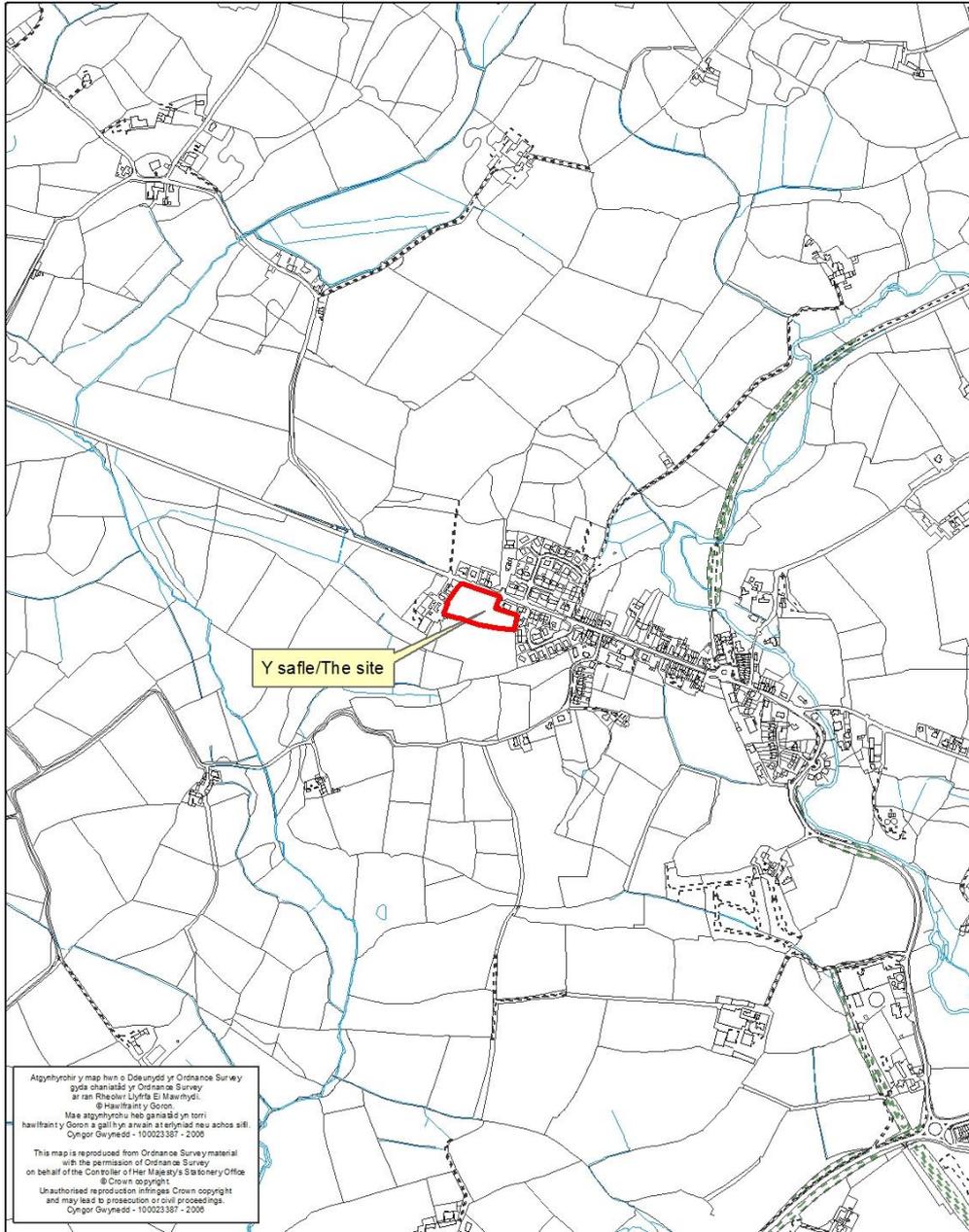


Number: 2



Rhif y Cais / Application Number : C14-0113-41-AM

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



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Application Number: C14/0113/41/AM
Date Registered: 24/06/2015
Application Type: Outline
Community: Llanystumdwy
Ward: Llanystumdwy

Proposal: OUTLINE APPLICATION FOR THE ERECTION OF 21 HOUSES (INCLUDING 7 AFFORDABLE HOUSES) WITH ALL OTHER MATTERS RESERVED (AMENDED PLAN)
Location: LAND NEAR BRYN HYFRYD, CHWILOG, PWLLHELI, GWYNEDD, LL53 6SF

Summary

of the Recommendation:

DELEGATE THE RIGHT TO APPROVE WITH A 106 AGREEMENT.

1. Description:

1.1 This is an outline application to erect 21 houses on a site measuring 0.71ha. The majority of the site is located within the Chwilog development boundary and it was designated in the Gwynedd Unitary Development Plan as a site for new houses to be sold on the general market (0.06ha is located outside the boundary). The Development Brief for the site suggests that the site could cope with approximately 20 residential units with approximately 30% of them being affordable houses.

1.2 The mixture of housing proposed includes:

- 8 x semi-detached houses
- 13 x detached houses

1.3 Seven affordable units are proposed as part of the scheme. As this is an outline application, the only matters that require consideration are the principle of developing 21 houses on the site together with the proposed access to the site. All other matters are reserved, and these include the location of the houses within the site, appearance, scale and landscaping. Nevertheless, all outline applications are required to show an indicative location plan for the houses, together with the maximum size/height of the units.

1.4 The following documents were submitted as part of the planning application:

- A Design and Access Statement
- A Planning Statement including:
 - An Assessment of Local Housing Need
 - A Community and Linguistic Assessment
- An Assessment of Open Spaces of Recreational Value

1.5 The site is mainly contained on flat agricultural land that borders with the main current built form of Chwilog to the east. The development would involve opening a new vehicular access near Brynhyfryd Farm along with a new pedestrian access to the highway in the east of the site. There are established hedges along the boundary of the site along with some mature trees. It is intended to keep these separate to the area of the new access where the hedge will need to be felled. There is flat agricultural land with occasional 'cloddiau' and trees to the south of the site.

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 planning considerations

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indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan (UDP)

STRATEGIC POLICY 10 – HOMES

The need for housing in the Plan area during the plan period will be met through making provision for meeting local need for affordable housing and distributing the housing units across the Plan area.

POLICY A2 – PROTECTING 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 B21 – WILDLIFE CORRIDORS, HABITAT LINKAGES AND STEPPING STONES

Safeguard the integrity of landscape features which are important for wild flora and fauna unless it can be shown that reasons for the development override the need to maintain the features and that mitigating measures can be provided.

POLICY B22 - BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding 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 aimed at protecting the recognised features and amenities of the local area.

POLICY B25 - BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are 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 B32 - CONTRIBUTING TO SURFACE WATER

Refuse proposals that do not include appropriate flood minimisation or mitigation measures that will reduce the volume and rate at which surface water reaches and flows into rivers and other water courses.

POLICY C1 - LOCATING NEW DEVELOPMENT

Land within the development boundaries of towns and villages 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 CH1 – NEW HOUSES ON ALLOCATED SITES

Proposals to build houses on allocated sites will be approved subject to criteria relating to the specific features of the development.

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POLICY CH6 – AFFORDABLE HOUSING

On all allocated sites in the Plan area and on unallocated sites that become available within the development boundaries of the Sub-regional Centre and the Urban Centres.

POLICY CH7 – AFFORDABLE HOUSING ON RURAL EXCEPTION SITES DIRECTLY ADJOINING THE BOUNDARIES OF VILLAGES AND LOCAL CENTRES

Permit affordable housing on rural sites directly adjoining the boundaries of Villages and Local Centres if they conform to criteria relating to local need, affordability and impact on the form of the settlement.

POLICY CH18 – AVAILABILITY OF INFRASTRUCTURE

Development proposals will be refused if there is no adequate provision of necessary infrastructure for the development, unless they can conform to one of two specific criteria which require that appropriate arrangements are made to ensure adequate provision, or that the development is carried out in phases in order to conform to any proposed scheme for the provision of infrastructure.

POLICY CH28 – IMPACT OF DEVELOPMENT ON JOURNEYS

Proposals for large scale developments that will cause a substantial increase in the number of journeys made by private vehicles will be refused, unless they include measures to reduce the environmental impact. Developments which are planned and designed in a manner that promotes the most sustainable and environmentally acceptable modes of transport will be favoured.

POLICY CH29 – SAFEGUARDING AND IMPROVING LINKS FOR PEDESTRIANS

Proposals within Centres and Villages will be refused unless they provide safe, attractive and direct footpaths for pedestrians across and out of the site where there is a clear opportunity to make such a provision.

POLICY CH30 – ACCESS FOR ALL

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused 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 CH31 – PROVIDING FOR CYCLISTS

Development proposals that do not provide specific facilities for cycling where there are obvious opportunities for doing so will be refused.

POLICY CH32 – INCREASING ACCESSIBILITY BY PUBLIC TRANSPORT

Proposals that are likely to lead to a substantial increase in the number of journeys made by private motor vehicles will be refused unless there is an adequate public transport service in place as an alternative, or unless the development will be effectively served by public transport in the future and that consideration has been given to promoting the use of public transport services in the planning and design of the development.

POLICY CH33 - SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH37 – EDUCATIONAL, HEALTH AND COMMUNITY FACILITIES

Development proposals for new educational, health or community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the

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location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on a defined town centre.

POLICY CH43 – PROVISION OF OPEN SPACES OF RECREATIONAL VALUE IN NEW HOUSING DEVELOPMENT

Expect that new housing developments of 10 or more dwellings, in areas where the existing open spaces provision cannot meet the needs of the development, provide suitable open spaces of recreational value as an integral part of the development.

2.3 Local Supplementary Planning Guidance -

A series of Supplementary Planning Guidance have been adopted by the Council. The following guidance is relevant to this application:

- Affordable Housing
- Planning and the Welsh Language
- Planning obligations
- Housing developments and open spaces of recreational value
- Housing Developments and Educational Provision
- Supplementary Planning Guidance: Development Briefs (November 2009) including the development brief – Houses near Brynhyfryd Farm, Chwilog.

2.4 National Planning Policy and Guidelines (as material planning considerations)

- Planning Policy Wales – Edition 7 (July 2014)
 - Part 4.12 – Planning for sustainable buildings
 - Para. 8.7.1 – Development control and transport
 - Para. 9.2.14 – The community’s need for affordable housing
 - Para. 9.2.17 – Affordable housing targets for specific sites
 - Para. 12.1.7 – Capacity of the existing infrastructure
 - Para. 12.4.1 – Ensuring the sewerage infrastructure is adequate
- Technical Advice Note 2: Planning and Affordable Housing
- Technical Advice Note 16: Sports, Leisure and Open Spaces
- Technical Advice Note 18: Transportation

3. Relevant Planning History: None

4. Consultations:

Community Council: Support.

Education Department: Comments
All designations in Chwilog should be considered collectively, the cumulative effect of the developments on the school, and every developer should then make a contribution according to the ratio of the number of houses within their designation.
A financial contribution should be requested from the developers. By using the abovementioned method, the contribution for this site would be £8914.

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Natural Resources Wales:	Comments A condition is required to ensure a sustainable surface water drainage plan.
Welsh Water:	Comments We confirm that we do not anticipate any problems for the Waste Water Treatment Plant. Suggest standard conditions in relation to sewerage. Draw attention to the fact that the mains water pipe runs through the site.
Gwynedd Archaeological Planning Service:	Not received.
Biodiversity Unit:	Comments A condition is required not to cut the hedge for creating the access during the bird nesting season.
Transportation Unit:	No objection Suggest standard conditions relating to the access, the estate road and parking.
Housing Strategic Unit:	Comments: Based on the information held by the Unit regarding local needs, the plan meets the need for affordable units.
Public Consultation:	A notice was placed in the newspaper and on the site and nearby residents were informed. The advertising period has ended and correspondence was received objecting on the following grounds: <ul style="list-style-type: none"> • The development would be contrary to the UDP's policies. • Impact on the amenities of nearby houses in particular in terms of privacy and interference / general noise. • Concern regarding the impact on the flow of surface water.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Strategic Policy 10 of the Gwynedd Unitary Development Plan encourages the provision of houses, including affordable housing, by means of land designations within specific settlements as defined by the development plan.
- 5.2 The majority of this application site is on a designated site within the development boundary of Chwilog and it therefore satisfies the requirements of Strategic Policy 10 and Policy C1 which states that land within development boundaries will be the main focus for new developments. A small section of the site is outside the boundary but it is on the direct periphery of the boundary and Policy CH7 states that such sites can be acceptable for the construction of affordable housing subject to satisfying a series of criteria.

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- 5.3 This application site is mainly on a site that has been designated specifically for housing in the Gwynedd Unitary Development Plan, therefore, in accordance with Policy CH1, the principle of developing housing on this site is acceptable provided the development is of a high standard in respect of the type, size and affordability of the houses, and also in respect of the quality, design and form of the development in accordance with the relevant Development Brief for the site.
- 5.4 The Development Brief notes that this site could cope with 20 residential units, based on a development density of 30 units per hectare. Consequently, the number of units proposed in the application is acceptable for the site, and would make suitable use (based on density) of the land.
- 5.5 The Brief for the site requests that the developer ensures that around 30% of the houses are affordable houses, and Policy CH6 endorses the need to provide affordable housing for local need on all allocated sites. This application offers 33.3% of affordable housing, namely the closest figure to the target that can be achieved with these numbers. It is therefore considered that the development meets the requirements for the number of affordable housing, and this is confirmed by the Strategic Housing Unit. Initial discussions have taken place with local affordable housing providers and they have expressed that they are eager to be a part of the scheme.
- 5.6 The Development Brief states that it is expected for the site to be developed in phases in order to ensure that the village's services and facilities can cope effectively with the increase in demand. However, when the statutory bodies were consulted on the application, no evidence was received that the village's services and facilities could not cope with the development; therefore it is considered that there is no longer justification to seek to manage the timescale for completing the development.
- 5.7 Whilst the principle of developing houses on the section of the site specifically designated for housing is acceptable and in accordance with Policy CH1 of the UDP, the fact that the proposal includes some land outside the boundary must be considered against Policy CH7 of the UDP.
- 5.8 In accordance with the requirements of Policy CH7, it is important to establish whether or not the section of the site located outside the development boundary is acceptable for residential development. To this end, the development must form a logical extension to the village and it should not form an unacceptable extension to the countryside or create a fragmented pattern of development. Considering that this site abuts the proposed development site and the existing Brynhyfryd Farm outbuildings, and indeed as the entrance to the entire site is located there, it is believed, by developing it as part of the broader development that it will not constitute an unacceptable intrusion in the countryside and that it would create a logical extension to the developed form of the village.
- 5.9 As this is an outline application, there is no assurance to date regarding the internal layout of the site and thus there is no assurance that the house / houses will be located on the land outside the boundary; however, considering that this location is an integral part of the entire site (due to the presence of the access), and that the percentage of affordable houses is acceptable for the entire site, it is believed that it is reasonable to deal with the entire site as one, rather than consider both sections separately against the policies.

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General and residential amenities

5.10 As this is an outline application no details were received about the design of the proposed houses, apart from their indicative size and height. A plan was received which showed the indicative layout of the site, including the location of the houses and the arrangement for transport. Although the site is on green land, its use for housing has been accepted in principle when adopting the Unitary Development Plan; therefore no consideration will be given to the loss of green land here. The proposed development will be considered on its own merits, and it is considered that the density of the development is acceptable, that the sizes of the houses are suitable in terms of maximum scale, and that it is possible, through conditions and by considering an application(s) containing full details, to manage the remaining details of the development. An objection has been received in terms of the impact on the amenities of neighbours; however, as the application does not deal with the details of individual units, it is considered that this is a matter for the reserved matters application. Based on the information submitted with the application, it is considered that this outline application meets the requirements of policies B22, B23 and B25 of the UDP and that it can be ensured that the finer details are acceptable when the reserved matters application is assessed.

Transport and access matters

5.11 The Transportation Unit acknowledges that the access and road arrangements shown in the application is acceptable with minor changes that can be secured through appropriate conditions. The application therefore meets the requirements of policies CH33 and CH36 of the UDP which relate to road safety and the provision of private parking.

5.12 The reasons for designating the site in the UDP included:

- Chwilog is located in an accessible place within the Llŷn Dependency Catchment Area.
- The site is within convenient walking distance to the community facilities and services in the village.
- The site is located near the route of a regular bus service.

5.13 The site was designated as it was accessible to alternative modes of transport and also to the village's facilities and the indicative plan shows a footpath connecting the eastern part of the site with the pavement on the main road near the telephone exchange building and this would facilitate pedestrian access to the village's facilities. Therefore, it is considered that the development meets the requirements of Policies CH28, CH29, CH30, CH31 and CH32.

Biodiversity matters

5.14 No protected sites or species would be directly affected by the development and it is proposed to retain the vast majority of the hedge that currently surrounds the site. The Biodiversity Unit does not have concerns regarding the development provided that the proposal to fell the hedge to open the access to the site does not take place during the bird nesting period. Therefore, it is considered that the application would comply with policy B21 of the UDP which aims to safeguard wildlife corridors such as hedges.

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- 5.15 Landscaping is not a matter included within this application; however, it is considered that it would be reasonable, in accordance with Policy B27 of the UDP, to impose a landscaping condition on the permission to secure improvements to the site's biodiversity interests, along with the appearance of the site within the landscape.

Flooding matters

- 5.16 Natural Resources Wales have requested a condition on the planning permission to ensure that the development cannot be commenced until a water drainage plan for the site is submitted, which is acceptable to the Local Planning Authority. It is believed that by imposing a condition that demands such a plan, it cannot be ensured that the development adds to the surface water flow in an unacceptable way and thus that the plan is in line with Policy B32 of the UDP.

Infrastructure matters

- 5.17 The consultation with Welsh Water confirmed that the infrastructure for disposing of sewage from the site and to supply water to the site is adequate; therefore it is considered that the application satisfies the requirements of policy CH18. A mains water pipe crosses the site and the developer must reach an agreement with Welsh Water regarding protecting this facility during the development process.

Open spaces of recreational value

- 5.18 Policy CH1 requests that developments meet the requirements of the Development Brief for designated sites and the development brief for the site requests establishing whether or not the current provision of open spaces of recreational value in this area satisfies the development's needs. In addition, as the proposal involves developing 10 or more houses, consideration must be given to how it is proposed to meet the needs of the residents of the proposed houses in terms of recreational land, in accordance with Policy CH43 of the UDP and SPG "Housing Development and open spaces of recreational value". An Assessment of Open Spaces of Recreational Value was submitted by the applicants and this concludes, considering the existing provision in the village, that no new provision is required on this site.
- 5.19 This information was assessed by the Joint Planning Policy Unit and it was of the opinion that there is an insufficient provision of children's play equipment within a convenient distance of the planning application site and that there is a general lack of provision in the village of Chwillog. In addition, this lack of provision will exacerbate once other sites that have been designated for housing are developed. As shortcomings have been noted in the existing provision, there will be a need to secure an appropriate provision to meet the needs of the families who will live at the proposed development by means of a planning condition. By considering the indicative internal arrangement, it is believed that by reforming that arrangement that there is sufficient space on the site to ensure an appropriate provision. By doing so, it is considered that the application will meet the requirements of Policy CH43 of the UDP and other policies discussed above.

Educational facilities

- 5.20 Policy CH37 aims to ensure that existing schools will be able to cope with any increase in pupil numbers as a result of a new residential development. Information

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has been prepared by the Joint Planning Policy Unit which assesses the impact of developing this site, along with the other two sites designated for housing in Chwilog in the UDP, on Ysgol Gynradd Chwilog. To this end, it is essentially important to consider what was done when dealing with the planning application for 15 houses behind the Madryn Arms (and which is also a designated site in the UDP).

- 5.21 Following consultation with the Education Department regarding that application, it was decided to consider the three sites designated by the UDP in Chwilog based on the number of residential units noted for them in the UDP. It is noted that this means that there are 55 relevant units to be considered for the three sites (it is noted that a site near Ty'n Rhos Estate has also been designated for 21 houses). Any educational contribution would be based on the proportion of houses designated for the individual sites as part of the figure for Chwilog as a whole, i.e. 55 units. To this end, there is consistency here between the situation regarding this site and the site near Madryn as this proposal, as the application approved near Madryn, proposes one unit more than the figure noted in the UDP.

By using the information from the SPG, it is noted that 22 primary school pupils will derive from the three sites designated for housing in Chwilog.

- 5.22 It is also believed that the 2013-14 educational year should be used as the basis for assessing the need for an educational contribution as this is when the application was originally submitted and also this was the year when the assessment for the site near Madryn was carried out. It is noted that there were 20 empty places in the school that year which means that a contribution would be needed to create additional capacity for an extra two pupils. (Note that the educational information for 2014-15 notes that the school would continue to operate above capacity on the basis of developing the three sites):

Capacity	Number attending the school (September 2013)
67	47

- 5.23 In accordance with the contents of the SPG, it is noted that an educational contribution of £24,514 is needed between the three sites (£12,257 x 2 pupils). Based on the previous observations of the Education Department, the expected contribution from each site is based on the proportion of the number of houses noted for them in the UDP as a part of the total for the three sites as a whole. This has meant that an educational contribution of £6,240 has been secured in relation to the permission for the site near Madryn (i.e. 14/55 x 24,514).
- 5.24 By calculating this for the site that is the subject of this application, an educational contribution of **£8,914** (20/55 x 24,514) would be expected in relation to this development.
- 5.25 There is sufficient space in Ysgol Uwchradd Glan y Môr (which serves Chwilog), to accommodate the pupils who would derive from the three sites in Chwilog.
- 5.26 By ensuring an appropriate educational contribution by means of a 106 agreement, it is considered that the proposal meets the requirements of Policy CH37 of the UDP and SPG Housing Development and Educational Provision.

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Language Matters

- 5.27 A Community and Linguistic Assessment was submitted as part of the application and this concluded that the development would help protect the language locally by providing local people with an opportunity to move up the property ladder and thus stay in the local area to live and support the village's facilities and community activities. The Joint Planning Policy Unit confirms that the mixture of houses proposed makes the development attractive to the local population, in particular to families with children. Therefore, it is considered that the development is beneficial to the Welsh language and is consistent with the objectives of Policy A2 of the UDP and SPG "Planning and the Welsh Language".

Response to the public consultation

- 5.28 The above assessment has given full consideration to the objections received in response to the public consultation, and it is not considered that any material planning objections have been offered that outweigh the relevant planning policies noted in the assessment, therefore there is no reason why the Council should not support this application to contribute towards realising the objectives of the Unitary Development Plan.

6. Conclusions:

- 6.1 Having weighed up the proposed development and considered all the relevant planning matters, including local and national policies and guidelines as well as the objections that were received, it is considered that the application to construct 21 houses (including seven affordable houses for local need) on this site satisfies the requirements of the Development Brief for the site, and complies with all the relevant local and national policies noted in the report, subject to planning conditions and a 106 agreement to deal with specific matters.

7. Recommendation:

- 7.1 To delegate the power to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 Agreement relating to the educational financial contribution and to ensuring that seven of the 21 houses are affordable houses for general local need. The planning permission would include relevant conditions relating to:

1. The commencement the development and submitting reserved matters
2. All materials to be agreed
3. Slate roof
4. Water/Sewerage/Drainage
5. Highway conditions
6. Biodiversity conditions
7. Removal of permitted general rights from the affordable units
8. Landscaping
9. Tree preservation scheme
10. Play area
11. Removal of permitted development rights