

PLANNING COMMITTEE	DATE: 05/09/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 4

Application Number: C22/0525/11/LL

Date Registered: 06/06/2022

Application Type: Full

Community: Bangor

Ward: Dewi

Proposal: To erect 10 intermediate affordable dwellings and associated works.

Location: Former Coed Mawr Infants School, Bangor, LL57 4TW

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is a full application to erect 10 intermediate affordable dwellings together with associated work on the dormant site of the former Coed Mawr Infants School, south of the city centre and within a residential area between Ffordd Caernarfon and Ffordd Penrhos. The application can be split into several different elements, which include:-
- Providing intermediate affordable housing in the form of: Four semi-detached, two-bedroom houses (4 person); Four two-storey three-bedroom semi-detached houses (5 person) and two two-storey three-bedroom houses (5 person) with shared equity tenure.
 - Provision of off-road parking spaces.
 - Creating garden areas, pavements and private curtilages.
 - Alterations to existing access and provision of a road and paths for pedestrians within the site.
 - Hard and soft landscaping including planting a variety of trees and shrubs.
 - Creating a play area for children.
 - Installation of a foul water drainage system to serve the dwellings together with a surface water system.
- 1.2 The site is currently dormant and includes remains of the former school building that include hard (concrete) and soft (grassland) surfaces. North of the site are the backs of the dwellings on Ffordd Coed Mawr, to the east are the backs of the dwellings of Toronnen, to the south are the backs of the dwellings of Lôn Bedw and to the west is the unclassified county highway and the dwellings of Bron y De. The land slopes downwards from Bron y De in the west to the backs of the dwellings at Toronnen to the east.
- 1.3 The site is located within the Bangor development boundary, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP); however, it has not been allocated for any specific use. In order to support the application, the following documents were submitted - Planning Support Statement; Affordable Housing Need Statement; A Community and Linguistic Statement; Design and Access Statement; Arboriculture Impact Assessment; Ecological Survey; Water Conservation Strategy Pre-application Consultation Report/PAC.
- 1.4 It was confirmed that the applicant had undertaken a pre-application consultation in accordance with Article 1 of the Town and Country Planning Act (Development Control Procedure) (Wales) (Amendment) 2016, as the proposal is a development that is defined as major by the Welsh Government (more than 10 houses).

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 seven 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.

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2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017: -**

PS 1 - The Welsh Language and Culture.

PS 2 - Infrastructure and developer contributions.

ISA 1 - Infrastructure provision.

ISA 5 - Provision of open spaces in new housing developments.

TRA 2 - Parking standards.

TRA 4 – Managing transport impacts.

PS 4 - Sustainable transport, development and accessibility.

PS 5 - Sustainable developments.

PCYFF 1 - Development boundaries.

PCYFF 2 - Development criteria.

PCYFF 3 - Design and place shaping.

PCYFF 4 - Design and landscaping.

PCYFF 5 - Carbon management.

PCYFF 6 - Water Conservation.

PS 17 - Settlement Strategy.

TAI 1 - Housing in the Sub-regional Centre and the Urban Service Centres.

TAI 8 - An appropriate mix of housing.

TAI 15 - Threshold of affordable housing and their distribution.

AMG 5 - Local biodiversity conservation.

Gwynedd Planning Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable housing.

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

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

TAN 5: Planning and Nature Conservation.

TAN 12: Design.

TAN 18: Transportation.

TAN 20: Planning and the Welsh Language.

3. Relevant Planning History:

- 3.1 Pre-application enquiry number Y21/1098 - erecting 10 affordable houses (shared ownership) together with associated work - response of the Local Planning Authority including a reference to material planning policies with an emphasis on consideration regarding the mix of houses; meet with the need for the type of housing; tenure; safeguarding local biodiversity; safeguarding residential amenities and ensure suitable drainage and sewerage for the development.
- 3.2 Application no. C21/0125/11/HD to demolish Coed Mawr Infants School, approved in March, 2021.

4. Consultations:

Community/Town Council: No response.

Transportation Unit: No objection in principle, however, the visibility splay will need to be reduced from 33m to the south-west. Standard conditions regarding the access and the parking spaces together with notes for the applicant.

Natural Resources Wales: No objection to the application but propose comments regarding the protected species, flooding risk and offer advice to the developer (management of the environment).

Welsh Water: A condition stating that permission will not be given to commence the development until a plan has been submitted and approved by the Local Planning Authority regarding foul water drainage from the proposed development. Need to safeguard the integrity and structure of the public sewer that crosses the eastern section (bottom) of the site.

Biodiversity Unit: Following the receipt of amended plans the Unit has no objections to the application and the Ecological Survey has been done to a good standard.

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Public Protection Unit:	No response.
North Wales Fire and Rescue Service	No observations regarding the water supply but offer comments regarding access for a fire vehicle.
Water and Environment Unit:	<p>Since 7 January 2019, sustainable drainage systems (SuDS) are required to control surface water for every new development of more than one dwelling or where the building surface area has drainage implications of 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.</p> <p>These systems must be approved by Gwynedd Council in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.</p> <p>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. The information provided shows that the developer intends to drain the site in a suitable sustainable manner; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. A consultation with the SuDS is recommended.</p>
Strategic Housing Unit:	The information within the application is consistent with the information of the need in the area (data source Tai Teg and Gwynedd Council's General Housing Register) and the plan contributes directly to the aim of the Gwynedd Council's Housing Action Plan to provide more housing to meet with the current high demand that exists in the County.
North Wales Police:	No response.
Education Information Officer:	Sufficient capacity in the catchment area schools.
Language Unit:	<p>As the development is for affordable housing, and is developed as part of the Council's plans to satisfy a specific local need it is agreed that the moderate impact noted in the statement is a fair assessment of the possible impact.</p> <p>Evidently, it cannot be assured that all the residents will be Welsh</p>

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speakers, but as they are likely to already be residents from the county, it is unlikely that the development will lead to a major change within the county's linguistic composition.

The statement refers to a number of possible mitigation measures, including marketing via the Tai Teg scheme and distributing information packs to residents. We welcome these commitments.

Tai Teg: No response.

Footpaths Unit: No rights of way appear to be affected by this proposal.

Public Consultation: Notices were posted on site and in the press and nearby residents were informed. The advertising period has already expired and correspondence was received objecting on the following grounds:

- Siting the children's play area would detrimentally affect local residents on the grounds of noise nuisance and loss of privacy.
- Need to retain as many trees and shrubs as possible together with planting more trees on the site.
- The area is already a busy built/residential area and there are other more suitable sites to erect more housing.

As well as the above objections, objections were received that were not material planning objections and these included:

- A suitable play area is located not far from this site at the bottom of Coed Mawr hill for the children of the area.
- The site can be used as an open space/park for the public and their dogs.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of constructing houses on this particular site is based on Policies PCYFF 1, TAI 1, TAI 15, PS 5, PS 17 and PCYFF 2 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the LDP, national planning policies and other material planning considerations. As referred to above, the site is located within the development boundary of the Bangor sub-regional centre.

5.2 Bangor is identified as an Urban Service Centre in Policy TAI1 and this policy supports housing developments to meet the LDP's Strategy (Policy PS17), which are located on housing

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designations and suitable windfall sites within the development boundary, and are based on the indicative provision contained within the LDP itself. The indicative housing supply for Bangor over the LDP period amounts to 969 units, which includes a slippage allowance of 10% - 393 on designated sites and 576 on windfall sites. During the 2011-2021 period, a total of 675 units have been completed in Bangor (266 on designated sites and 403 on windfall sites). In April 2021, the windfall land bank (i.e. sites with extant planning permission on sites not designated for housing) stood at 118 units, with further permission for 70 units on sites designated for housing. It is noted that the LDP refers to an indicative figure of 115 houses on two further sites that have been designated for housing in Bangor but have not received planning permission. It is noted that a current application is being considered for 66 houses together with permission recently given for 39 affordable flats for people aged 55+ and for 25 affordable flats in Bangor and in addition 30 units were approved on appeal on the Pen y Ffridd site.

5.3 This means that Bangor, by completing the existing land bank, reaches its indicative growth level of 969 units and, in such circumstances, consideration will be given to the units that have been completed thus far within the Key Centres tier where there is a shortage of 482 units on windfall sites. Under such circumstances, confirmation will need to be received with this particular application outlining how the proposal would address the needs of the local community. To this end, an Affordable Housing Needs Statement was submitted with the application, noting the following information:-

- Provision of 10 two-storey residential units, 100% intermediate affordable on a brownfield land site, accessible within the development boundary with the tenure of the dwellings in the form of shared equity.
- The development, if approved, would be undertaken by Gwynedd Council via its Tŷ Gwynedd branch to meet the identified gap in this type of provision in the Plan's area by adopting Plan 3a of the Housing Strategy.
- The types of affordable housing currently provided in Bangor are either social rental housing or a smaller number of affordable housing on intermediate discount constructed by developers and this has left a gap for those who need a part ownership arrangement. The occupiers of the houses could buy most of the value of the house (setting a mortgage at a significant discount of the open market value) with the Council holding the remaining value.
- Documents such as Supplementary Planning Guidance: Housing Mix (2018); Gwynedd Local Housing Market Assessment (2018); Gwynedd General Housing Strategy (2019-2024); Gwynedd Households Projections, Welsh Government (2018) together with Tai Teg Register confirm that a need for this type of housing exists in Gwynedd and, more specifically, in the city of Bangor based on the housing mix, size of households (with a high percentage of 3,4 and 5 person households in Bangor), local need, type of tenure (high number of rented and social housing) with an accessible and sustainable location within the development boundary.
- To this end, there is further justification for going beyond the Bangor indicative growth level in this case as the plan would meet with specific local need.

5.4 The proposal involves providing 100% affordable residential units and Policy TAI15 states that Bangor is located within the North Coast and South Arfon house price area in the LDP, it is noted that providing 20% of affordable housing is viable and is equivalent to providing 3 affordable units in the context of this application. As the proposal involves providing 100% affordable units, and provided there is a need for these type of units, the proposal meets the requirements of Policy TAI15 of the LDP.

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- 5.5 Policy PS5 states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including reusing sites located in appropriate locations. In this case, it can be considered that the application site is a previously developed site (brownfield land) that is suitable for residential use in an area which includes high density residential dwellings that are accessible to alternative modes of transport to using a private car.
- 5.6 Point 3 of Policy PCYFF 2 states that proposals should make the most efficient use of land, including achieving densities of a minimum of 30 living units for residential development (unless there are local circumstances or restrictions on the site that determine a lower density). The applicant has confirmed that the density in this case is 27.5 living units per hectare and valid reasons for the lower density were submitted based on:-
- (i) site restrictions (retaining mature trees and safeguarding the main public sewer that runs across the eastern section of the site) and
 - (ii) provision of public (including a children's play area) and private (gardens of the prospective occupiers) amenity spaces. To this end, therefore, it is considered that the proposal complies with the requirements of Point 3 of Policy PCYFF3 of the LDP.
- 5.7 Given the above information, it is believed that this current application on this special site is acceptable in principle. However, it is also required that the proposal complies with other relevant planning policies and these are discussed below.

Visual amenities

- 5.8 As referred to above, the site is located within an extensive established residential area, south of the city centre and the proposal is to provide 10 two-storey houses in a 'T' form within the dormant site and to improve the existing access. The vast majority of the nearby dwellings, in terms of height, are single or two-storey semi-detached dwellings. It is considered that the design and form of the houses reflect traditional designs but with contemporary elements within the designs. The dwellings will have natural slate roofs, aluminium grey-coloured openings and buff coloured and grey-black clean brickwork walls (to be confirmed) and it is proposed to install solar panels on the roofs of the dwellings. Each house will be set in its own private curtilage that will include parking spaces to the side, open gardens to the front along with private gardens at the rear that reflect the pattern and built form of the nearby area.
- 5.9 Although the proposal will mean the loss of some of the existing trees on the site, the main trees that are of a high quality such as oak, cherry and silver birch will be retained together with a soft landscaping scheme that includes trees, shrubs, privet/hedges and a variety of wildflowers.
- 5.10 Considering the above assessment, it is believed that the proposal is acceptable on the basis of the impact on visual amenities and it is envisaged that in the end it will create a positive contribution to the character of this section of the streetscape. Planning Policy Wales, Edition 11, as well as TAN 12: Design, support developments that promote and encourage good design by providing opportunities for innovative design that meet current and future needs. To this end, therefore, it is believed that the proposal is acceptable based on its visual impact and based on landscaping and that it complies with the requirements of Policies PCYFF 3, PCYFF 4 and AMG 5 of the LDP.

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General and residential amenities

- 5.11 As referred to above, residential dwellings are located around the application site with their back gardens abutting the site's boundary. As the land slopes downwards from the west to the east, the setting of the proposed dwellings will be higher than the setting of those dwellings that are opposite Toronnen and Coed Mawr. The setting of the houses within the site (along with the location of the windows/openings) mean that there will be private amenity spaces (in the form of gardens) between the backs of the proposed dwellings and the backs of the existing dwellings that surround the application site, these will vary from 15m to 37m. It is considered that the nearest dwellings to the development that may be impaired, should the application be approved, are number 39 Ffordd Coed Mawr (to the north-west of the site) and numbers 1 to 7 Lôn Bedw (south of the application site). The location of the plots of dwellings number 1 and 2 have been set at an angle to reduce any direct overlooking into number 39 Ffordd Coed Mawr with the roofs of the dwellings designed to run away from the back of number 39 and, in addition to this, it is proposed to erect a solid timber/close-boarded 1.8m high fence around the site's external boundary with the adjacent dwellings. Although there will be a space of 15m between the rear of the plot 2 dwelling and the southern gable-end of number 39, noting the above considerations, it is believed that the proposal would not significantly harm the residential amenities of the occupiers of number 39 Ffordd Coed Mawr.
- 5.12 Dwelling numbers 1, 3, 5, 7 and 9 Lôn Bedw are situated directly south of the application site with space varying between 6m and 25m from the back of dwelling plots 8, 9 and 10 to the backs of the Lôn Bedw dwellings and the backs of Bron y De dwellings are located approximately 17m from the site's western boundary. Considering the setting of the proposed dwellings in relation to the setting of Lôn Bedw and Bron y De dwellings; there is currently a hedge/privet between the application site and the backs of the gardens of these dwellings; a solid 1.8m high timber fence will be erected around the site's external boundary together with a design and location of the openings of the proposed dwellings, it is deemed, should the proposal be approved, that it will not create oppressive structures and will not entail overlooking and significant loss of privacy at the expense of the amenities of nearby occupants.
- 5.13 Despite the above observations, objections were received from some residents from Lôn Bedw and Bron y De regarding the loss of privacy and noise nuisance (anti-social behaviour) that may derive from using the play area that is located in the south-western corner of the site. However, given that vegetation already exists between the backs of Lôn Bedw and Bron y De dwellings and the application site; the previous site use for educational use; the intention to erect a timber 1.8m high fence around the site's external boundary; that the parcel of land was chosen on the basis of promoting passive public surveillance together with the intention to plant more vegetation nearby and within the play area, it is considered that the proposal to site the play area within this section of the site will not significantly impair the residential or general amenities of nearby occupants in relation to noise nuisance and loss of privacy. It is therefore considered that the proposal is acceptable based on the requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.14 The proposal will entail alterations to the existing access off the unclassified Bron y De county road and will provide access and a crossing for pedestrians. Within the estate, parking spaces will be provided for each house off road and an estate road will be constructed to the Council's

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adopted standards. Following the original concerns regarding the accuracy of the details about the visibility splay from the access to the south-west, the Transportation Unit is satisfied with the visibility splay of 33m confirmed by the applicant's agent. Subject to the inclusion of conditions and standard notes regarding the details of the entrance, estate road and the parking spaces, it is considered that the proposal complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.15 An Ecological Survey and Arboricultural Impact Assessment by qualified consultants to a good standard were submitted as part of the application. As part of the statutory consultation process, a response was received on the contents of the Survey from the Biodiversity Unit and it is confirmed that there is a need to comply with the Survey's recommendations based on undertaking mitigation measures and biodiversity enhancements and these can be secured by including an appropriate condition with any planning permission. The Trees Unit confirm that a condition will need to be included in any planning permission that refers to the need to comply with the control recommendations noted within the Assessment itself to protect the trees that are to be retained within the site and for the planting of additional trees as part of the development. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy AMG 5 of the LDP.

Sustainability matters

- 5.16 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need where possible to re-use previously used land and buildings wherever possible. Policy PCYFF 5 states that a contribution from renewable or low carbon energy will need to be demonstrated to satisfy the proposal's need for electricity and heating and Policy PCYFF 6 states that proposals should incorporate water conservation measures where practicable.
- 5.17 To support the application under the sustainability heading, the following documents were submitted: - Water Conservation and a Design and Access Statement together with confirmation that the proposed dwellings will be designed to reduce the energy they use by extensive insulation and the use of technology and extremely efficient energy fittings e.g. solar panels on the roofs. The Water Conservation Statement states that the proposal will include measures to harvest and control surface water that flows from the site. To this end, therefore, it is believed that the proposal complies with the requirements of Policies PS 5, PCYFF 5 and PCYFF 6 of the LDP.

Educational Matters

- 5.18 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. The SPG adopted to support the previous Development Plan continues to be a material consideration when determining planning applications until they are replaced by new ones. To this end, it is material to consider the contents of SPG: Housing developments and educational provision together with SPG: Planning Obligations' when discussing this application. The Information Officer in the Education Department, following the statutory consultation process, has confirmed that there is sufficient capacity in the local schools for the numbers of children anticipated to derive from this development. The local schools include Our Lady's School, Ysgol Gynradd y Garnedd, Ysgol Uwchradd Tryfan and Ysgol Uwchradd Friars.

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Therefore, it is considered that the proposal complies with the requirements of Policy PS 2 of the LDP.

Open space matters

- 5.19 According to Policy ISA5 of the LDP, it is expected for proposals for 10 houses or more in areas where current open spaces cannot satisfy the needs of the proposed housing development to offer a suitable provision of open spaces in accordance with the Fields in Trust benchmark standards. The current information received from the Joint Planning Policy Unit in relation to this particular application confirms that a provision of 70m² is provided as part of this development that more than addresses the need for spaces and play equipment for children within the area without the need for a financial contribution. Therefore, based on this advice, it is considered that the proposal conforms to the requirements of Policy ISA 5 of the LDP.

Linguistic matters

- 5.20 A Community and Language Statement was submitted with the application in accordance with the requirements of Policy PS1 of the LDP and in response to the statutory consultation process the Language Unit concludes that: - (1) agree that the moderate impact noted in the Statement is a fair assessment of the potential impact; (ii) evidently, it cannot be assured that all the residents will be Welsh speakers, but as they are likely to already be residents from the county, it is unlikely that the development will lead to a major change within the county's linguistic composition and (iii) the Statement refers to a number of possible mitigation measures including:-

- Local marketing via the Tai Teg plan.
- Distributing information packs to residents.
- Use of Welsh names within the development.
- Provision of 100% affordable units

- 5.21 Noting the above assessment, and including a relevant planning condition should this application be approved, it can be assured that the proposal complies with the requirements of Policy PS 1 of the LDP.

6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal, as submitted, would improve the visual appearance of the site that is currently dormant and it is believed that the fact that 100% of the units are affordable would respond to the needs already identified; also, it is considered that it greatly contributes towards the intermediate affordable housing needs of the city. In assessing the current proposal as a whole, no substantial harmful impact was identified that is contrary to local planning policy and relevant national advice. To this end, therefore, it is believed that the proposal is acceptable subject to the inclusion of the following conditions.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:
1. Five years.

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2. In accordance with the plans/details submitted with the application.
3. Compliance with the landscaping plan along with future maintenance work.
4. Welsh Water condition relating to submitting a foul water scheme for the development.
5. Secure a plan/arrangements to provide the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
6. Compliance with the recommendations of the Ecological Appraisal and Arboricultural Impact Assessment.
7. Agree on details regarding a Welsh name for the development and the dwellings within the development before the residential dwellings are occupied for any purpose along with advertising signage informing and promoting the development.
8. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sunday and Bank Holidays.
9. Submission of a Construction Method Statement to the LPA to include measures to reduce noise, dust and vibration, parking of development operators vehicles, loading/unloading goods, storage of equipment on the site, security fences, facilities to wash wheels and a recycling/litter disposal plan.
10. Relevant conditions from the Transportation Unit including ensuring visibility of 33m to the south-west from the main entrance.
11. Agree on the external materials for the dwellings.
12. Natural slate roofing.

Note: Need to submit a sustainable drainage system application to be agreed with the Council.