

PLANNING COMMITTEE	DATE: 04/06/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	PWLLHELI

**Number: 2**

**Application Number: C18/0244/25/LL**

**Date Registered: 22/03/2018**

**Application Type: Full - Planning**

**Community: Pentir**

**Ward: Pentir**

**Proposal: Construct six new houses, including four detached houses and two semi-detached houses with associated parking and gardens**

**Location: Goetre Uchaf, Penrhosgarnedd, Bangor LL57 2NT**

**Summary of the Recommendation: TO REFUSE**

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## 1. Description:

- 1.1 This is a full application for the construction of six houses, including four detached houses and two semi-detached houses, on a parcel of land to the north-east of the site of the existing Goetre Uchaf houses in Penrhosgarnedd. It is intended for both semi-detached houses to be affordable.
- 1.2 The six houses would be on a plot of green land identified as public open space in the Joint Local Development Plan, linked with the existing estate with a new road leading from the turning area at the top of the estate road as approved. The intention would be for both semi-detached houses to be two-storey ("Avon" type - floor area 63.15m<sup>2</sup>), two of the other houses to be four bedrooms ("Cambridge" type - floor area 128.41m<sup>2</sup>), and one each of the "Warwick" type (three bedrooms - 100.41m<sup>2</sup>) and "Shrewsbury" (four bedrooms - 107.94m<sup>2</sup>). The "Shrewsbury" type house would include an integrated garage whilst detached garages would be constructed for the other three detached houses. All buildings would have brick walls and / or render and natural slate roofs.
- 1.3 The documents below were submitted to support the application:
  - Trees Survey Report
  - Planning, Design and Access Statement
  - Ecological Assessment

## 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.
- 2.4 **Gwynedd and Anglesey Joint Local Development Plan. (July 2017)**

ISA 4: SAFEGUARDING EXISTING OPEN SPACES

PCYFF 1: DEVELOPMENT BOUNDARIES

PCYFF 2: DEVELOPMENT CRITERIA

PCYFF 3: DESIGN AND PLACE SHAPING

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TAI 1: HOUSING IN THE SUB-REGIONAL CENTRE AND THE URBAN SERVICE CENTRES

TAI 15: THRESHOLD OF AFFORDABLE HOUSING AND THEIR DISTRIBUTION

TRA 2: PARKING STANDARDS

TRA 4: MANAGING TRANSPORT IMPACTS

AMG 5: LOCAL BIODIVERSITY CONSERVATION

## 2.5 National Policies:

Planning Policy Wales, Edition 9, 2016.

Technical Advice Note 12: Design

## 3. Relevant Planning History:

C16/0935/25/LL - Amend condition number 2 of planning permission number C12/1347/25/LL in order to adapt the designs of plots number 1, 3, 4, 6, 8, 9 and 11 - Approved 18/06/15

C16/0831/25/DA - An application for an insignificant amendment in order to change the designs of plots number: 166, 167, 204, 205, 224, 225, 246, 247, 249, 250, 89, 92, 181, 208, 212, 220, 222, 253, 255,, 258, 260, 91, 114, 117, 118, 195, 226, 88, 115, 116, 162, 170, 203, 263, 165, 182, 197, 206, 210, 211, 223, 218, 252, 256, 265, 164, 213, 248, 251, 257, 261. Refused as it was not an insignificant amendment.

C16/0803/25/DA - Application for an insignificant amendment in order to change the designs of plots number 1, 3, 4, 5, 6, 8, 9 and 11. Refused as it was not an insignificant amendment.

C15/0634/25/LL - Adapt part of the residential site as approved under ref. no. C12/1347/25/LL in order to increase the overall number of dwellings from 245 to 266 in the form of detached houses, semi-detached houses and apartments to include affordable units (35%) with associated parking spaces and gardens. Approved on appeal - 22/04/16

C12/1347/25/LL - Construct 245 living units comprising of detached and semi-detached houses, apartments (including 86 affordable units), parking spaces and gardens, associated works, erection of pumping station and demolition of single-storey outbuilding. Approved 02/09/13

## 4. Consultations:

Community/Town Council:	Object The site is open / amenity land in the original application.
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Developing it would be an overdevelopment of the site  
The site is not within the area designated for housing in  
the Local Development Plan.  
There are sewerage pipes and electricity cables under  
this land  
Concern about loss of trees and hedges

Transportation Unit: No objection in light of receiving plans showing the  
amended road system to overcome initial concerns.

Footpaths Unit: Not received

Biodiversity Unit: Not received

Education Department: Not received

Welsh Water: No objection  
There is a need to comply with the standard conditions of  
Welsh Water

Housing Strategic Unit: Not received

CADW : No objection

Public Consultation: A notice was posted on the site and nearby residents were  
notified. The observations below were received in  
response to the consultation relating to material planning  
considerations:

- There is no need for these houses - there are  
plenty of houses already for sale in Bangor
- The development would increase the traffic that  
uses the access to the estate which is already  
dangerous for cars and pedestrians
- There is already a lack of parking provision on  
the estate and these houses would add to the  
demand
- Open spaces are essential for the health and  
welfare of local residents

The observations below were also received; these are not  
material planning considerations:

- The developers charge a fee for maintaining open  
spaces and there is no proposal to reduce this fee  
if an open space is lost

## 5. Assessment of the material planning considerations:

### The Principle of the Development

- 5.1 This application was jointly submitted with another application for two houses on a  
separate site within the Goetre Uchaf estate, and the Planning, Design and Access  
Statement submitted with the application makes it clear that applicants view both new

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applications as part of the existing site that received approval in 2013 and 2016. It is essential to note, however, that the site of the houses shown on this application did not form part of the site that has received approval and, indeed, as the previous approvals had been decided under policies of the previous development plan, and that these approvals have already been implemented, this new application must be considered on its own merits under the existing planning policies. In addition, as both new applications were for developments on completely different sites, although both would form extensions to the estate that has already received approval, their physical and policy context are completely different and these applications must be considered individually, and not jointly.

- 5.2 This application site is near, but (on the whole) outside of, the north-eastern boundary of the Goetre Uchaf site which was previously approved for 266 dwellings (the southern part of the new site, which includes the link and the estate road, is within the area which received approval previously, but the houses would be outside this site). It is therefore considered that this is a new planning application for a housing development on a windfall site within the Bangor Sub-regional Centre development boundary as defined by the Gwynedd and Anglesey Joint Local Development Plan.
- 5.3 In terms of the LDP, Policy PCYFF 1 encourages directing developments to land within development boundaries, and TAI 1 suggests indicative housing provision on windfall sites within the boundaries of the Sub-regional Centre of 479 units. Given that this is an empty site near an existing built-up area within a development boundary, the principle of developing dwellings on the site could be suitable to help towards meeting the LDP's development target. Saying that, Policy TAI 1 makes it clear that windfall sites must be suitable and the suitability of this site is assessed below.

### **Open Spaces**

- 5.4 The location of the proposed houses in this application is fully within land designated as Protected Open Land on the LDP's Inset maps. Policy ISA 4 of the LDP encourages refusing proposals that would lead to the loss of existing open spaces, including amenity green spaces, unless four specific criteria can be met. The assessment below looks at the proposal in the context of this criteria:
- 1. There is an overall surplus of provision in the community;*
- 5.5 The Planning, Design and Access Statement submitted with the application alleges that there is 4.93ha in existing open space within the Goetre Uchaf estate (which is 10.55ha in its entirety). There are no details in the report about which land was considered as open land when reaching this figure, it is assumed that the applicant included most of the land not being developed which is on the existing estate within their calculation.
- 5.6 Despite the above, it must be borne in mind that the vast majority of this application site is designated as an open space in the Joint Local Development Plan in 2017 in light of the extensive consultation process and a full Public Inquiry to the robustness of the policies and designations included in it. No evidence has been submitted to demonstrate a decrease in the need for open spaces since this time. Indeed, as the estate development has proceeded further since the adoption of the LDP, it is assumed that a need for open spaces has grown, if anything, over the past year.

*2. The long term requirement for the facility has ceased;*

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- 5.7 In considering that the existing housing development has not yet been completed, it is not believed possible to argue that the long-term need for the facility has finished as it has not yet reached its full use.

*3. Alternative provision of the same standard can be offered in an area equally accessible to the local community in question;*

- 5.8 Much of the empty land assumed to be included in the applicant's calculation of existing Open Spaces is steep wooded land near the A55, and it is not believed reasonable to consider this land as land of amenity quality for the community of Penrhosgarnedd and the flat, central and accessible land that would be lost if this development proceeds.

*4. The redevelopment of only a small part of the site would allow the retention and enhancement of the facility as a recreational resource.*

- 5.9 There would be no recreational benefits as a result of the proposed development.

### **Affordable Housing**

- 5.10 Policy TAI 15 of the LDP attempts to ensure that an appropriate level of affordable houses are provided in the Plan's area. The application site is within the Bangor Sub-Regional Centre and the LDP notes that any housing developments of two units or more in a centre of this type is expected to make a contribution towards meeting the LDP's target for affordable housing provision. In Bangor, a contribution of 20% is expected from any plan towards meeting the affordable housing target. Ideally, it is expected to commit at least one unit to be affordable through a planning condition or a legal agreement.

- 5.11 In considering the above, it is believed that including two affordable houses in this plan is acceptable under the requirements of policy TAI 15 of the LDP.

### **Design and Materials**

- 5.12 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 surroundings in terms of their location in the local landscape.
- Use appropriate materials

- 5.13 Due to its location on a site that is near existing houses, it is not considered that the houses would cause a detrimental impact to the site's general appearance or impact on the area's visual amenities compared to what has already been approved. It is believed that the designs proposed are in-keeping with the other houses on the estate and, generally, it is considered that the design of the proposed development will be in-keeping with the location in an acceptable manner. It is not considered that the proposed amendments would cause significant harm to the built quality of the site or the local neighbourhood and, consequently, it is considered that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

### **Visual, general and residential amenities**

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- 5.14 Due to the location, design and size of the proposed houses, although there would be some impact to the views of nearby houses, it is not believed that there would be any significant harmful impact on private amenities in terms of shadowing or overlooking. It is, therefore, believed that the development would be acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP in terms of the impact on private amenities.

#### **Highways matters**

- 5.15 Subject to a relevant condition, the Transportation Unit had no objection to this proposal, and it is considered that the proposal is acceptable under policies TRA 2 and TRA 4 of the LDP.

#### **6. Conclusions:**

- 6.1 Despite the fact that it is unlikely that detrimental harm would derive from this development to residential amenities or to the area's built character, having weighed up the proposed development in the context of the policies of the Joint Local Development Plan, it is not believed that the proposed plans can be approved as it would lead to the loss of amenity open space without sufficient justification, as is required under policy ISA 4 of the LDP.

#### **7. Recommendation:**

- 7.1 To refuse – reason:
1. No sufficient justification has been submitted to approve the loss of an existing open space and therefore the proposal does not meet the needs of ISA 4 within the Gwynedd and Anglesey Joint Local Development Plan.