

<b>PLANNING COMMITTEE</b>	<b>DATE: 01/07/2019</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	<b>PWLLHELI</b>

**Number: 4**

**Application Number: C19/0154/03/LL**

**Date Registered: 12/02/2019**

**Application Type: Full - Planning**

**Community: Ffestiniog**

**Ward: Bowydd and Rhiw**

**Proposal: Conversion of building into 14 flats**

**Location: Market Hall, Church Street, Blaenau Ffestiniog, LL41 3HP**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1.1 Full application for the change of use and conversion of a substantial building into 14 flats. The building is currently dormant. Following a discussion with the applicant regarding the type of flats that formed part of the original application (13 one-bedroom flats) an amended plan was received indicating the intention to convert the building into 14 flats to comprise eight one-bedroom flats and six two-bedroom flats. The flats would measure between 41 square metres and 96 square metres. The amended proposal will entail creating three new windows in the side elevation facing the railway, closing one opening in the side elevation facing the high street and create six new openings in the elevation facing the nearby church. Amended documents were also received setting out the proposal's objectives.
- 1.2 It is also intended to provide a bicycle and bin store on the ground floor within the building. The applicant states that internally the building is nearly completely open and the conversion work would only mean erecting internal walls. The plan shows that the site's boundary is tight around the building with only a small section of amenity land between the building and the railway to the south. The building is constructed of stone with a slate roof.
- 1.3 The building is situated on a site in the western part of the town of Blaenau Ffestiniog. The site borders the railway to the south, a church to the east, a row of houses and the High Street to the north with a public car park to the west.
- 1.4 The site is served by an unclassified county road that links the site to the town's High Street, which is also part of the Gwynedd Trunk Roads network.
- 1.5 The site lies within the town's development boundary and an Area of Outstanding Historic Interest. Neither the building nor the nearby church are registered as listed buildings.
- 1.6 Further information was received from the applicant stating that if the application is approved then a Registered Social Landlord intends to take a long term lease of the property and use it as part of their housing portfolio that offers support to the homeless.
- 1.7 A Design and Access and Planning Statement, Language and Community Statement and a Financial Viability Appraisal were submitted as part of the application. A further statement was received under the heading 'Additional information regarding housing mix-unit size and tenure' dated 22.05.2019.

## 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

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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:-**

Policy PS1 - the Welsh Language and Culture.

Policy ISA1 - infrastructure provision.

Policy PS 4 - sustainable transport, development and accessibility

AMG5 - local biodiversity conservation

Policy TRA2 – parking standards.

Policy TRA4 – managing transport impacts.

Policy PS5 - sustainable development.

Policy PCYFF1 – development boundaries.

Policy PCYFF2 – development criteria.

Policy PCYFF3 – design and place shaping.

Policy PCYFF6 - water conservation

Policy PS16 - housing provision.

Policy PS17 - settlement strategy.

Policy TAI1 - housing in the sub-regional centre and the urban service centres

Policy TAI8 - housing mixture.

Policy TAI9 - sub-dividing existing property to self-contained flats and Houses in Multiple Occupation

Policy PS18 - affordable housing

Policy PS20 - preserving and where appropriate enhancing heritage assets

Policy TAI15 - threshold of affordable housing and their distribution.

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Affordable Housing.

SPG: Planning for sustainable building

SPG: Planning and the Welsh Language.

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## 2.4 National Policies:

Planning Policy Wales, Edition 10, (2018).

Technical Advice Note (TAN) 12 Design (2016).

TAN 18 – Transport (2007)

TAN22: Planning for sustainable buildings (2010)

## 3. Relevant Planning History:

- 3.1 C08M/0077/03/R4 - Change of use of council depot for multi-purpose arts centre, education and community use to include demolishing sections of buildings and building new extensions - Approved on 04/09/2008
- 3.2 C02M/0010/03/LL - Retrospective application for change of use of hall for a temporary period from 8 February 2002 to 31 December 2002 for D1 use (no residential establishment), D2 (assembly and leisure) including (A1) uses ancillary retail sales - Approved on 15/02/2002
- 3.3 C00M/0003/03/LL - Application for temporary use of building for a period of three months from June to August 2000 to hold an arts exhibition - Approved 17/04/2000.

## 4. Consultations:

Community/Town Council:

The Town Council objects to the application as there are no parking spaces with the building except for a nearby public car park. The Town Council asks if the demand for one-bedroom flats in the area has been proven, according to the information the Town Council has there is no local demand for this type of development but there is a demand for family housing for local people. If there is no local demand for one-bedroom flats then this may be a threat to the area's language and community. There was a second consultation with the Town Council on the amended plans, however, no response was received.

Transportation Unit:

There is no objection to the proposal. Although the proposal does not include a specific parking provision, on land within the ownership or under the management of applicant, the site adjoins a free, public car park. In addition, the site is within walking or cycling distance to a number of local facilities. The site is also within a reasonable distance to regular public transport services.

No further observations to make on the amended proposal.

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Welsh Government - No instructions.  
Trunk Roads

Natural Resources Wales: No objection, have received a statement from the applicant saying that it is proposed to connect the proposal to the public sewer. The Council is reminded that no Biodiversity report was submitted with the application and the Council's Biodiversity Unit should be contacted to discuss the matter.

No further observations to make on the amended proposal.

Gwynedd Archaeological Planning Service (GCAG) State that the building is of historic interest. The building was constructed between 1861 and 1864 by Owen Roberts from Dolgareddu to a design by Owen Morris from Porthmadog. Although the building has no exceptional architectural value, it has historical importance due to its links to the period when the town was flourishing in the nineteenth century and that David Lloyd George gave a political speech in the building.

The work will comprise internal work that will change the building's internal appearance and character. It is therefore recommended that a condition is imposed on any permission to ensure that an internal photographic survey of the building is conducted prior to the commencement of any work.

Welsh Water: Offer usual observations and suggest that a condition is included on any permission to prevent surface water from flowing into a public sewer from any increase in roof area or impervious surface. No further observations to make on the amended proposal.

Biodiversity Unit It is not intended to undertake any work to the roof or to cut into the ceiling. There are no biodiversity concerns regarding this application.

Strategic Housing Unit: There is a demand in the area for one and two bedroom flats, that are affordable. Since no formal valuation has been submitted, the percentage of discount may change in the future.

According to the Council's Housing Options Team figures, it appears that there are 79 applicants on the general housing waiting list for one to four bedroom flats, and 39% wish to have one bedroom and 36% wish to have two bedrooms. From this information, it appears that a need for these type of flats exists within the town and it is expected that the plans include 10% affordable housing. Please also note that if the Housing Association was a partner for the development that the design of the proposed units would need to meet the Council's Design Quality Requirements (DQR), however there is no reference to a housing association as part of the application. On average a flat in

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the town sells for around £88,196 and based on this information there would be a need to consider a discount of around 15% if they are not affordable in the first place. 57% of the population are priced out of the market in this area. Further comments were received from the Strategic Housing Unit on the amended plans, stating that the mixture of rooms is acceptable. Feel that discussions should have taken place to identify that a need exists in the area at the level noted and for the type of provision. Anticipate also that discussions will be required with Adults Services. A little hesitant if it is proposed that all the units are to be used to this end. We need to be careful not to over-centralise in one location. It is likely that there is some demand in the area. Expect that there would be more of a cross-section in terms of general use rather than specialist.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and an objection was received on the following grounds:

1. That the site has history and should not be converted into flats.
2. Lack of parking for vehicles.
3. The proposal could place pressure on the community and the Welsh Language.

There was a second consultation with nearby residents on the amended proposal and no response was received. The re-advertisement period expired on 7 June 2019.

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 Housing (self-contained flats) - As referred to above, the site is located within the development boundary of an Urban Service Centre and the application conforms to the requirements of Policy PCYFF1 of the LDP. Policy TAI 9 permits the sub-division of existing properties into self-contained flats provided they conform to the relevant criteria:-

- Criterion 1 - the property should be suitable to be sub-divided for the type and number of units proposed without having to make substantial alterations and extensions - there is no proposal to extend the current building and the only changes to the building will be made to its external elevations by installing new openings and changing the current openings.
- Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - although residential dwellings and commercial uses are located around the application site. It is not believed that the proposal

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would have an unacceptable impact on residential amenities or general amenities (on the grounds of overlooking and noise nuisance).

- Criterion 4 - the proposal should not exacerbate existing parking problems in the local area - considering the central location of the site within the town and its proximity to local facilities such as car parks and public transport, it is not anticipated that the proposal would contribute towards parking problems within the local area.

- 5.2 The indicative supply level of housing for Blaenau Ffestiniog over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 298 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.e. land ownership matters, infrastructure restrictions, etc.). During the period 2011 to 2018, a total of 11 units have been completed in Blaenau Ffestiniog. The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, in April 2018, was 21 units. It is noted that the Plan states an indicative figure of 155 houses on two further sites that have now been designated for housing in Blaenau Ffestiniog but have not received planning permission.
- 5.3 In considering this information, it is believed that approving the development on this site would be supported against the indicative supply level for Blaenau Ffestiniog.
- 5.4 However, as this proposed development does not involve a greater provision than the indicative housing provision set for the settlement in the Plan, in accordance with the content of Strategic Policy PS1 ('The Welsh Language and Culture'), a Welsh Language Statement will not be required in this case. It is noted however, that such a statement has been submitted with the application. Criterion 1c of the policy states that a statement needs to be submitted for developments of five or more residential units, unless it addresses evidence of need and demand for housing. It would therefore be suitable to consider the statement submitted alongside the type of units proposed. It is noted that the Community and Language Statement states that the proposal would not have a negative impact arising from the proposal and would meet the housing needs and strengthen the community's identity and the Welsh language in the town. The response of the Language Unit to the submitted Statement is awaited.
- 5.5 Policy TAI15 states that every development will be required to achieve an appropriate mix in terms of tenure, types and sizes of local need affordable housing and this is supported by Policy TAI8 along with the SPG: Housing Mix. Please note that the Strategic Housing Unit states that there is a recognised need for one and two bedroom flats in the town. The applicant was notified that there were concerns regarding the mixture in size and type of flats in the original proposal and following discussions between the applicant and the Strategic Housing Unit amended plans were received indicating eight one-bedroom flats and six two-bedroom flats. It is considered that the amended mixture proposed by the developer meets with the requirements identified by the Strategic Housing Unit. Observations were received by the Strategic Housing Unit on the amended details that confirm they are content with the amended proposal. To this end, it is believed that this amended application provides an appropriate mix of accommodation in an existing building that meets a recognised need for housing in the town. Chapter 5 in SPG Housing Mix refers to the demand for housing in Gwynedd. Table 7 shows figures of different sized household composition projections during the period 2014 and 2016 in Gwynedd. Choices in lifestyle and breakdown in relationships affect the composition of households, and the economy affects household

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formation patterns. From the figures it can be seen that the number of households are likely to increase by 3480 over the period 2014 to 2016 with the most increase in one person households and then two persons. This suggests that there will be a high demand for housing. Please note that chapter 6 sets out planning for a more balanced housing market. While there may be a demand for some 'executive' large houses, the evidence shows that there is a more basic need for a supply of affordable housing for households with smaller income. It is therefore considered that the proposal complies with the policy objectives.

### **Affordable housing matters**

- 5.6 The Policy Unit state that the proposal to convert the building is 14 units over the threshold and two units for making a contribution to affordable housing. Policy TAI 15 ('Threshold of Affordable Housing and their Distribution) notes that it is expected that at least 10% of the units will be affordable, i.e. at least one unit in accordance with the information submitted. A Financial Viability Assessment (FVA) was received with the application justifying the lack of affordable provision and consequently the applicant states it is not proposed to make provision for affordable units as part of the proposal. The Policy Unit weighed up the information included in the FVA and came to the conclusion that it was not necessary to make a financial contribution towards affordable housing in this case. It is also considered that the flats, due to their size and location, are likely to be affordable anyway.
- 5.7 Further information was received from the applicant in the form of a letter from 'My Space Housing Solutions' (a social landlord and registered charity in England accredited under the 'Rent Smart Wales' scheme) stating that this registered social landlord has agreed to commit to a long term lease on the above property once the development is completed. It is understood that the proposal would be to convert the building to meet the demand they have for tenants in the area. They are looking to develop accommodation that would meet the local housing strategy by providing accommodation for vulnerable people at risk of homelessness and who require support to live independently. Once planning permission is given the project action team will start developing links with partners and local services to ensure residents have a support network around them to facilitate independent living.
- 5.8 The services work in partnership with local support providers including statutory care providers such as social care, mental health services etc and will provide a better housing management service to ensure residents can maintain their tenancy. One of the flats will be used as a community location where staff and other support providers can manage the safety and security of the building and ensure the correct amount of support is provided.
- 5.9 However, it is understood from the Strategic Housing Unit that no discussions have taken place between 'My Space Housing Solutions' and the Council regarding the proposal, it is likely that there is some demand for such a provision in the area, however, there is some concern that all the units would be used to this end and discussions should have been conducted to establish that a need exists in the area.
- 5.10 However, it is important to realise that this application before the Council is for 14 flats and it is considered that it would be difficult to manage the occupancy of the units in the same way as housing policies in Local Market villages or Affordable Housing policy. Policy TAI8 states that the Council will work with partners to promote sustainable mixed communities by ensuring that all new residential development

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contributes to improving the balance of housing and meets the identified needs of the whole community. Please note that criterion 4 requires the correct mix of housing unit types and tenures to meet the needs of the Plan area communities. Criterion 5 makes provision for specific housing needs such as student accommodation, homes for the elderly, Gypsy & Travellers, supported accommodation etc. It is therefore considered that the proposal does satisfy the objectives of this policy together with SPG Housing Mix and also with policy TAI5.

### **Visual amenities**

- 5.11 Policy PCYFF 3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria, including: that the proposal adds to or enhances the character or appearance of the site, the building or the area in terms of setting, appearance, scale, height, mass, and elevation treatment; that it respects the context of the site and its place in the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it improves a safe and integrated transport and communications network; that it limits the risk and danger of flood water run-off and prevents pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and lively environments taking into account the health and well-being of future users.
- 5.12 The proposal entails the conversion of a substantial stone building into 14 flats. The plans indicate how the alterations will be limited to raising internal walls to divide the building into flats and create new external openings. The amended plan, as the previous plan, will entail creating new openings. Please note that the building is within an Area of Outstanding Historic Interest and that GCAG have stated that although it does have an historical interest it does not have significant architectural value. However, it is likely that the proposed alterations would not significantly damage its external appearance and therefore it is considered that the proposal will not impair the visual amenities of the streetscape. Ensuring suitable use will be a way of securing the building's use and long-term condition. However, it is considered that a condition should be imposed on any approval to ensure that any external work matches the design and materials of the existing external walls. It is considered that the proposal is acceptable on the grounds of the requirements of Policy PS 20 and PCYFF3 of the LDP.

### **General and residential amenities**

- 5.13 Policy PCYFF2 of the LDP states that proposals should be refused if they have a significant detrimental impact on the health, safety or amenities of the occupants of local property, land uses or other property due to an increase in activities, disturbance, noise etc. In terms of noise nuisance, it is likely that the proposal will not have a significant detrimental effect on the amenities of nearby residents. In addition, it is considered that the use would be more in keeping with the uses currently seen around the property. It must also be considered that the site is located in a part-residential and part-commercial area opposite a busy road and railway network.
- 5.14 The building lies in a prominent and public location where the existing vistas are over nearby property. Please note that the building is located within a few metres of nearby terraced housing and there are several windows on each of the building's elevations.

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However, the existing nearby houses stand in a prominent and public location and it is not considered that the proposal would exacerbate the current situation substantially in terms of overlooking and loss of privacy, particularly considering the location and circumstances of the adjacent property. It must also be considered that community and passive overlooking already exists between the various uses in the catchment area of the application site and that approving this proposal would not exacerbate this situation to such an extent so that the application would have to be refused on the grounds of its detrimental impact on residential amenities. Please note also that the response to the publicity given to the application did not raise concerns regarding the impact on the amenities of nearby property. The plan shows a proposal to provide a bin and bicycle store within the building and it is proposed to impose a condition on any approval to safeguard this provision. It is deemed that the proposal complies with the requirements of Policy PCYFF2 and TAI9 of the LDP.

### **Transport and access matters**

- 5.15 The site/building is located centrally in the town and there are no parking facilities within the curtilage of the site itself. However, the plan shows that there is public parking provision on adjacent land west of the building with access to it past the building, the residential units will be close to local facilities that include parking spaces and public transport. Please note that the Town Council have drawn attention to the lack of parking on the site. The observations of the Transportation Unit were received confirming that they had no objection to the submitted and amended application. The proposal is considered to be acceptable on the grounds of the requirements of Policy ISA1 and TRA2 of the LDP.

### **Educational matters**

- 5.16 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. In considering the information in the SPG 'Educational Development' (that remains relevant) and Policy ISA 1 (Infrastructure Provision), an education contribution would not be relevant in terms of this proposal. The SPG states that units with one bed dwellings should not be considered. Information in the Guidance states that in terms of the one unit left, namely two-bed flat, that 0.11 primary school age pupil would generate from this. Please note that the proposal as amended indicates six two-bed flats and it is assumed that 0.66 pupil of school age would generate from this. It is considered that the change in the mix of bedrooms would not require any educational contribution and the proposal complies with the requirements of Policy ISA1 of the LDP as well as the requirements of the relevant SPG.

### **Water Conservation**

- 5.17 The proposal involves providing more than 10 residential units on the site. Please note that PCYFF 6 states amongst others matters that a Water Conservation Statement should be provided with proposals that are in excess of 1000 square metres or 10 residential units. However, the policy is aimed towards improving water resources by increasing effectiveness and managing demand that would include water saving

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devices, harvesting rainwater and recycling grey water. Please note also that using Sustainable Drainage Systems (SuDS) to manage water is a means to reduce flooding risk by increasing the size of surfaces in an area that water can permeate through and get into the ground and by so doing reducing the flooding risk. This proposal involves converting the existing building into residential units. The proposal would not involve an increase in roof surfaces or installing hard standing around the site. Therefore, it is considered that a statement is not required in this case.

**6. Conclusions:**

- 6.1 Having considered this assessment and all the relevant matters including the local and national policies and guidance, as well as all the observations received, it is believed that this proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

**7. Recommendation:**

- 7.1 To approve in accordance with the following conditions:-
1. Five years.
  2. In accordance with the amended plans dated 22 May 2019
  3. Retain the external natural stone finish.
  4. Photographic record
  5. Provide and safeguard the internal area to store bins and bicycles.