.2.40 notes that "the Planning Authority will...negotiate with developers to include an element of affordable housing on sites that are the subject of this policy. Prospective developers will be required to provide evidence to demonstrate and justify how they have

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

decided on the specific type of housing on the site and how this contributes to creating mixed communities."

- 5.9 As part of the application, the applicant submitted planning and affordable housing obligation statements. This document includes a viability assessment for the development and the applicant states that the costs associated with the development means that it would not be viable to provide a contribution towards an affordable housing provision or any other planning provision. An assessment of the viability matters was undertaken by the Joint Planning Policy Unit by using a computing pack used to appraise the viability of developments. In addition, considerable discussions have taken place between the officers and the applicant regarding viability matters. Originally a contribution of approximately 20% was sought towards affordable housing. However, after undertaking the relevant viability assessments, it became apparent that a contribution of this type is not viable for the development. It was concluded, as a result of the assessments undertaken by the Joint Planning Policy Unit, that it would be possible to obtain a contribution of 7%. This would be equivalent to approximately two affordable units on the site, or if it is a commutative contribution towards an affordable housing provision in the area, it would equate to approximately £94,000. However, the applicant continues to argue that it is not viable to have any contribution towards affordable housing as part of the development. However, in order to move things along, they have offered a commutative amount towards affordable housing of £40,000. Nevertheless, they note that in order to make this contribution, 25% of the amount would be paid before the scheme is occupied for the first time and then the remaining 75% would be paid before 20 units are occupied.
- 5.10 This financial contribution towards an affordable housing provision off the site is to be welcomed and as there are feasibility issues associated with the proposal, it would be reasonable to accept this offer in this case. The proposal in question would contribute towards a provision of local retirement homes and where such homes are not available locally. The proposal would also re-use a brownfield site that is currently untidy and an eyesore and it would also reap economic benefits in terms of employment (site manager to run the site following its completion and construction work associated with the development), and broadly in the community as residents will use the local facilities. Consequently, as a result of viability matters relating to the development, it is considered reasonable to accept the £40,000 offer towards the provision of affordable housing off the site, and in this case, that the proposal complies with the requirements of Policy CH6 of the GUDP.

#### **Language and Community Matters**

- 5.11 A language and community statement was received as part of the application. It is noted that a relatively high percentage of the population of Pwllheli can speak Welsh. The proposed development is located in a convenient area in Pwllheli, close to services and facilities, which is likely to have a positive impact on local services and shops. Consideration should be given to potential impact of the increase in the population as a result of the development, on the Welsh language. It could be the case that residents of such homes would not

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

integrate as much with the local community as younger residents would as they are not able to do so due to restricted mobility. It is also noted, due to the local nature of care home residents, it is likely that the residents would be local people; however, this cannot be guaranteed. The development could mean that houses would be released for other people and it is important to consider the impact of this on the Welsh language. On the whole, it is not believed that the scale of the proposed development is likely to lead to a significant growth in the population that could have a detrimental impact on the Welsh language. Having said that, any impact will be wholly dependent on the language of residents. It is noted that there would be no assurance or way of managing who would live in the residential units or be employed there. The benefits of the development must be weighed up against the possible impact on the vitality of the Welsh language unless it is anticipated that the proposal will have a marked impact on the Welsh language or the community and that it would be acceptable from the aspect of Policy A2 of the GUDP.

### **Design and visual amenities**

- 5.12 Policies B22, B25 and B27 of the GUDP are relevant to this application and involve design, finishes, appearances, visual amenities and landscaping. The building would have a frontage of approximately 31 metres with the county road that is located to the north and the building would be set-back from that county road to the south of the site for approximately 50 metres. The buildings proposed to be erected on the site are a mix of two and three-storey buildings, with their height varying between 6.5-10.5 metres above ground level. The three-storey parts will be erected along the site's frontage with the county road. Although the building is substantial it has been divided up in terms of its height, roof shapes and also proposes features such as gable ends and also a variety of materials on the exterior walls. The roofs would be a combination of ridge and hip-roofs covered in natural slate. The exterior walls would be a combination of coloured render, buff coloured bricks and an element of red bricks along with an element of zinc cladding. It is considered that such finishes would be acceptable and from looking at the nearby streetscene, elements of these finishes can be seen in nearby buildings such as the police station and the church. It is considered that interest has been created in the elevation facing Ala Road by having gable ends to break-up the frontage and also as there is variety in the height of the building and roof shapes. It is considered that this front elevation is the most important of the development in terms of how it will contribute to the streetscene. Although the proposal is partly three-storey, there are other three-storey buildings in the vicinity and it is not considered that a building of this height is out of place on the site. Therefore, it is considered that the proposal respects the site and its vicinity and that it is acceptable in terms of its scale, size, form, density, location and materials. It is not considered that the proposal would have an unacceptable detrimental impact on the form and character of the townscape or have an unacceptable detrimental impact on views into/out of/across the centre. Therefore, it is considered that the proposal is acceptable in respect of Policies B22 and B25 of the GUDP. Conditions would be required in order to agree on the colour of the slate and also in terms of submitting samples of the exterior materials to the Local Planning Authority for agreement.



PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

5.13 A landscaping plan was submitted as part of the application. This plan displays an intention to reinforce the current growth on the site by planting additional trees on the western and eastern boundaries of the site as well as within the site. It is also intended to plant beds of shrubs within the site and also along the frontage with the county road. The trees intended to plant include the Juneberry (amelanchier Canadensis), Rosebud Cherry (prunus Subhitella autumnalis rosea), Rowan (sorbus aucuparia aspelnifolia) and the Swedish Whitebeam (sorbus intermedia brouwers). It is considered that this landscaping plan is acceptable and that it complies with Policy B27 of the GUDP. It is considered that a condition will be needed in terms of completing the landscaping plan in accordance with the plans submitted.

**Conservation Matters**

5.14 The dwelling house located on the western boundary of the northern part of the site is a Grade II listed building and therefore it is required to consider whether or not the proposal will disrupt the setting of that building. Currently, views of the listed building from the east have been blocked by the former veterinary surgery building. Due to the proposal to demolish this building, the building line of the proposal will be set back approximately 3 metres on the site, compared to the current situation. Although the majority of the part of the building abutting Ala Road is three-storey, the part located closest to the listed building has been reduced in height to be two-storey. There would be a gap of approximately 2 metres between the closest gable end of the proposed building and the listed building itself. Consequently, the aspect of the listed building from the eastern direction will improve, and will create a more open feeling. Therefore, in comparison with the current situation, it is not considered that the proposal would have an impact on the setting of the listed building and that it is thus acceptable in terms of Policy B3 of the GUDP.

5.15 Part of the site's access road falls within the Conservation Site of the town with the remainder of the site abutting the Conservation Area. Therefore, consideration must be given to Policy B4 of the GUDP and the need to maintain or enrich the character or appearance of the conservation area. The site, as mentioned in the letters of support, is currently in an unkempt condition and is an eyesore. Therefore, at the moment the site does not contribute towards the maintenance or enrichment of the conservation area. It is considered that the proposal, as explained previously, is a suitable design for the location. It is not considered that the proposal would cause significant harm to important views into/out of the conservation area. It is considered that the proposal is acceptable in terms of Policy B3 of the GUDP.

5.16 The site is located within the Llŷn and Bardsey Landscape of Outstanding Historic Interest. Policy B12 states that consideration will be given to the information about the Historical Landscapes if the impact of proposals is on such a large scale that their impact would be greater than merely a local impact. In terms of its location within the town's built form, it is considered that the proposal would have a local impact and that it would not have a broader impact on the historical landscape. Therefore, it is not considered that the proposal is contrary to Policy B12 of the GUDP.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

### **Archaeological Matters**

- 5.17 Observations received from the Gwynedd Archaeological Planning Service state that there are archaeological implications to the proposal. The buildings which are to be demolished date back to the mid-nineteenth century at least, and although the buildings have been adapted over the years, it appears that this has taken the form of additions, rather than alteration and therefore the buildings form a part of the historic townscape of Pwllheli. The Gwynedd Archaeological Planning Service does not object to the proposal but recommends imposing a condition in terms of completing a programme of archaeological work before the development is commenced. As a result, it is considered that the proposal is acceptable in respect of policy B7 of the GUDP.

### **General and residential amenities**

- 5.18 Existing houses lie opposite the site to the north and adjacent to the site to the west. It is not considered that the houses to the north of the site are affected by the proposal and the amenities of the residents of those houses will not be affected. The Neigwl dwelling house is located approximately 2 metres to the west in terms of the front of the proposed building and the boundary of the Arddol property, which is also to the west of the site, is located approximately 6 metres from the rear wing of the proposed building. Although a high stone wall separates the site from the garden of the adjacent property, as well as mature trees, the western appearance of the proposed building includes windows. There are no implications in terms of overlooking from the ground floor windows; however, there is potential for overlooking from the higher floors. Windows would be available on the second floor level in the western gable end in the three-storey element of the development facing Neigwl, which has a first floor window in its eastern gable end. However, it is not considered that the proposal would cause direct substantial overlooking to this property as sections of the development's roof would cut across the windows. A large number of windows are to be seen in the rear wing of the two-storey section of the development. However, to reduce the potential for overlooking, the plan has incorporated apartments located on an angle with the windows set in a way that would not directly look into the nearby properties. It is considered that this would reduce overlooking between the development and existing houses. It is also intended to carry out additional planting near the boundary in an attempt to reduce overlooking. However, it is inevitable that some overlooking will happen within settlements which have a high density of development, but it is not considered that the amenities of the occupants of the adjacent property would be significantly harmed as a result of the proposed development. It is not considered that the proposal would lead to an overdevelopment of the site and although the development could increase the traffic using the site compared with the existing situation, it is not considered that this increase would have a significant impact on nearby residents. Therefore, it is not considered that the proposal would be likely to cause significant harm to the amenities of the local neighbourhood and is acceptable in terms of Policy B23 of the GUDP.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

### **Transport and access matters**

- 5.19 Two accesses currently serve the site. The proposed buildings will be located across the most western access and thus the proposal as part of the application is to use the access on the eastern side of the site that is located near the church. This access would allow access towards the rear of the site for vehicles where 22 parking spaces would be located. The Transportation Unit has no objection to the proposal. The Transportation Unit's observations state that the access is comparable to the access approved for the previous housing development and the parking provision within the site complies with the requirements of the Wales parking standards. It is, therefore, considered that the proposal complies with policies CH33 and CH36 however it is recommended that conditions are imposed on any permission in relation to providing the parking area prior to occupation and for the access to be constructed in accordance with the plans.

### **Flooding matters**

- 5.20 The entire site lies within a C1 flooding zone as shown on the development and flooding advice maps associated with TAN 15: Development and Flood Risk. Therefore, a flooding consequence assessment was submitted as part of the application. When dealing with the application, many amendments and additions have been made from the perspective of the flood consequence assessment and as can be seen, the observations of Natural Resources Wales continues to object on the grounds of flooding. It is understood that the applicant held a meeting with Natural Resources Wales since receiving their latest observations and that the flood consequence assessment is being updated. The red line of the application site has also been amended to include the land in the south-western corner of the site, which had been noted originally as a potential extension to the Lidl car park, and that mainly in an attempt to overcome the concerns of Natural Resources Wales in terms of being able to impose a condition to manage the land levelling work that was needed to create a site for compensatory storage in terms of water as a result of raising levels in other parts of the site. No update to the flood consequence assessment has been received in response to the concerns voiced in the latest observations of Natural Resources Wales and thus when preparing the agenda, the latest observations of Natural Resources Wales stand and thus express objection in terms of flood matters.

- 5.21 A residential development is defined as a development that is very vulnerable within TAN 15 and thus a development of this type should not be approved within a C1 zone unless it complies with specific criteria within policy B29 and TAN 15. In this case, the proposal forms part of the Local Planning Authority's strategy by means of its location within the centre's development boundary and also as a section of the site has been designated as a redevelopment site in the GUDP. The proposal would also be located on previously developed land. However, the proposal in its current form has not been able to show that the potential consequence of any flooding for this specific type of development is acceptable and thus, in its current form, it is contrary to the requirements of Policy B29 of the GUDP and also to the advice provided in TAN 15: Development and Flood Risk.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

### **Biodiversity matters**

- 5.22 As part of the application, a part 1 extended habitats survey and a survey of the presence/absence of bats were submitted. The bats survey showed that no bats used the site to hibernate but that it was mainly used by the lesser horseshoe bats and pipistrelle bats in the summer. Also, it showed that other species of bats used the garden to hunt. As part of the proposal, plans were submitted which showed a proposal to create a bat roost in a part of the new building's roof-space and in the roof of the car port to be located within the site. It is seen from the observations received from Natural Resources Wales that they object to the proposal and that there is a need to submit and agree upon further details regarding the mitigation measures for bats. The observations of the Biodiversity Unit reiterate the observations of Natural Resources Wales. These additional details that are required include the dimensions, location and details of the openings to the roost located in the roof of the main building, reaching agreement on lighting and vegetation plans for the site and submit the details of an inspection and monitoring plan. As a result of receiving the latest observations of Natural Resources Wales and the Biodiversity Unit, further details were received regarding bats which included an amended plan for the bat roost to be located in the roof-space of the main building, along with a bat inspection and monitoring statement. A second consultation was held on these further details; however, no response had been received when the agenda was being prepared. Therefore, there is currently an objection to the proposal based on its impact on bats, which are a protected species, and where additional information and changes to the mitigation measures being proposed are needed. Therefore, it is not possible to fully assess whether or not the proposal is likely to cause disturbance or unacceptable harm to protected species and thus it is contrary to policy A1 and B20 of the GUDP. If the Committee decides to approve the application, the decision cannot be released until the necessary details and appropriate mitigation measures have been agreed.
- 5.13 A trees survey and arboriculture report were submitted as part of the application. Also, a tree preservation plan was received. The observations of the Trees Unit on the proposal were received and they are satisfied with the information submitted. If the application is approved, conditions will be needed in terms of work to comply with the trees report and tree preservation plan, no work to be carried out on the trees without permission and trees to be replanted if ones are lost within five years of the development work.
- 5.24 A Japanese Knotweed survey and plan were submitted as part of the application. This information shows that Japanese Knotweed and horsetail are located in parts of the site. The Japanese Knotweed is located further towards the south of the site and the horsetail is located towards the eastern boundary of the site. Both are invasive species and a plan has been submitted for their disposal. If the application is approved, a condition will be required to ensure that the disposal work is completed in accordance with the information included in the Japanese Knotweed survey. If the species are disposed from the site in accordance with this work, it is considered that the proposal is acceptable in relation to Policy B35 of the GUDP.

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

## 6. Conclusions:

- 6.1 The proposal concerns providing 30 retirement apartments. These apartments are self-sufficient and therefore fall to be considered under the GUDP's housing policies. Policy CH6 of the GUDP states that a percentage (that will vary from site to site), of the units provided as part of the scheme on any site in Bangor, Blaenau Ffestiniog, Caernarfon, Porthmadog and Pwllheli should be ones that meet the need for affordable housing unless the Planning Authority can be satisfied, after considering all relevant factors, that it would be inappropriate to provide affordable houses on the site. As part of the application, the applicant submitted planning and affordable housing obligation statements. This document includes a viability assessment of the development and the applicant states that costs associated with the development means that it would not be viable to provide a contribution towards an affordable housing provision or any other planning provision. An assessment of the viability matters was undertaken by the Joint Planning Policy Unit by using a computing pack used to appraise the viability of developments. In addition, considerable discussions have taken place between the officers and the applicant regarding viability matters. Originally a contribution of approximately 20% was sought towards affordable housing. However, after undertaking the relevant viability assessments, it became apparent that a contribution of this type is not viable for the development. It was concluded, as a result of the assessments undertaken by the Joint Planning Policy Unit, that it would be possible to obtain a contribution of 7%. This would be equivalent to approximately two affordable units on the site, or if it is a commutative contribution towards an affordable housing provision in the area, it would equate to approximately £94,000. However, the applicant continues to argue that it is not viable to have any contribution towards affordable housing as part of the development. However, in order to move things along, they have offered a commutative amount towards affordable housing of £40,000. This financial contribution towards an affordable housing provision off the site is to be welcomed and as there are feasibility issues associated with the proposal, it would be reasonable to accept this offer in this case. The proposal in question would contribute towards a provision of local retirement homes and where such homes are not available at present. The proposal would also re-use a brownfield site that is currently untidy and an eyesore and it would also reap economic benefits. Consequently, as a result of viability matters relating to the development, it is considered reasonable to accept the £40,000 offer towards the provision of affordable housing off the site, and thus the proposal complies with the requirements of Policy CH6 of the GUDP.
- 6.2 The site lies within a C1 flooding zone and the proposal is for a development that is very vulnerable on flooding grounds. Although a flood consequence assessment has been submitted as part of the application, the details submitted are insufficient to convince Natural Resources Wales that the proposal is acceptable in terms of flooding. Further discussions have been held and it is understood that the flood consequence assessment will be updated; however, in its current form, the proposal has not been able to show that the potential consequences of any flooding for the development are acceptable; therefore, it

PLANNING COMMITTEE	DATE: 22/02/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

is contrary to the requirements of Policy B29 of the GUDP and also to the advice given in TAN 15: Development and Flood Risk.

- 6.3 There is currently an objection to the proposal based on its impact on bats, which are a protected species, and where additional information and changes to the mitigation measures being proposed are needed. Further details were received from the applicant; however, at the time of preparing the agenda, no response to the second consultation had been received. Therefore, in its current form, it is not possible to fully assess whether or not the proposal is likely to cause disturbance or unacceptable harm to protected species and thus it is contrary to policy A1 and B20 of the GUDP.

## **7. Recommendation:**

### 7.1 To refuse – reasons

1. The proposal in its current form has not been able to show that the potential consequences of any flooding for the development are acceptable and thus in its current form, the proposal is contrary to the requirements of Policy B29 of the GUDP and also to the advice given in Technical Advice Note 15: Development and Flood Risk.
2. The details of the mitigation measures and information submitted as part of the application is insufficient to convince the Local Planning Authority that the proposal will not cause harm to bats, which are a protected species, and thus the proposal is contrary to policy A1 along with policy B20 of the Gwynedd Unitary Development Plan which states that proposals that are likely to cause disturbance or direct or indirect unacceptable harm to protected species and their habitats will be refused unless any impact can be reduced or effective mitigation measures can be implemented.