

PLANNING COMMITTEE	DATE: 02/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

Application Number: C23/0541/11/MG

Date Registered: 10/07/2023

Application Type: Reserved Matters

Community: Bangor

Ward: Dewi, Bangor

Proposal: Reserved matters following the granting of outline planning permission C18/0365/11/AM for 9 new dwellings with integrated garages including details of layout, scale, appearance, access and landscaping.

Location: Maes Berea, Bangor, LL57 4TQ

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is a reserved matters application for the construction of nine three-storey dwellings with integrated garages in a residential area of the Bangor Sub-regional Centre as defined by the Anglesey and Gwynedd Joint Local Development Plan. Permission was originally granted to develop this site in 2018 (permission C18/0365/11/AM) and the reserved matters, and which are the subject of this application, included landscaping, appearance, access, layout and size. Nevertheless, indicative plans were submitted with the original application that provided some information about the likely size, layout and elevations of the proposed development.
- 1.2 The development includes nine dwellings to be erected in the form of three terraces of three houses, with three-storeys in each dwelling with three bedrooms and a bathroom on the second floor, living space on the first floor and a garage, study and toilet on the ground floor. A 106 agreement is in place to ensure that seven units would be open market houses and two would be affordable houses. It is intended to locate two parking spaces in front of the houses with gardens to the rear and the form, size and fabrication of the proposed houses will reflect the fabrication of other nearby houses.
- 1.3 This application site is located within the development boundary of the city of Bangor but has not been designated for any specific use. It is a steep site with the land raising from the front, which abuts the existing access road towards the Maes Berea estate, an established residential estate that includes approximately 55 houses which are a mix of two and three-storey houses. Abutting the north-western boundary of the site on higher land is the site of Capel Berea Newydd, whilst a public footpath runs along the northern and eastern boundary of the site and have residential houses beyond. On the other side of the access road in front of the site on land level that is slightly lower, a yard can be seen which serves the substantial commercial units of St David's Shopping Centre.
- 1.4 It is intended to finish the walls of the dwellings with bricks and the roofs with slates to reflect the other nearby houses, and a condition is included in the outline permission to agree on the exact materials before commencing the development.

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 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making 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. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

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2.3 Anglesey and Gwynedd Joint Local Development Plan. (July 2017)

PS1: THE WELSH LANGUAGE AND CULTURE

PCYFF 2: DEVELOPMENT CRITERIA

PCYFF 3: DESIGN AND PLACE SHAPING

PCYFF 4: DESIGN AND LANDSCAPING

TRA 2: PARKING STANDARDS

TRA 4: MANAGING TRANSPORT IMPACTS

Supplementary Planning Guidance – Affordable Housing (April 2019)

2.4 National Policies:

Planning Policy Wales - (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

3. Relevant Planning History:

C23/0340/11/AC : An application to amend conditions 1 and 2 of Planning Permission C18/0365/11/AM in order to extend the period for the commencement of the development by an additional 2 years. - Current application

C18/0365/11/AM: An outline application with all matters reserved to erect nine new dwellings with integrated garages - Approved at the Planning Committee on 09/07/18 and planning ruling issued when the 106 agreement was signed on 16/07/2020

C08A/0261/11/AM - Erection of nine houses - Approved 12/06/08

C08A/0180/11/AM - change of condition 1 of Planning permission C03A/0175/11AM to extend the period from commencing the development from 2 October 2008 to 2 October 2011 - Approved 06/05/08

C03A/0175/11/AM - Erection of new nursery - Approved 02/10/03

4. Consultations:

Community/Town Council: Not received

Transportation Unit: The arrangement is acceptable and provides the required number of parking spaces. Have requested confirmation of the gradient of the access between the highway and parking spaces.

Welsh Water: No objection in principle but emphasise the importance of complying with condition 11 of the outline application which requires the submission of a drainage plan prior to the commencement of the

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development.

Municipal Services: Not received.

Biodiversity Unit: Not received

Public Protection: Require a condition to control construction hours to protect the amenities of neighbours.

Land Drainage Unit: Due to the size and nature of the development, an application will need to be provided to the SuDS Approval Body for approval before construction work commences.

Public Consultation: A notice was posted on the site and the neighbours were consulted. The advertising period has ended and the following comments were received raising objections to the development based on:

- Concern regarding the number of cars using the site and the potential hazard to users of the highway
- Concern regarding obstacles to using the road during the construction period

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of developing nine dwellings on the site of the size and nature proposed herein has already been accepted by means of the outline application and, therefore, no further consideration is given to the principle in this report. It is noted that two of the dwellings would be affordable and subject to a 106 agreement. These units continue to comply with the requirements of Supplementary Planning Guidance - Affordable Housing in terms of size.

Location, Design and Visual Impact

5.2 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan approve proposals for new developments as long as they do not have a detrimental impact on health, safety or the amenities of the residents of local properties or on the area in general. In addition, developments are required to:

- Contribute to, and enhance, the character and appearance of the site
- Respect the site and its surroundings in terms of its position in the local landscape.
- Use appropriate materials

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- 5.3 Policy PCYFF 3 states clearly that new developments should only be permitted where they give full consideration to the context of the site's natural, historic and built environment. Additionally, developments should add to and enhance the character and appearance of the site in terms of setting, appearance, scale, mass and elevation treatment. They should also respect the context of the site and its place in the local landscape. Policy PCYFF 4 also emphasises that all proposals should integrate into their surroundings and that proposals that do not respect, retain and add to the site's positive characteristics should be refused.
- 5.4 In this case, the detailed plans submitted are totally consistent with the indicative plans submitted with the outline application. The site is located within a mixed urban area with nearby houses of similar design, plan and size to what is proposed here.
- 5.5 It is considered that the proposal follows the developed pattern of the nearest existing houses within Maes Berea estate and that the appearance, plan and size of the houses and gardens are appropriate when considering their built context. The details submitted would offer logical continuation to the existing housing estate, and a planning condition on the outline permission ensures that land levels will be agreed upon prior to commencing any work and, therefore, the proposal would comply with the relevant requirements of Policy PCYFF3 of the LDP.

General and residential amenities

- 5.6 When considering the location and incline of the proposed dwellings, it is not believed that there would be a substantial detrimental impact on the general and residential amenities of the area based on matters such as overlooking or loss of privacy and so it is not considered that the proposal is contrary to the relevant requirements of Policy PCYFF 2 of the LDP.
- 5.7 A response was received from the Public Protection Service requesting that a condition is imposed to control construction hours on the site in order to protect the amenities of neighbours. Given that this is a reserved matters application, it is not possible to impose additional conditions on the development unless they are related to the matters in question as part of the application. As a result, it is believed that it would be impractical to impose such a condition on this permission but, having said this, regulations are in place beyond the field of planning to control public nuisance that may be used if problems arise. It is deemed appropriate in this case to include a note on the planning permission highlighting normal construction work hours.

Landscaping Matters

- 5.8 A landscaping plan was submitted that included details on tree planting, grass, hedges and brushwood land. When considering the urban nature of the site, it is believed that these details are acceptable as a way of softening some of the inevitable impact of developing the site on wildlife and on visual amenities in accordance with the requirements of policy PCYFF 4 of the LDP.

Transport and access matters

- 5.9 The plan submitted with this application conveys the same layout as submitted and approved on the previous outline application. The Transportation Unit had no objection in principle to this arrangement; however, it has requested confirmation of gradient of the access to the parking spaces. It is noted that there is a planning condition to agree on ground levels and finished floor on the outline planning permission and, therefore, the gradient of the access to the parking spaces would be agreed upon through this condition prior to commencing the development on the site. It

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is considered that it would be appropriate to include a note in the planning permission highlighting the need to include the access gradient to the parking spaces on the intended ground levels. Therefore, it is considered that the proposal meets the relevant requirements of Policies TRA 2 and TRA 4 of the LDP.

Language Matters

5.10 Policy PS 1 states that a language statement will be required when a proposed development belongs to specific categories. In this case, assessing landscaping, appearance, access, design and size of the proposal is only possible as the outline planning permission has already been approved. It is considered that there would be no further impact on the language as a result of landscaping matters, appearance, access, design or size and, therefore, it is considered that the proposal complies with the requirements of policy PS1.

6. Conclusions:

6.1 It is considered that the proposals for landscaping, appearance, access, design and size for this development are acceptable and that they will not impair the character and appearance of the area. All material planning considerations have been considered when determining this application; however, this has not changed the recommendation.

7. Recommendation:

To approve

Notes

1. Construction work hours
2. Gradient of the access to parking spaces to be agreed in advance in accordance with condition 4 of the outline planning permission