

<b>PLANNING COMMITTEE</b>	<b>DATE: 12/01/2026</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 4**

**Application Number:** **C25/0311/30/AC**

**Date Registered:** **05/11/25**

**Application Type:** **Change Condition**

**Community:** **Aberdaron**

**Ward:** **Pen draw Llŷn**

**Proposal:** **Section 73 application to vary condition 7 on planning approval C24/0011/30/AM to agree a new layout as shown on drawing ref. no. 3196:24:8 and amend conditions 5 and 10 on planning approval C24/0011/30/AM to agree landscaping and appearance details in accordance with drawings ref. no. 3196:24:8 and 3196:24:7.**

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

**Summary of the**

**Recommendation:** **TO REFUSE**

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## 1. Description:

1.1 Members are reminded that an outline application with some reserved matters (appearance and landscaping) has already been granted on this site in the past for the creation of five self-build plots that would provide affordable housing.

1.2 Normally, after an outline application has been approved, a follow-up application is submitted to agree the details of the reserved matters, and in this case the reserved matters were appearance/design and landscaping matters. All other relevant matters were therefore agreed through the outline application, namely details of the access, layout and scale. The current application was submitted with a plan showing a revised layout to what was permitted on the outline application as well as design/appearance details of the houses and landscaping matters. This application is therefore for the amendment of condition 7 of outline permission C24/0011/30/AM to change the layout of the site and change conditions 5 and 10 to agree the details of the landscaping and design of the houses.

1.3 For clarity, the details of the application as submitted are as follows:

- Create a vehicular access in the same location as previously agreed but with a change to the layout of the access road with a parking space on part of the site near the access but now in a different location to what was agreed, which is parallel to a residential property known as Môr Edrin.
- Erection of five detached two-storey houses within individual plots with substantial gardens and associated parking spaces.
- The total internal floor area of the two-storey houses would be 96m<sup>2</sup>. Internally, they will all include a living space, kitchen/dining space, utility room and toilet on the ground floor and three bedrooms, bathroom and storage on the first floor.
- The external appearance of the houses to include a slate roof, exterior walls to include metal cladding and large glazed gables.

1.4 The site of the proposed development is currently open agricultural land with surrounding boundaries consisting of a mixture of natural hedgerows, soil *cloddiau* and post and wire fencing.

1.5 The entire site is outside the current development boundary of the village of Aberdaron and therefore in the open countryside. Parts of the southern boundary of the proposed site partially abut 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 Ynys Enlli Landscape of Outstanding Historic Interest designations.

1.6 As part of the application, the following information was submitted:

- Affordable Housing Eligibility Report
- Material specification
- Drainage Strategy
- Valuation of the value of the plots/houses
- Design Statement

1.7 Following concerns raised by officers, some elements of what was suggested should be changed in terms of design and finish were amended by removing the metal cladding and including a render finish to the exterior walls along with reducing the width of the first-floor glass opening on the gables. It was suggested that the layout of the site should be changed back to what had been agreed on the outline application due to a less uniform appearance and concern was highlighted about the significant size of the gardens per plot, and the impact of this on the

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affordability of the plots. The layout was not changed because it was clarified that this arrangement was more cost effective for the development of the site. It is further noted that an attempt was made to request a change to the design of the buildings due to concern about the appearance and form of the development in this location; no further amendment was received in addition to the change to the exterior finishes and size of the first-floor glazed openings.

## **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 Local Development Plan.

2.2 The Well-being of Future Generations (Wales) 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 2011-2026, 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

TAI 5: Local market housing

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

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TAI 16: Exception sites

PS 19: Conserving and enhancing the natural environment where appropriate

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: Landscape Character

SPG: Planning Obligations

SPG: Building New Houses 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

## 3. **Relevant Planning History:**

3.1 Application C24/0011/30/AM - Outline application with some reserved matters (appearance, landscaping) to create five self-build plots for affordable housing – Approved 01/08/24

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#### **4. Consultations:**

Community/Town Council: Not received

Transportation Unit: I refer to this application and I confirm that the transportation unit has no objection.

Natural Resources Wales: We have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome if the Ecological Assessment document is included in the condition in relation to approved plans and documents that are on the notice of decision.

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.

Welsh Water: Whilst there is no objection in principle to the amendment of conditions 5, 7 and 10 on Planning permission C24/0011/30/AM, it is requested that if the application is granted that condition 4 imposed on C24/0011/30/AM is included in the new Planning permission.

Public Protection Unit: Not received

AONB Unit: A viewpoint on affordable housing developments in the AONB is provided in Policy CP6 of the Management Plan which states: "Promote new affordable homes to meet proven local need, as long as schemes, designs and materials are in-keeping with the AONB's environment."

The location on the outskirts of the village of Aberdaron is a rural one and the site itself is part of an agricultural field. Generally, the surrounding houses are of a fairly traditional design with rendered walls and a slate roof.

The plans that have been submitted for the site plan, and for the design and appearance of the houses, do not seem to assimilate well given the location, site and other houses in the vicinity.

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The intention to plant trees will help screen the development and contribute to biodiversity. A condition is suggested to agree a landscaping plan as well as a lighting scheme prior to the commencement of the development.

**Biodiversity Unit:**

The landscaping plan incorporates all of the ecological report's Biodiversity enhancement measures – no objection.

The site in question is approximately 750m north of the Pen Llŷn a'r Sarnau SAC. The SAC has been designated for marine habitats and species. The housing development site is on land - development for five houses will not cause loss of marine habitat. The development will not cause noise in the sea that may disturb marine mammals, and the development will not cause a change to the coastal processes.

The land slopes towards the sea and the nearest watercourse is 145m away from the development site, so it is highly unlikely that pollution from the development can reach the sea.

Therefore, Cyngor Gwynedd as the competent authority under the Habitats Regulations has considered the proposal in relation to the Pen Llŷn a'r Sarnau SAC and found that the development is unlikely to have an impact on the SAC.

**Strategic Housing Unit:**

The information below is based on ascertaining the price of an affordable property by identifying x 3.5 the median income of the area and adding a deposit of 10% of the value of the property in accordance with the Guidance.

The property price follows a 40% discount at £228,000 with a median household income for the Pendraw Llŷn ward of £37,034.

With this we calculate: £37,034 x 3.5 + £22,800 (deposit) = £152,419 which is below the price following a 40% discount and is therefore considered unaffordable.

It is important to consider that applicants on the Tai Teg register can earn up to £60,000 as household income and therefore it may be affordable for some individuals on this list. There may also be some national schemes available to assist individuals in owning property.

**Land Drainage Unit:**

It appears that all the drainage work will be done within the applicant's land, therefore, we have no objections for the application.

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**Public Consultation:** A notice was posted on the site and nearby residents were notified. The advertising period has expired and no letter / correspondence of objection have been received.

## **5. Assessment of the material planning considerations:**

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

5.1 As noted above, an outline application with some reserved matters (appearance and landscaping) has already been granted on this site for the creation of five self-build plots that would provide affordable housing. This proposal involves changing the layout of the site along with agreeing the design details of the houses and associated landscaping. To this end, the assessment below addresses those matters that are relevant to these matters that are different from or in addition to what was previously granted. For clarity, therefore, the principle of erecting five affordable homes in the form of a self-build plot has already been accepted, but the impact of changing the layout and agreeing the design and landscape details that have been submitted on visual and residential amenities would be subject to assessment, as well as ensuring that the units remain affordable in terms of local and national planning policies.

### **Visual amenities**

5.2 Criterion 1 of policy PCYFF 3 notes that proposals will only be granted if ... "...they complement and enhance the character and appearance of the site, the building or the area in terms of siting, appearance, scale, height, massing and elevation treatment".

5.3 The site would be fully visible within the AONB and from points beyond the site due to the nature of the land elevating from the application site in a particularly northerly and north-easterly direction. Members are reminded that the AONB is equally important in conservation value as the National Parks and have been designated under the same act with responsibility on relevant Local Authorities to take: "*all actions that will help, as they see fit, to protect and enhance the natural beauty of the AONB or the part of it in their area*". In the response to the consultation, the AONB Unit confirmed "*The plans that have been submitted for the site plan, and for the design and appearance of the houses, do not seem to fit well given the location, site and other houses in the vicinity*".

5.4 The erection of any dwelling on this open and elevated site would be very obvious. The outline permission accepted a suggestion of the size and form of the houses to be erected but the current application was submitted with a design that was not in keeping with what would be expected for this sensitive site. A design that is contemporary in its appearance is not entirely unacceptable as long as it suits its location and conveys the general appearances of the surrounding area. It is not believed that what is being proposed is typical of the area and that the buildings in terms of form and appearance would appear incompatible with other properties within the surrounding area to the detriment of the character and appearance of the AONB. It is not believed that any proposed landscaping would significantly mitigate such impacts. Committee members are reminded that concerns have been raised in the Planning Committee in the past about housing developments that would be detrimental to views in and out of the AONB and affect the dark sky status of the AONB as a result of the size of openings on the elevations of the houses.

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5.5 Although there has been some reduction in the size of the first-floor glazed openings from the original submission, the proposal would continue with a total of ten floor-to-ceiling glazed gables. The Government's Good Practice Guidance '*Planning for the conservation and enhancement of dark skies in Wales*' states:

*"Light that floods through windows can create a huge amount of light pollution. Indoor lighting requirements can be greater than most types of domestic rural lighting, and the effect on dark skies can be significant..... Flooded interior light will have a similar effect to external lighting, especially when interfering with and disrupting the continuity of the dark landscape where local habitat is good for bats, there are concerns about the effects of the interior lighting flooding through large windows or glass walls. There should be as little glazing as possible. Where possible, the glazing should:– not exceed 25% of the floor area;....avoid large individual areas of glazing such as glazing from floor to floor...."*

5.6 It is acknowledged that some change has been done to the finishes but not to the design and layout. Although changes to the design and layout were requested, no further changes were proposed of the change to external finishes. It is therefore not considered that the proposed development would protect or enhance the AONB or local visual amenities and would therefore be detrimental to the character and scenery of the local area. As a result, it is contrary to policies AMG 1, PCYFF 2, PCYFF 3 and PCYFF 4, and criterion 13 of policy PS5 of the adopted Anglesey and Gwynedd Joint Local Development Plan which, together, seek to protect the natural environment.

### **General and residential amenities**

5.7 It is unavoidable that there would be an increased impact on the general amenities of the local area and surrounding residents compared to the current situation as the site is open agricultural land, but it is noted that outline permission exists on the site for the erection of five affordable homes.

5.8 It is seen that the house on plot 1 would be relatively close to the boundary of the site with neighbouring houses. But it is seen that the nearest elevation of the house facing the existing houses would not include any windows that would cause a concern in terms of overlooking. The existing house would be directly abutted by the residential garden attached to plot 1, however, it is considered that there are reasonable distances between the houses themselves meaning there would be no obvious impact on the residential amenities of neighbouring houses and therefore, the proposal is not considered to be wholly unacceptable on the basis of all the relevant requirements of policy PCYFF 2.

### **Affordable housing matters**

5.9 In this case, consideration must be given to whether the application, as submitted, continues to propose units that are genuinely affordable. A document named the "Affordable Housing Eligibility Report" has been submitted in support of the application and a thorough assessment of the proposal will be undertaken on the information presented in this report.

5.10 Information within this document refers to the maximum size of affordable units with reference to Table 18 in the LDP. This table is under policy TAI 5 which relates to Local Market Housing units rather than affordable housing. It is believed that in terms of the size of the affordable units, this should be in line with Planning Policy Wales and it is stated that it should be considered that all affordable units must meet the Welsh Government's development quality standards. It is also noted that consideration should be given to section 3.4 of the SPG: Affordable Housing, which highlights considerations relating to the size of the affordable unit.

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5.11 Therefore, for a case such as this that relates to five person three-bedroom units, the Government standards state a gross internal (floor) area of 93m<sup>2</sup> and 88m<sup>2</sup> for a four person three-bedroom unit. The size of the proposed units as shown would be 96m<sup>2</sup>.

5.12 It is noted that the open market value of the units would range from £375,000 (plots 2, 3 and 4) to £385,000 (for plots 1 and 5) according to a red book valuation dated 13.08.2025, and that the report uses a figure of £380,000. It can be seen with the outline application that a valuation of £242,426 was provided at the time by LWH Housing and Property Company on a value basis of £2,579 m<sup>2</sup> (which would entail a 94m<sup>2</sup> unit) - the date of this valuation was 20 May 2024, and therefore this latest valuation is significantly higher. The Strategic Housing Unit's observations are based on the medium figure of £380,000 referred to in the report and considering that the price of a property with a 40% discount would be £228,000 and the median household income for the Pendraw Llŷn ward would be £37,034, giving a calculation of £37,034 x 3.5 + £22,800 (deposit) = £152,419 which is below the price with a 40% discount and is therefore considered unaffordable.

5.13 It is noted that the Strategic Housing Unit's observations confirm that applicants on the Tai Teg register can earn up to £60,000 in household income and therefore the price may be affordable for some individuals on this register. There may also be some national schemes available to assist individuals in owning property. While this is a consideration, this would only apply in extreme circumstances, and it is necessary to ensure that the units are affordable in perpetuity; and so there is a risk that granting the application as submitted would mean that the affordable price exceeds that which is within the grasp of the local population in need for affordable housing. It is noted that the size of the floor area of the houses is greater than that expected for affordable units of this type and that the size of the plots is also greater than that permitted by the outline planning permission and that these elements can affect the value of the houses.

5.14 Section 5 of the report refers to Tai Teg's requirements stating that all prospective owners do meet Tai Teg's requirements to be eligible for an affordable home. Reference is also made in this part of the report to table 22 in the LDP and the local connection which also meets the Tai Teg criteria. Whilst the same criterion from Tai Teg refers to a one-year connection with the area, a second criterion refers to the need for a local connection with a notice of intention that would be in line with relevant requirements within the SPG and a five-year connection with Aberdaron or its associated hinterland. It is unclear from the information submitted that this has been fully confirmed in this case and therefore, the prospective occupiers of the affordable housing cannot be declared eligible in accordance with the requirements of criteria relating to proving local need.

5.15 It is acknowledged that outline permission has already been granted for the development of five plots on this site for the erection of affordable housing. It is also very much known that there is a real need for affordable housing within the county, but in this case, it is not considered that the affordability of the individual units in perpetuity has been ensured. Although information has been submitted, this information does not confirm that the units are within reach of those in need of affordable housing, nor that the units would be affordable in perpetuity. The fact that an outline application has already been granted does not mean that a subsequent application is acceptable as it is not believed that the affordability of the proposal as submitted has been proven. It is therefore not considered that the application as submitted is acceptable and that it consequently fails to meet the relevant requirements of policy TAI 15 together with relevant guidance provided within Technical Advice Note 2: Planning and Affordable Housing and Supplementary Planning Guidance: Affordable Housing.

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### **Consideration of the Welsh language**

5.16 Criterion (2) of Policy PS 1 states that a Welsh Language Impact Assessment will 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.

5.17 A Planning Statement was submitted with the previous application. The current application relates to the same number of dwellings as the outline application and although concerns have been raised about elements of the application, in terms of relevant linguistic considerations, it is not a change from the previous position. As in the case of the outline application, no evidence was received to show that the development would likely be detrimental to the language and as this proposal is for five affordable houses, where the occupation would be limited to local people only, the proposal is not considered to be entirely contrary to policy PS 1.

### **Transport and access matters**

5.18 The Transportation Unit confirmed that there is no objection to the proposal. The access remains in the same location as approved on the outline application although there is some change regarding the layout of the estate road and the arrangement of the parking spaces. The parking spaces proposed on part of the site are being moved from one side of the land from what has been previously shown to another part whilst individual plots are provided within the five plots attached to the individual houses. It is believed that the proposal would be acceptable in terms of current parking requirements and is therefore in line with policy TRA 2. The proposed access appears to be a standard width for serving such a site and is located on a section of road, albeit a busy road, which is relatively straight with relatively clear visibility in both directions, it is believed that the access would also be acceptable and thus in line with the relevant requirements of policy TRA 4.

### **Biodiversity matters**

5.19 The Biodiversity Unit has confirmed that the landscaping plan incorporates all the Biodiversity enhancement measures of the ecological report and therefore there is no objection. NRW in their observations state that Cyngor Gwynedd should *"as the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), before deciding to give consent for a project which is likely to have a significant effect on the 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..."*

5.20 Cyngor Gwynedd as the competent authority under the Habitats Regulations has considered the proposal in relation to the Pen Llyn a'r Sarnau SAC and the development is unlikely to have an impact on the SAC. It is therefore accepted that the proposal is acceptable and in accordance with the requirements of policies PS 19 and AMG 5.

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### **Educational Contribution**

5.21 The proposal is for the erection of 5 three-bedroom houses; from the information in the 'Planning Obligation' SPG, it is stated that two additional primary age pupils will derive from this proposal:  $5 \times 0.4 = 2$  pupils.

5.22 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.

### **6. Conclusions:**

6.1 As noted above, it is accepted that approval for an affordable housing development has already been granted on this land. However, for the reasons explained above, the current application as submitted cannot be considered acceptable on the grounds of non-compliance with the requirements of relevant local and national planning policies and guidance as set out in the report.

### **7. Recommendation:**

7.1 To refuse – reasons

1. The affordability of the houses and the significantly-sized individual plots are not believed to have been proven without doubt. It is therefore not considered that the application as submitted is acceptable and that it consequently fails to meet the relevant requirements of policy TAI 15 together with relevant guidance provided within Technical Advice Note 2: Planning and Affordable Housing and Supplementary Planning Guidance: Affordable Housing which ensures that housing located outside the development boundary is affordable in perpetuity.
2. It is not considered that the proposal, in terms of design and form and uniform layout, adds to the enhancement of the character and appearance of its site context or fully integrates within the context of the surrounding area or its prominent location within the Llyn AONB. Therefore, the proposal is contrary to the relevant requirements of policies AMG 1, PCYFF 2, PCYFF 3 and PCYFF 4, criterion 3viii of policy TAI 15 and criterion 13 of policy PS5 of the Gwynedd and Anglesey Joint Local Development Plan 2017 together with part 2.6 of Technical Advice Note 12: Design, which states that design which is inappropriate in its context, or that does not take advantage of opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.