

PLANNING COMMITTEE	DATE: 26/02/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	DOLGELLAU

Number: 2

Application Number: C17/1118/11/LL

Date Registered: 20/11/2017

Application Type: Full - Planning

Community: Bangor

Ward: Glyder

Proposal: Demolition of existing building and erection of new two-storey building to provide eight flats and parking spaces

Location: 4-5, Trem Elidir, Bangor, Gwynedd, LL57 2UF

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to demolish an existing shop and two flats and erection of new two-storey buildings in their place, in order to provide 8 flats and creation of parking provision. It is a corner plot and the development is to be erected in an 'L' shape, in two blocks of four units. The building would be finished with a slate roof and the exterior walls would be a mix of render, brick and timber boards. The development would include:

- 4 flats - 1 bedroom (2 persons)
- 4 flats - 2 bedrooms (3 persons)

1.2 It is intended to provide 16 parking spaces as part of the development, with two of them for disabled people, as well as providing a bins/recycling storage area. The following were also submitted as part of the application:

- Statement providing an explanation of the proposal
- Access Statement
- Part 1 Extended Species Survey and Bats Survey
- Affordable Housing Statement
- Community and Language Statement
- Bats Method Statement
- Trees Survey

1.3 The site is located within the development boundary of Bangor Sub-regional Centre. The site has not been allocated or protected for any use in the Local Development Plan. The site is served by an unclassified road and the Trem Elidir estate road runs past the front of the site and the Lôn y Glyder estate road runs alongside. To the north-east of the site lies the Coleg Menai building, and to the south-east there is a row of two-storey semi-detached houses and a three-storey block of flats directly to the rear. There is a playing field to the north-west, adjacent to Lôn y Glyder.

1.4 The application is submitted to Committee as it is an application for five or more 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 Act (Wales) 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.

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

Strategic Policy (PS 1): The Welsh Language and Culture

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PS 2: Infrastructure and developer contributions
ISA 1: Infrastructure provision
TRA 2: Parking standards
TRA 4: Managing Transport Impacts
PS 5: Sustainable Development
PCYFF 1: Development boundaries
PCYFF 2: Development criteria
PCYFF 3: Design and place shaping
MAN 3: Retailing outside Defined Town Centres and within Development Boundaries
PS 16: Housing Provision
PS 17: Settlement strategy
TAI 1: Housing in the Sub-regional Centre and the Urban Service Centres
TAI 8: An Appropriate Mix of Housing
PS 18: Affordable housing
TAI 15: Affordable Housing Threshold and Distribution
PS 19: Conserving and enhancing the natural environment
AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance: Affordable Housing (November 2009)
Supplementary Planning Guidance: Planning and the Welsh Language (November 2009)
Supplementary Planning Guidance: Planning for sustainable building (April 2010)

2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016)
Technical Advice Note 2: Planning and Affordable Housing
Technical Advice Note 5: Planning and Nature Conservation
Technical Advice Note 12: Design
Technical Advice Note 18: Transportation

3. Relevant Planning History:

- 3.1 Pre-application enquiry C16/1328/11/YM: Erection of eight flats. A site within the development boundary is acceptable in principle. Observations were provided regarding the design, amenities, parking of the proposal.

4. Consultations:

Town Council: No objection, however ask for a local person occupancy condition and a provision for community space in the vicinity.

Transportation Unit: I confirm that I have no objection to the proposal. The presence of link paths is noted, namely the paths with highway status along the front curtilage of the site and I recommend that these are closed up by means of the Town and Country Act. I recommend including relevant conditions should the application be approved.

Housing Strategic Unit: **Information about the need:**
The information provided in the planning application by means of the affordable housing statement is consistent with the information regarding the need in the area.

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Suitability of the Scheme:

Based on the above information it appears that the Plan:-

Addresses the need in the area

The Housing Association is a partner for this development and the development will meet the Development Quality Requirements - DQR. It was included within a programme to receive a Social Housing Grant from Welsh Government.

Welsh Language Service Unit:

Not received.

Biodiversity Unit:

Bats:

The Bats Method Statement recommends that demolition should take place during the winter months 1 September - 1 May in order to reduce the risks to bats. It does not confirm when the work would be carried out so it cannot be enforced.

Trees:

The tree report has been written by an ecologist and not by a tree expert. It is suggested that a tree report is submitted to BS 5837:2012 standards in relation to the design, demolition and construction.

Welsh Water:

A combined gravity sewer crosses the site. If the proposal crosses the path then it would need to be diverted. The developer intends to dispose of waste water through the public sewer system and surface water to the soakaway. Welsh Water considers the drainage arrangements to be satisfactory in principle but proposes a condition. A water supply is available to serve the proposed development.

Fire and Rescue Service:

The Fire Authority has no observations regarding the access to Fire vehicles and water supply.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period ended on 3 January 2018. An observation was received supporting the application but noting:

- The need for the development to fall under local allocation policy.
- It would be nice to have community space as part of the provision.

5. Assessment of the material planning considerations:

The principle of the development

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- 5.1 The proposal is for the demolition of a shop/two flats that have been empty for six years and build eight dwellings in their place. It is realised that there would be some loss from losing a small grocer shop within the development boundary, however, considering that there is another similar service within walking distance, that it has stood empty for a long time and that the new residential use would not affect the nearby use, it is considered that the proposal meets the criteria of policy MAN 3 of the Gwynedd and Anglesey Joint Local Development Plan in this case.
- 5.2 The site is located within the development boundary of Bangor Sub-regional Centre and is a sustainable development on previously developed land, therefore, the principle of developing the site meets the requirements of policy CYFF 1 and PS 5 of the LDP. Policy TAI 1 of the LDP also supports the provision of houses within the development boundaries of Bangor sub-regional centre, including houses on allocated sites and suitable windfall sites as in the case of the current application. Confirmation was received from the policy unit that the windfall provision figures have not reached them, therefore the proposed eight units would make a positive contribution towards that provision in Bangor. It is considered that the proposal is acceptable in terms of Policy PS 17 and TAI 1 of the LDP.
- 5.3 As the proposal is a housing development of two or more units, Policy TAI 15 of the LDP ('Threshold of Affordable Housing and their Distribution') notes that at least 10% of the units are expected to be affordable. The applicant is Cartrefi Cymunedol Gwynedd, and the intention would be for all units (100%) to be offered as affordable dwellings for social renting purposes. In addition, the affordability of these houses is managed and reflected in the size and design of the houses themselves and therefore in accordance with the guidance included in Supplementary Planning Guidance: Affordable Housing (November 2009).
- 5.4 In the context of the need of a housing development of this type, the application includes an Affordable Housing Statement, which explains their logic for providing four flats - one bedroom (2 persons) and four flats - two bedroom (3 persons). The figure statement regarding the profile of the existing housing association and CCG stock in Glyder Ward, Bangor, shows that there are no one-bedroom flats available and that only nine two-bedroom flats are available. The waiting list held by Gwynedd Housing Options Team notes that there are 66 applications for a one-bedroom flat and 63 applications for a two-bedroom flat in Glyder ward, based on the figures for August 2017. Therefore, there is clear evidence that there is a need for such flats for individuals and families for social rent in the ward. They expand on this and note that the introduction of the Bedroom Tax means that there is more need for one and two bedroom flats in order to relocate tenants who under-occupy three-bedroom houses thus releasing larger houses for families for social rent in the city. It is considered that the development would contribute towards improving the provision of this type and size of houses in the city and would meet the requirements of policy TAI 8, where it encourages an appropriate mix of houses. The response of the Council's Strategic Unit notes that the information relating to the need is consistent with the need in the area, and that the development would address that need.
- 5.5 An observation was received from the Town Council and a third party requesting that the flats are to be occupied by a local person, however, it is not a requirement to impose local occupancy restrictions on new houses in Bangor Sub-regional Centre. The applicants' attention was drawn to the observations and they are considering introducing a Local Allocations Plan here. It appears from the observations of the Housing Strategic Unit that the proposal is included within a programme that would receive a grant from Welsh Government. Therefore, it is believed that the proposal

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complies with Policy TAI 15 of the LDP without the need to manage it by means of a Planning Act 1990 Section 106 Agreement but rather by imposing a standard condition as recommended in TAN 2 and Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management. This approach to dealing with social housing developments is also consistent with the approach this Authority has taken to deal with similar applications in the past.

Visual amenities

- 5.6 Policy PCYFF3 of the LDP relates to the design of buildings and it includes general criteria regarding character, form and design. This is a corner plot with a row of semi-detached houses to the side and a three-storey block of flats to the rear. The proposed development would be an 'L' shape two-storey building, with the rear wing slightly higher in terms of the roof level due to a small increase in land levels. The front elevation facing Ffordd Trem Elidir would match the development line of the adjacent semi-detached houses and would be relatively similar in scale. In terms of appearance, the central gable end on the front would offer some interest to the facade and there would be porches to provide shade on either side. It is not an innovative design however it is considered suitable to its location. The front part would include the four one-bedroom flats. The rear wing, facing Lôn y Glyder, would follow the same details pattern as the front elevation but would be longer and would include the four two-bedroom flats. It is considered that the layout and scale of the building is acceptable on this prominent corner plot and similar to the existing building pattern in the vicinity. In terms of its appearance, it is believed that its design would be in keeping and would respect the context of its site without causing visual harm to the streetscene. It would be a development that would make effective use of a plot that has stood vacant for some time.
- 5.7 In relation to finishes, the building would be finished with a mix of red bricks, white render and timber boards on the porches, with a slate roof and grey coloured Upvc windows and doors. A bins/recycling storage area would be located in the south-eastern corner of the site to serve the residents of the flats. As there are a mix of finishes in the vicinity, with a number of the original red-brick houses and flats now pebble dashed or rendered in a variety of colours, it is considered that the mix of exterior finishes proposed would be suitable in its context and would suit the character of the nearby area. Furthermore, the various boundary treatments proposed for the development are in keeping and reasonable for a development of this type. To ensure that planting and landscaping work is undertaken, it is considered reasonable to ask for details of the planting for written approval to ensure that the finished development is acceptable and in keeping with the area. It is considered that the proposal is acceptable in terms of design and elevation and complies with the requirements of policy PCYFF 3 of the LDP.

General and residential amenities

- 5.8 Policy PCYFF 2 of the LDP notes that housing developments should make the best use of land, and a density of at least 30 living units per hectare is suggested. The site measures 0.1 hectare in size and therefore the density of eight flats is acceptable. It is considered that developing this number of residential units and including the required infrastructure and landscaping for such a development is acceptable.
- 5.9 In terms of residential amenities, it must be acknowledged that there would be some over-looking over the gardens of the Trem Elidir houses as a result of the development

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and this would occur from the rear rooms on the first floor. However, these houses currently experience over-looking over their gardens due to the nature of the layout of the estate and flats. Although mature trees offer an element of screening to the rear of the gardens and rear of the development, it would be difficult to avoid any element of over-looking in such an urban situation. On the whole, it is not considered that the over-looking from the development would exacerbate or have a substantial detrimental impact on the amenities of local occupiers compared to what is currently experienced. Therefore, it is considered that the proposal is acceptable in terms of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.10 The site is a corner plot that abuts a junction and two unclassified estate roads. The site is accessible to public transport, pedestrians and vehicles. Currently, the building's parking provision is located in the front curtilage of the property. The proposal would involve losing two disabled parking spaces in the front and creating a new provision on Lôn y Glyder. As there is a considerable difference between the level of Lôn y Glyder and the ground level of the site, with a steep green plot of land separating them, it would be required to undertake engineering work to erect a retaining wall and infill to create the parking provision with the footpath of a sufficient width adjacent on the same level. The development would also remove the existing unnecessary diagonal link short-path which crosses the corner of the site. Vehicular access would be retained below the parking space parallel to Lôn y Glyder in order to retain the vehicular access and three parking spaces for the adjacent three-storey flats also in the ownership of Cartrefi Cymunedol Gwynedd. It is understood that discussions have been held between the developers and the Highways Unit before the application was submitted and that the plans are in accordance with those discussions. Observations were received from the Highways Officer regarding the application, expressing no objection to the proposal. He notes that the link path has a highways status and there would be a need to follow the formal process through the Town and Country Act for it to be closed officially and it would be required to impose such a condition should the application be approved. The officer also suggests standard conditions regarding surface water and receiving permission to carry-out work on the highway. It is considered that the proposal is acceptable in terms of Policy TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.11 As the proposal involves demolishing the existing building, a bat report was submitted as part of the application along with a bat Method Statement. The statement notes that there is no evidence that bats roost in the building and that only low levels of bat activity can be seen in the nearby residential area. However, the Biodiversity Officer is concerned about the matter, therefore, it is considered reasonable to impose a condition that no demolition work can be carried out between 1 September - 1 May unless it can be proven and agreed with the Local Planning Authority beforehand that bats will not be harmed or disturbed.
- 5.12 There are two high mature trees within the development site, one in the southern corner of the garden and one near the shed of the adjacent three-storey block of flats. Although a tree report has been submitted regarding the application, it does not appear that this was carried out by a tree expert. It appears from the latest site plan that the trees in question are retained and their roots protected, however, the Biodiversity Officer does not consider that sufficient details are included in the report regarding this. As these are desirable mature trees, it is considered reasonable to impose a condition to retain

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the trees and a method statement to be submitted before the commencement of works to show how it is intended to protect the trees during the demolition and construction work. With the conditions noted above, it is considered that it is possible to mitigate the impact on biodiversity, thus satisfying the policy requirements of PS 19 and AMG 5 of the LDP.

Educational Provision

- 5.13 Policy PS 2 and ISA 1 of the LDP requires that a sufficient infrastructure provision exists to cope with developments, such as sufficient educational facilities to cope with any increase in the number of pupils emanating from new residential developments. Supplementary Planning Guidance (SPG) 'Housing Development and Educational Provision' also applies to this aspect of the application. The Joint Planning Policy Unit has noted that when using the formula and information noted in Supplementary Planning Guidance 'Housing Developments and Educational Provision', that the development would mean that the number of pupils in the catchment area's schools would remain lower than the capacity available within those schools and that no financial contribution would be required as a result. Therefore, the application meets the requirements of policy PS 2 and ISA 1 and the SPG.

Linguistic and Community Matters

- 5.14 A Language and Community Statement was received as part of the application, although it was not essential under the requirements of policy PS1 in this case. The residential development would not provide more than the indicative housing provision set for the settlement in Policy TAI 1. Evidence of local need has been included in the application submitted which is required for a residential unit of five housing units or more on windfall sites within the development boundary.

6. Conclusions:

- 6.1 Having weighed up the proposal against the national and local policies, as well as the responses received, it is considered that the proposal is acceptable to approve with the planning conditions listed below.

7. Recommendation:

Approve - conditions

1. Commencement within five years.
2. In accordance with the plans.
3. Standard condition to restrict the development to affordable housing only.
4. Agree on roof Slate.
5. Agree on the finish of the external walls.
6. Submit details of landscaping for approval within two months of the commencement of the development.
7. Timetable to implement landscaping plan
8. Parking spaces and accesses to be completed in accordance with plans and to be operational before the houses are occupied for the first time.
9. Prevent surface water from running onto the highway.
10. Diversion of link path under Section 257 of the Town and Country Planning Act 1990 prior to the commencement of work.
11. Welsh Water Condition

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12. Demolition not to take place during the bat nesting season (1 September - 1 May)
13. Submission of method statement to safeguard and protect the trees and their roots during the demolition and construction phase and for it to be implemented in line with what is agreed upon.

Highway notes

Welsh Water notes