

PLANNING COMMITTEE	DATE: 29/07/2024
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Number: 1

Application Number: C24/0011/30/AM

Date Registered: 23/01/2024

Application Type: Outline

Community: Aberdaron

Ward: Pen draw Llŷn

Proposal: Outline application, with some reserved matters (appearance, landscaping) to create five self-build plots for affordable housing

Location: Bodernabwy, Aberdaron, Pwllheli, Gwynedd, LL53 8BH

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 Members are reminded that this application has been discussed previously with a recommendation for refusal by the officers at the time. The decision was deferred to obtain further information and to hold a site visit. This is an outline application, with some reserved matters to create five self-build plots to provide affordable housing..
- 1.2 For clarity, here are further details regarding the application as submitted:
- Create a vehicular entrance approximately 12m wide with an access road approximately 5m wide into the site with a parking area on part of the site near the entrance.
 - Building five detached two-storey houses within individual plots with front and rear gardens which would include an internal floor area of approximately 94m²
- 1.3 This application has been submitted in the form of an outline application and, therefore, not all details of the development in terms of detailed plans to show the appearance/design and landscaping have been included as would be the norm with a full application. That is, apart from the principle of the proposal itself, details of the entrance, siting and scale that permission is sought for are only included as part of this outline application and permission is not sought for appearance and landscaping of the proposed development. Should the current application succeed, these details would be subject to a further application. Nevertheless, as required with outline applications now, the minimum and maximum height of buildings to be erected on the site have been recorded.
- 1.4 In terms of the details that have been submitted as part of the application, the following are noted:
- "The individual houses are intended as two-storey, to avoid the attributes of 'bungalow' single-storey dwellings, and it is anticipated that the houses will measure between 6.8m and 7.2m wide (which includes the thickness of the outer walls either side) and between 7.60m and 8.00m long.
 - The height to the ridge will be approximately 7.40m above slab level (lower floor). There should be allowance for some variation in the steepness of the roof, which suggests a ridge between 7.20m and 7.80m.
 - Should applicants wish to seek permission for a single-storey building, that would give a height of approximately 4.65m, for a traditional roof as above - with a range of around 50cm more or less – but the length of the house would most likely be around 14.40m, with a range of 50cm more or less".
- 1.5 The site of the proposed development is currently open agricultural land with surrounding boundaries in a mix of natural hedgerows, earth banks and post and wire fencing.
- 1.6 The entire site is outside the current development boundary of the village of Aberdaron and is therefore in open countryside. Parts of the southern boundary of the proposed site partly touch the development boundary. The busy B4413 road is situated parallel to the front of the site with a public footpath running along the western boundary of the land. The site is within the Llŷn AONB and the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest designations.
- 1.7 As part of the application, the following information was submitted:

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- Planning Statement
- Porosity Report
- Initial Ecological Assessment
- Details (confidential) regarding the financial and residential background of 5 individuals/family

1.8 In addition to the original submission and in response to the planning committee's decision to defer the decision, the following additional information was submitted:

- Housing Statement
- Housing Needs Survey
- Landscape Statement
- Plot / Site Valuation

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 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017

PS 1: The Welsh Language and Culture

ISA 1: Infrastructure provision

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 16: Housing Provision

PS 17: Settlement strategy

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TAI 5: Local market housing

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

TAI 16: Exception Sites

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 1: Areas of Outstanding Natural Beauty Management Plans

AMG 5: Local biodiversity conservation

PS 20: Preserving and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

Supplementary Planning Guidance (SPG):

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Housing Mix

SPG: Affordable housing

SPG: Character of the landscape

SPG: Planning obligations

SPG: Building new dwellings in the countryside

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 – February 2024)

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

TAN 5: Planning and nature conservation

TAN 6: Planning for sustainable rural communities

TAN 12: Design

TAN 18: Transportation

TAN 20: Planning and the Welsh Language

TAN 24: The historic environment

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3. Relevant Planning History:

- 3.1 It appears that there is no relevant Planning history involving this land specifically.
- 3.2 A pre-application enquiry was submitted for the construction of five houses on a site adjacent to the main road under reference Y23/0265, not the site that is subject to this current application. It was noted that there was concern about a new residential development such as this as it would extend the development pattern of the village into open countryside and therefore would not be appropriate. It was also noted that local need for such housing must be proven. There was no opportunity to comment further on any revised proposal.

4. Consultations:

Community/Town Council: No objection to the outline application. If the site is developed, the County Council will be asked to consider installing paving between the development and the main road.

Transportation Unit: There are no concerns regarding the scope of the development in relation to the site. A vehicular road and footway of a suitable width would be achievable meaning that a safe access would be possible within the site. However, there is ambiguity as to how non-vehicular users would access the centre of the community.

Insufficient details have been provided to determine whether a safe access could be constructed in the proposed location.

We request that a standard condition/note is included with any permission granted.

Natural Resources Wales: We have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome if the document set out below is included in the condition relating to approved plans and documents on the notice of decision: Approved Document: Richardson, L., October 2023, Land Near Bodernabwy, Preliminary Ecological Assessment, Cambrian Ecology Ltd.

Protected Species

We note that the ecology report submitted in support of the above application (Richardson, L., October 2023, Land Near Bodernabwy, Preliminary Ecological Assessment, Cambrian Ecology Ltd) noted that although there were no potential bat roosts within the application boundary, there was a high potential for bats to commute and forage across the site. Section 9.2.1 of the report provides recommendations regarding new lighting and that a lighting scheme must be formulated

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to indicate that the recommendations will be delivered. Therefore, we advise that a lighting scheme is submitted to support any subsequent Reserved Matters applications relating to this outline application for five dwellings.

Designated Sites

Special Area of Conservation (SAC)

The development site is approximately 150m from a watercourse, hydrologically linked to Pen Llŷn and Sarnau SAC and West Wales Marine SAC. We have concerns that harm to the SAC from the proposed development cannot be ruled out and have identified pollution as a potential impact on the site's features. This is due to the location of the application site in relation to the nearby Cyllyfelin river. To ensure appropriate mitigation measures, we advise that the document listed below be included in the conditions of the approved plans and in the notice of decision. Provided that the measures set out in those documents are implemented as prescribed, we consider that the proposed development would not adversely affect the Special Area of Conservation.

As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a Special Area of Conservation, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must, for the purposes of the assessment, consult NRW and consider any comments we make within the reasonable period you indicate. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect on the Special Area of Conservation.

Designated Landscape

The development is located within the Llŷn Area of Outstanding Natural Beauty (AONB). We note that there is no information regarding landscape assessments with the application. If your Authority considers that the proposal is likely to affect the AONB then we advise that appropriate landscape assessments are submitted. We advise you to seek the advice of your Authority's AONB Officer. If you need further advice, then please re-consult us.

Welsh Water:

A public sewerage main crosses the site and no building, structure, SuDs facilities or timber resources may be erected within the pipe protection zone.

There is existing capacity to connect a sewer system to the public

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system and it is suggested to include a condition to agree on the details of a drainage plan for the site.

Public Protection Unit:

Not received

Land Drainage Unit:

Standard response regarding the need to include a surface water treatment system or SUDS

Rights of Way Unit:

I confirm that footpath 17 in the community of Aberdaron runs across the western boundary of the application site. It is not currently possible to walk this path as it is blocked at its southern end near the property known as Noddfa'r Enfys. There does not appear to have been any consultation or discussion with the applicant regarding this prior to the submission of this planning application.

We realise that this is an outline planning application under consideration and the Service is keen to ensure that the path receives full consideration in the hope that it can be re-opened to the public. It is believed that this can be achieved by following one of two steps:

1. Continue with the existing footpath line erecting a boundary fence to separate the path from the proposed housing estate. The developer would have the responsibility to provide a fence and gate at the southern boundary with Noddfa'r Enfys as part of this development. The path would be required to be at least 2 meters wide from the bottom of the existing field boundary earth bank (clawdd) to any proposed estate boundary fence. It would be the responsibility of the owner of the 'clawdd' to maintain it thereafter without narrowing the footpath;

2. Divert the entire footpath to run parallel with the housing estate road and then adjust plots 1 and 2 to receive the new path route. I confirm that there is a process under section 257 of the Town and Country Planning Act 1990 (as amended) which allows routes to be diverted/removed where necessary to enable developments to take place. Granting this planning application would not give permission to the diversion referred to on the plans submitted with the application.

Should the planning application be approved, the applicant must formally submit a separate application to the Council to divert the path under the above provision, and the normal procedure of diverting the route (i.e. discussing with the applicant, consulting, making an Order, advertising an Order) would have to be followed. The costs of diverting the path will fall squarely on the applicant (namely the administrative costs, advertising costs, and the cost of

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setting up the new path on the ground). I would recommend that the applicant has a discussion with us in this Unit before submitting a request for a diversion to ensure that any prospective diversion is suitable. To this end I would be grateful if consideration was given to include the following condition should the Planning Authority wish to grant planning permission for the development:

1. Prior to commencing any development work, details for the improvement and/or diversion of public right of way footpath number 17 in the community of Aberdaron under section 257 of the Town and Country Planning Act 1990 (as amended) must be submitted for approval in writing by the Local Planning Authority. The approved details will be in place and operational prior to the occupation of the development.

It is likely that the path will need to be closed during the development phase and as such may need to be closed temporarily. The developer is informed that orders would be required to close the paths affected by the development under the Road Transport Management Act 1984 Section 14 as Amended by the Road Transport (Temporary Restrictions) Act 1991. The developer is requested to contact us with any request to temporarily close the paths at least 6-8 weeks prior to the start date of any development. Should the application be approved it is recommended that a note be included on any decision to this effect:

The applicant is advised that Aberdaron Public Footpath No. 17 crosses the application site and it is an offence to obstruct or divert any right of way unless it is done in accordance with the appropriate legislation. Prior to commencing any development permitted hereby the developer is likely to need to submit and receive approval for the temporary closure of a path for this footpath under the provisions of Section 14(1) of the Road Traffic Management Act 1984 (as amended) by Cyngor Gwynedd namely the Local Highways Authority. Before undertaking any development work, it is advisable for the applicant to contact the Public Rights of Way Team of the Highways Authority namely Cyngor Gwynedd.

AONB Unit:

The site in question is on the outskirts of the village of Aberdaron and in the Area of Outstanding Natural Beauty (AONB). The site is not within the village Conservation Area.

Guidance on affordable housing developments is given in Policy CP6 of the Management Plan: "Promote new affordable homes to meet proven local need, as long as schemes, designs and materials are in-

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keeping with the AONB's environment."

The site is currently part of an agricultural field near two recently built houses. A residential development at this location would be visible from some public spaces but it does not appear that the development would intrude on the landscape. Aberdaron public footpath number 17 runs along the boundary of the site and the path would need to be protected and given adequate space. The intention to plant trees is noted and this would benefit screening the development and contributing to biodiversity. A condition is suggested to agree an effective landscaping scheme before the start of the development as well as a lighting scheme to limit lighting to what is really necessary.

Biodiversity Unit:

The ecological report has been completed to a good standard. The ecologist has provided a draft Green Infrastructure Statement but the expectation would be for the applicant to provide such a statement and not an external consultant. However, it is not believed that it would be reasonable to ask the applicant for additional information at this time.

NRW in their response have identified the need to carry out a Habitat Assessment given the size of the development and its location near a Special Area of Conservation. It would be normal for the applicant to provide this information to carry out the assessment (in the form of a report from a qualified ecologist).

Further observations:

The proposal is 750 metres to the north of the Pen Llŷn and Sarnau SAC. The SAC has been designated for marine habitats and species. The site is for developing housing on the land, the development for 5 houses would not lead to the loss of marine habitats. The development would not cause noise in the sea that could disturb marine mammals (dolphins, whales, seals).

The development would not cause changes to coastal processes.

The land more or less falls towards the sea and the nearest watercourse is 145 metres away from the development site, therefore it is very unlikely that pollution from the development could reach the sea.

As the competent authority under the Habitats Regulations, Cyngor Gwynedd has considered the proposal in relation to the Pen Llŷn a'r Sarnau SAC and the development is unlikely to impact the SAC.

Cambrian Ecology's ecological report states there are no bat roosts on the site but the site is likely to have bats flying around it. Therefore I recommend that the *cloddiau* and hedges are retained and that new

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hedges and *cloddiau* are created, as suggested in my observations in an e-mail dated 3 April 2024.

Language Unit:

In order for the Unit to be able to offer a fair and balanced view of the application, we encourage the applicant to use the latest data now available from the 2021 Census and include a more detailed analysis. For example, by age groups for the study area. Consideration should be given to resubmitting the updated statement before submitting the application to Committee.

Gwynedd Archaeological Service:

Although there is general potential for undiscovered archaeological remains within the local area, there are no clear signs of ancient occupation at the site and therefore there is no recommendation in this case.

Housing Strategic Unit:

Information about need:

The following indicates the number of applicants who wish to live in the area:-

6 options on the Tai Teg register for intermediate properties 28 applicants from the common housing waiting list for social property.

Suitability of the Plan: Based on the above information, it appears that the Plan partly addresses the need in the area.

Schemes are expected to include 100% affordable housing as it is on exempted land. The application does not elaborate on the sizes of the dwellings, and so it is difficult to confirm if the development would address a need in the area. I see no evidence that it is the applicants who have been approved by Tai Teg who are in line to purchase the houses.

It is not possible to submit comments on the affordability of the affordable units as no open market valuation has been submitted. I would be more than happy to revisit the application once a formal valuation has been received.

Further observations:

The Supplementary Planning Guidance uses the 3.5 x Median Income + 10% of the affordable market price as a formula to identify the affordability level. If you are not looking to set a discount in this case 10% of the median property price could be used rather than the open market price to obtain the affordable price for the area.

The identified figure should be within reach of a local person but a

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discount of approximately 40% would be required to secure this.

Public Consultation:

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

- The proximity of the development to existing housing creates over-looking and loss of privacy.
- Ribbon development without evidence why it should be considered as an exception site for housing.
- No reference or consideration for the location of the site within the AONB.
- The siting and context of listed buildings will be affected by the development.
- The development would extend the clear and assumed boundary of the village without any justification.
- There is no evidence of a need for housing whether local to Aberdaron or other parts of Llŷn.
- There is no evidence of financial viability.
- There is no visual impact assessment with the application.
- Although appearance is a reserved matter, the site is clearly within the open countryside and no design code has been submitted to support the decision, which is particularly relevant as these are self-build houses.
- The height of the houses will be detrimental to the special character of the area's landscape.
- The indicative siting suggests an urban siting that is inappropriate in terms of policies and design. The siting does not respect the quality and character of the historic settlement
- No evidence has been submitted regarding other suitable sites
- There is no justification for the loss of agricultural land.
- The proposal to build large, detached houses in the open countryside without any justified link to the need for local housing and the Welsh language.
- Historic landscape features would not be protected or enhanced with the application.

5. Assessment of the relevant planning considerations:

The principle of the development

- 5.1 Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan (LDP) notes that the plan itself identifies development boundaries for a range of settlements within the county and that proposals within development boundaries will be approved in accordance with the requirements of other relevant policies in the Plan. It also notes *"outside the development boundaries, proposals will be resisted unless they are in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential"*.
- 5.2 In this case, the proposal has been submitted as an application for development on an exception site and therefore consideration is mainly given to policies PS 17 and TAI 16 in such cases.

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5.3 It is seen that Aberdaron village is defined as a rural / coastal village in the LDP with approximately 95 houses and a few facilities within the current development boundary. According to the latest information received from the Planning Policy Unit, an indicative supply level of housing for Aberdaron over the Plan period is 13 units (which includes a 'slippage allowance' of 10%, meaning that the method of calculating the figure has taken into account potential unforeseen circumstances that could influence the provision of housing e.g., land ownership issues, infrastructure constraints etc.). In the period 2011 to 2023, a total of 6 units have been completed in Aberdaron all at windfall sites. The windfall land bank i.e., sites with extant planning permission in April 2023 was 0 (zero) units (dismissing the units identified in the Joint LDP as unlikely to be completed). This means that there is capacity within Aberdaron's indicative supply for development of this scale.

5.4 Policy TAI 5 is relevant to locations within the development boundary but in this case, the proposal's boundary only partially touches the boundary and therefore must be regarded as an exception site outside the development boundary and therefore the relevant policy in this case would be policy TAI 16 which states:

"Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small-scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land".

5.5 It was noted in the formal response given to the pre-application enquiry that, as a development on a proposed exception site, evidence in the form of a Housing Statement would be required to include an assessment of the need of qualified applicants for affordable housing. Information has been submitted in the form of a questionnaire on the local connection of 5 people/cousins and since the previous committee, a Housing Statement was submitted along with additional information such as a valuation of the plots. It is crucial that applicants for affordable housing are fully assessed for their needs and 'aspiration' is not a sufficient reason for the need for an affordable house. It is known that the applicants have registered with Tai Teg and in order to be qualified to be included on this register, they must comply with a series of specific requirements relating to income levels, inability to afford open market housing and local connections. It is therefore believed from the information to hand that there is a proven general need and, as is the case with such applications, it is believed that it would be reasonable to include a standard affordable housing condition to be formally discharged as a means for individuals to fully prove a specific need.

5.6 Policy TAI 8 promotes proposals that contribute to improving housing balance and meeting needs identified in the whole community. It is therefore necessary to consider if the mix of units and tenure proposed here is suitable to promote a sustainable mixed community. It is therefore important to consider the contents of the 'Housing Mix' SPG when establishing if what is proposed here is suitable.

5.7 The Housing Mix SPG states that every applicant submitting a planning application for a C3 Use Class development, that includes 5 or more housing units, will be expected to submit a Housing

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Statement to support the planning application. A Housing Statement has been submitted since the decision was made to defer the application at the previous committee meeting.

- 5.8 The application does not provide information to justify the mix and type of housing provided and their affordable price nor how the proposal will meet the needs of the local community. For example, the number of bedrooms in each affordable property should match the needs of the individual. . Should the application be approved, there would be a need to impose a condition to agree on the mix to ensure that the dwellings respond directly to the need.
- 5.9 An independent valuation was submitted of the notional value of a three bedroom 94m2 house on the open market. 94m2 is in accordance with the size of a two-storey three bedroom house in the Affordable Housing SPG and is therefore relevant to be considered in the context of the application. The valuation shows it is possible to set a discount but a discount of approximately 40% would be needed to ensure affordability. Should the application be approved an individual discount could be applied to every dwelling based on its final design through an application for a discharge of condition and ultimately, through a 106 agreement. In order to secure control over the size of the houses and therefore keep their size and price 'affordable', as is usual, a condition would be imposed that would prevent permitted development rights, i.e., it would not be possible to extend any property without first submitting a planning application. Also, since 20 October 2022 the Town and County Planning (Use Classes) (Amendment) (Wales) Order 2022 came into force. This Order has made changes in terms of the use classes of residential units. C3 use class has now been noted as dwelling houses used as sole or main residence. Two additional use classes were added, namely C5 and C6. C5 use class is dwelling houses used in a different manner to a sole or main residence and C6 use class is for short-term lettings no longer than 31 days for each period of occupation. As the proposal has been considered against the housing policies of the LDP it is considered that it would therefore be appropriate to impose a condition that the house is restricted to C3 use class only, namely dwellings used as a sole or main residence.
- 5.10 The need for evidence is crucial in order to hold a full assessment and is a fundamental requirement for this type of application and therefore to this end, due to additional information being submitted and the ability to impose a condition to agree on the provision of affordable housing, this proposal now complies fully with the requirement of policies TAI 8, TAI 15 and TAI 16 of the Local Plan in addition to the relevant advice provided within the Supplementary Planning Guidance and the national directives within Planning Policy Wales and Technical Advice Notes.

Visual amenities

- 5.11 In this case, as it is an outline application with matters regarding appearance and landscaping withheld, not all the information is available. However, the minimum size provided suggests that 5 two-storey houses within an open area of this type in the countryside would be extremely prominent. It is recognised that existing houses nearby are a mixture of two-storey, single-storey, dormer buildings etc. However, the siting of the proposed houses within an existing open field would be away from the existing built pattern and would therefore stand out and the impact would significantly alter the visual appearance of the site. Criterion 1 of policy PCYFF 3 notes that proposals will only be granted if ...

"...it complements and enhances the character and appearance of the site, the building or the area in terms of siting, appearance, scale, height, massing and elevation treatment".

- 5.12 Similarly, paragraph 7.8.3 of the SPG: Affordable Housing notes:

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"The exception site needs to be immediately adjacent to the development boundary and forms a reasonable extension to the settlement. "Immediately adjacent" means that the proposed exception site should be in connection with the development boundary in the site's vicinity. In relation to whether or not the proposal would be considered as a reasonable extension to the settlement regard will be given towards whether the proposal is a rounding off of the built form or whether it would form an unacceptable intrusion into the open countryside. The impact of the proposed site on the landscape will be an important consideration in judging its suitability".

- 5.13 The site would be fully visible within the AONB and from places beyond the site due to the nature of the land elevating from the application site, in particular in a north and north easterly direction. Members are reminded that the AONB is just as important in terms of conservational value as the National Park and are designated under the same act with a responsibility on relevant Local Authorities to take: "take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area. ."
- 5.14 It can be seen from the observations of the AONB Unit, that they do not consider the proposal to be damaging in terms of its visual impact. They also refer to a relevant policy within the AONB Management Plan which promotes the provision of affordable housing where it is proven there is genuine local need. As discussed previously in the report, the need has now been proven and therefore it is possible to place weight on this as a material consideration when weighing up the application against other relevant policies, including those that relate to the visual impact.
- 5.15 As a consequence of the concerns highlighted previously by officers, a Landscape Statement was submitted which has been noted as a statement to contradict the officers' claims. Although it does not contain any formal photographic assessment it does emphasise the AONB Unit and NRW's observation and suggest that by including an intensive landscaping plan that the visual impact could be mitigated. Although the document contains relatively ambiguous statements, it is a material consideration.
- 5.16 It is reasonable to accept that a landscaping plan of good standard would be able to contribute to integrate the development but it is unlikely to conceal the entire development. By imposing conditions, the proposal can comply with the relevant sections of policies PCYFF 3 and 4.
- 5.17 When looking at the development pattern of Aberdaron it can be seen that it is dispersed and follows the main road networks into the village and there are some clusters of developed areas which are denser than others. It is recognised that the houses near the site access are larger and have a modern design compared to the more traditional dwellings in the centre of the village. As you travel out of the village towards the site, the character of the settlement is less traditional in nature. Given this, a new development is less likely to appear alien, although it must be acknowledged, it would still erode and lead to the loss of open countryside.
- 5.18 Although this is an outline application, the design and choice of materials and colours can also help to mitigate the impact of the development by ensuring that it is of a good standard and that it respects its place in the landscape. Through the process of having to submit an application for reserved matters and the ability to impose conditions on any planning permission, it would be possible to secure a development of a good standard that would comply with policies PCYFF 3 and 4.
- 5.19 Concern remains about the visual impact as the proposed houses would be laid out within an existing open field away from an existing built pattern and therefore would stand out and change

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the visual appearance of the site and extend the built form further into open countryside. Nevertheless and having considered the proposal as a whole, it is considered that the need for affordable housing for local residents outweighs the conflict with relevant visual policies. It is believed that the visual impact is one that could be accommodated and reduced by agreeing on the design details and the size of the houses and landscaping and the site's final layout.

- 5.20 Although the proposal does not fully comply with policy in terms of the visual impact it is not considered that the application should be refused contrary to policy PS 5, PCYFF 3, PCYFF 4 and TAI 16 in terms of considering the need for affordable housing.

General and residential amenities

- 5.21 It is inevitable that there would be an increased impact on the general amenities of the local area and nearby residents from what is present, as the site is open agricultural land as it stands.
- 5.22 However, it must be considered that this is an outline application where all the proposal's final details are currently unknown. For example, agreeing on the details of suitable boundary treatment and landscaping for the site could provide some protection to the residential amenities of nearby houses. It is acknowledged that the site plan submitted suggests that the house on plot 5 would be relatively close to the site's boundary with nearby dwellings and concern has been highlighted about the impact of the development as a whole on the amenities of the residents of these dwellings in terms of loss of privacy and overlooking. However, appearance is a reserved matter and so there would be an opportunity to consider the true impact of any proposal when discussing further details. It is considered possible to design a house (in terms of shape, size, location of windows, doors etc) that will protect the residential amenities of neighbours' dwellings and therefore the proposal is not considered entirely unacceptable based on all the relevant requirements of policy PCYFF 2.

Consideration of the Welsh language

- 5.23 Criterion (2) of Policy PS 1 states that a Welsh Language Impact Assessment would be required for a proposed development on an unexpected windfall site for a large-scale housing development. The fact that this is an exception site outside the development boundary therefore means it is an unexpected windfall site. Large-scale is defined in Diagram 7 of the Supplementary Planning Guidance 'Maintaining and Creating Distinctive and Sustainable Communities' as five or more units in a Rural/Coastal Village such as Aberdaron.
- 5.24 The application has been accompanied by a Planning Statement, although it is not in the form of an impact assessment as referred to in the comment of the Policy Unit. It is also noted that the Language Unit has stated that information should be included based on the 2021 Census rather than 2011 as given in the statement as submitted. Normally, this matter would have been referred to the agent and it would be expected that a competent assessment was prepared. However, in this case, accepting such an assessment would not make the remainder of the development acceptable and it would be unfair to expect the applicant to incur additional costs when knowing that this information would not in itself ensure compliance with all relevant policy requirements. However, no evidence has been received indicating that the development would be likely to be detrimental to the language and as the proposal here is for 5 affordable houses, where the occupation would be restricted to local people only, the proposal is not considered to be strictly contrary to policy PS 1.

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Transport and access matters

- 5.25 The Transport Unit's response had not been received at the time of writing. However, access together with details of the estate road and parking spaces are part of the proposal and therefore consideration will be given to the form and location of these elements in terms of the relevant requirements of policies TRA 2 and TRA 4. Parking spaces appear to be offered on part of the site and within the individual plots. In that regard, it is believed that the proposal would be acceptable in terms of current parking requirements and therefore in accordance with policy TRA 2. The proposed entrance appears standard width for serving a site of this type and is located on a section of the road, albeit a busy road, which is relatively straight with relatively clear visibility in both directions. Subject to receiving favourable representations from the Transport Unit, with appropriate conditions, it is believed that the entrance could also be acceptable and thereby in accordance with the relevant requirements of policy TRA 4.

Biodiversity matters

- 5.26 The Biodiversity Unit has confirmed that the ecological report submitted with the application has been written to a good standard. However, they note the need to submit further information to ensure that requirements relating to conducting a full assessment of the impact of the proposal on the designation of the Special Area of Conservation are met. NRW also note in their observations that Cyngor Gwynedd *"As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a Special Area of Conservation, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the Special Area of Conservation site."*
- 5.27 Additional information was subsequently received and the Biodiversity Unit confirmed due to the site being 750 metres to the north of Pen Llŷn a'r Sarnau SAC, the development for 5 houses will not cause the loss of marine habitats or cause noise in the sea that could disturb marine mammals (dolphins, whales, seals)
- Neither will it harm coastal processes and it is very unlikely that pollution from the development could reach the sea.

As the competent authority under the Habitats Regulations, Cyngor Gwynedd has considered the proposal in relation to the Pen Llŷn a'r Sarnau SAC and the development is not likely to have an impact on the SAC. It is therefore accepted that the proposal is now acceptable and in accordance with policy PS 19 and AMG 5.

- 5.28 In accordance with recent legislative changes to Planning Policy Wales (PPW) and the need to introduce a Green Infrastructure Statement, a statement has been submitted and for the purpose of satisfying PPW in terms of this particular aspect, it is believed that this has been done in this case. It is seen that it has been proposed to improve biodiversity by including bat boxes, planting trees and creating a new natural hedge. It is believed that all of these elements are acceptable and a means of creating subsequent biodiversity enhancements and that a standard condition would be included to ensure that these improvements are implemented in accordance with what is noted in the statement and the ecological assessment. It is believed that the proposal is now acceptable and therefore in accordance with the relevant requirements of policies PS 19, AMG 5 along with chapter 6 Planning Policy Wales which relates to green infrastructure and the phased approach.

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Archaeological Matters

- 5.29 As can be seen from the comments of the Archaeological Service, although there is a general potential for undiscovered archaeological remains within the local area, they had no recommendation in this case such as carrying out exploration of the site. It is therefore believed that the proposal is acceptable based on this particular element and is in accordance with the relevant requirements of policy PS 20.

Educational Contribution

- 5.30 The proposal is to construct 5 houses but the number of bedrooms does not appear to have been confirmed. Should the proposal be for 5, 3-bedroom houses, from the information in the SPG 'Planning Obligations' it is stated that an additional 2 primary age pupils will result from this proposal: $5 \times 0.4 = 2$ pupils
- 5.31 As there is existing capacity within the local primary school, it would not be relevant to consider an educational contribution in this case for the additional pupils resulting from the proposed development.

Response to the public consultation

- 5.32 It is acknowledged that objections have been received to this proposal and it is considered that all relevant planning matters have been given appropriate consideration as part of the above assessment. A decision is made based on a full consideration of all the relevant planning considerations and all the comments received during the public consultation and that no one was let down when considering this application.

6. Conclusions:

- 6.1 The current housing situation in the village of Aberdaron village is well known in terms of how difficult it is to find a house at an affordable price. The principle of new residential development that would contribute towards meeting the need locally is therefore fully supported. However, this does not mean that any proposal submitted is permissible and proposals must comply completely with the relevant requirements of policies that protect a highly sensitive area such as here from unacceptable new development.

The matters involving the need for the development and the impact on ecology have been resolved in full after receiving additional information from the agent. Although the landscape statement was submitted, the proposal does not fully comply with the policy in terms of the visual impact but having weighed up the application, it is not considered that the application should be refused given the need for affordable housing in the area.

- 6.2 Having considered the above and all the relevant planning matters including local and national policies and guidance, as well as all the observations received, it is believed that this proposal is now acceptable in its submitted form.

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7. Recommendation:

7.1 To approve – conditions

1. Time
2. In accordance with the plans
3. Materials
4. Affordability condition
5. Highway conditions
6. Biodiversity / biodiversity enhancements Condition
7. NRW condition
8. Welsh Water Condition
9. Reserved Matters condition
10. Withdrawal of PD rights and restrict to C3 residential use only
11. Protect the public footpath.