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| PLANNING COMMITTEE   | DATE: 02/09/2019 |
| THE REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE<br>MANAGER | PWLLHELI         |

**Number: 2**

**Application Number: C19/0078/11/LL**

**Date Registered: 29/01/2019**

**Application Type: Full - Planning**

**Community: Bangor**

**Ward: Menai (Bangor)**

**Proposal: Provide 38 residential units (including a mix of open market and affordable units), parking spaces and access.**

**Location: Former Bangor City Social Club, Deiniol Road, Bangor, Gwynedd, LL57 2UR**

**Summary of the Recommendation: TO APPROVE SUBJECT TO COMPLETING A SECTION 106 AGREEMENT FOR A FINANCIAL CONTRIBUTION FOR OPEN SPACES**

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## 1. Description:

1.1 This is a full application to provide 38 residential units, parking spaces and access on a plot of derelict land opposite Farrar Road and Deiniol Road in the city of Bangor. The application can be split into several different elements, which include:-

- Provision of 38 residential units that comprise 23 two-bedroom units (three persons) and 15 one-bedroom units (two persons) which would be a mix of nine social rented units, 17 intermediate rented units and 12 open market rented units.
- Provision of 38 parking spaces with six of these for disabled parking together with two spaces for motorcycles and storage for 15 bicycles. A section of the car park would be situated underneath the building.
- Using the current access together with creating a new pedestrian access off Farrar Road.
- Erecting a four storey building, raising to five storeys on the corner of Farrar Road and Deiniol Road set in an 'L' shape with the external elevations broken up by using sections of the walls that protrude with recessed balconies. Different types of materials will be used in the external elevations including clean brickwork, Eternit panels, uPV-c or aluminium windows in a grey colour with railings and clean brickwork on the site margins.
- Landscaping opposite the site boundary.
- Community amenity spaces on the internal fringes of the site.
- Installation of solar panels on sections of the roofs.

1.2 The site stands on the corner of Farrar Road and Deiniol Road in the centre of the city with access off Deiniol Road. Currently, it is a plot of derelict and abandoned land that used to be a former social club. The site measures 0.2ha with the land contour going from east to west with the height of the proposed building varying from 16m near Deiniol Road to 12.2m opposite the site's western boundary and a little below the property known as 81 Farrar Road.

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 designated for any specific use. In order to support the application, the following documents were submitted - Housing Mix Statement; Water Conservation Statement; A Pre-application Consultation Report (PAC); Planning Support Statement; Welsh Language Statement Travel Plan; Transport Statement; Preliminary Ecological Report; Drainage and Affordable Housing Statement.

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 considered to be a major development. A Pre-application Consultation Report (PAC) has been included with the application to reflect this consultation.

## 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.

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

Policy PS1 - The Welsh Language and Culture.

Policy PS2 - Infrastructure and developer contributions.

Policy ISA1 - Infrastructure provision.

Policy ISA5 - Provision of open spaces in new housing developments.

Policy TRA2 – Parking standards.

Policy TRA4 – Managing transport impacts.

Policy PS 4 - Sustainable Transport, Development and Accessibility.

Policy PS5 - Sustainable development.

Policy PCYFF1 – Development boundaries.

Policy PCYFF2 – Development criteria.

Policy PCYFF3 – Design and place shaping.

Policy PCYFF4 - Design and landscaping.

Policy PCYFF5 - Carbon Management

Policy PCYFF6 - Water conservation.

Policy PS17 - Settlement strategy.

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

Policy TAI8 - Appropriate housing mix.

Policy TAI15 - Threshold of affordable housing and their distribution.

Policy AMG5 - Local biodiversity conservation.

Gwynedd Design Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Distinctive and Sustainable Communities.

SPG: Planning Obligations.

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SPG: Affordable Housing.

SPG: Housing Developments and Educational Provision.

SPG: Open Spaces in New Housing Developments.

#### 2.4 **National Policies:**

A letter from the Minister for Housing and Local Government dated July, 2019 regarding focusing on supplying social housing in Wales.

Planning Policy Wales, Edition 10, (2018).

Technical Advice Note (TAN) 2 - Planning and Affordable Homes.

TAN12 Design (2016).

### 3. **Relevant Planning History:**

3.1 Application number C18/0112/11/LL - Creating a temporary car park for four years, granted in March, 2018.

3.2 Application number C18/0366/11/TC - Application for a certificate of lawful use to confirm the commencement of the development as approved under reference C18/0108/11/LL, approved in June 2018.

3.3 Application number C08A/0108/11/LL - Demolition of Bangor Social Club and erect 49 units of one and two-bedrooms together with parking and associated landscaping, refused in April, 2008 on the grounds of its impact on visual amenities and residents in the vicinity. An appeal was made against the decision and the Planning Inspectorate came to the conclusion in December 2008 that the development was acceptable and stated:- (i) That no significant harm would derive from the development regarding creating an oppressive structure; (ii) The concern regarding the ground's stability and the deep foundations close to nearby property was a matter for the developer to comply with relevant regulatory regulations that control building regulations; and (iii) The location of the site justified a building of a scale and prominence giving the site a focus that designates its functional importance near a busy road (this plan was also supported by the Wales Design Commission on the grounds of mass and scale).

### 4. **Consultations:**

Community/Town Council: No objections in principle, but major concern regarding the design (height, appearance and its impact on the area's amenities), the access to the site would affect the flow of traffic and the parking requirements of residents and local occupiers should be looked at.

Transportation Unit: No objection to the proposal on the grounds of statutory parking requirements or road safety subject to including conditions/material notes.

Natural Resources Wales: No observations on the proposed development.

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| Welsh Water:                | Need Sustainable Drainage System/SuDS permission, however, no objection to the proposal subject to foul water from the site being discharged into the public sewerage system between chamber SH57715601 and SH57716701.   |
| Public Protection Unit:     | No response.  |
| Education Department:       | The capacity of Ysgol Gynradd Cae Top (the primary catchment area school for the application site) is full with a waiting list for every year, however, the capacity is available at the secondary school as well as other schools such as the new Ysgol y Garneidd and Ysgol Hirael primary schools.   |
| North Wales Fire Service:   | No observations regarding the access for fire vehicles and water supply.  |
| Strategic Housing Unit:     | The information contained in the Affordable Housing Statement is consistent with the information of the need for the types of housing offered here in Bangor. The Housing Association is a partner for this development and the units will meet the requirements of the Wales Design Standards. The development is included within a programme to receive a Social Housing Grant from Welsh Government.   |
| Biodiversity Unit:          | The recommendations listed in Section 4.3 (Recommendations) of the Preliminary Ecological Report should be followed.  |
| Water and Environment Unit: | No building to be occupied until the sustainable water system for the site has been completed and is fully operational in accordance with the details of the drainage strategy, submitted as part of the application in the Drainage Strategy.  |
| North Wales Police:         | No response.  |
| The Welsh Language Unit:    | The identified risk/impact on the language - risk or small impact possible. As the developer is targeting the local market for the affordable units, it is unlikely that the development will lead to a major change within the population of the wider area in the city and will not attract in-migration. However, this is not tantamount to no linguistic impact as Bangor wards are already vulnerable in terms of the Welsh language. There are additional opportunities linked to the application that will have a positive impact on the Welsh language, for example, giving priority to the Welsh language when offering apprenticeship opportunities during construction work. |

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

- Creation of an oppressive structure reducing natural light into nearby property.
- Loss of privacy to back gardens of nearby property.
- Over-development of the site.
- The proposal has the potential to create a nuisance in the future on the grounds of noise disturbance, fire hazard, litter, pests, odours and fumes.
- No consideration given to the drainage needs of nearby property - need to undertake a detailed investigation regarding this bearing in mind the climate we live in today.
- Proposal is contrary to Policy TRA4 of the LDP due to significant increase in traffic that would use the current access as the local highway network is already busy. Such a situation would cause dangers not only to the existing highway users, but also to pedestrians and children.
- The proposal is contrary to the requirements of Planning Policy Wales on the grounds of sustainability as the development includes a large number of parking spaces and why are so many required when the site is accessible to different modes of transport?
- The proposal is contrary to the requirements of Policy ISA5 of the LDP as it does not provide amenity spaces within the site for prospective residents.
- The proposal is contrary to the requirements of Policy PCYFF3 of the LDP as well as the advice in the document Gwynedd Design Guidance as the external elevations of the building do not reflect the local architectural style.
- Concern that the proposal would have a detrimental impact on a nearby tree that is subject to a Tree Preservation Order.

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

- Residents of local property had suffered as a result of demolishing the former social club due to quaking and damage to property structures /foundations and erecting a new building and the associated structures would exacerbate the situation.

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- The proposed development may mean the movement of soil that will detrimentally impact the stability of the ground surrounding the site.
- There is already a sufficient supply of empty houses within the city without the need to provide more residential units and the vast number of houses in multiple occupation in the city can be adapted to meet local housing needs - the proposal is contrary to ISA2 of the LDP.
- Scale/floor area of the one bedroom units are too restrictive to live comfortably in them.
- Possibility that the prospective residents would use the private back lane (Convent Lane) as an amenity space.

In addition to the above, a letter was received supporting the application on the grounds of:-

- There was a real need for these types of residential units in Bangor and evidence supported this.
- The site and the development are sustainable and the proposal to be implemented by a social landlord should be supported.
- The development is situated well in a residential area adjacent to Deiniol Road with large buildings nearby.
- The site is accessible for different modes of transport including a car, bus and train.

## 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 PCYFF1, PCYFF2, TAI1, TAI15 and PS5 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, 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. Criterion 3 of Policy PCYFF 2 states that proposals should make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development and, to this end, providing 38 units will conform to this criterion.
- 5.2 Policy TAI 1 states that in the Sub-regional Centre of Bangor and the Urban Service Centres, housing to meet the Plan's strategy will be delivered through housing allocations together with suitable windfall sites within the development boundary. In Bangor, the indicative supply level over the Plan's period is 969 units (including slippage of 10%) and the Plan anticipates that 576 of these units will be provided via windfall sites. During the period 2011-2018, a total of 323 units were completed on windfall sites. The windfall land bank, i.e. sites with extant planning permission, in April 2018, comprised 197 units, although it is unlikely that 32 of these will be developed. Therefore, there are 165 units on windfall sites in the land bank that are likely to be completed, this means that there is currently room within the indicative provision for 88 units in a windfall development in the Bangor settlement. It should

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also be noted that there is previous permission on this site for 49 units and granting this proposal would not add housing to the windfall units land bank in Bangor. This currently means that there is capacity within the indicative supply for the Bangor settlement.

- 5.3 The proposal involves providing 38 residential units and in accordance with the requirements of Policy TAI 15 at least 7.6 units should be affordable. In this case, 26 of the proposed units will be affordable (equivalent to 68% of all units intended to be provided at this site) and these will be a mix of social rented accommodation, intermediate rented together with open market rented.
- 5.4 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. As referred to above, it can be considered that this site is a previously developed site that is suitable for residential use.
- 5.5 Considering the above and that extant permission already exists for the site following the appeal decision in 2008, it is considered that this application is acceptable in principle. The proposal also has to comply with other relevant policies and these are discussed as follows.

#### **Visual amenities**

- 5.6 The site is prominent in this part of the streetscape. The catchment area comprises buildings of various sizes, elevations, height and age including Victorian and Edwardian dwellings/villas, Victorian railway station (grade II listed) and more modern dwellings/flats. The main construction materials that are common to the nearby area are clean red brickwork, natural slate, steel profile covering, smooth render as well as pebble-dash.
- 5.7 The design principles of the proposed building follow those principles discussed by the Planning Inspector on the previous appeal and can be noted as follows:
- Scale - the site is located in a prominent position in the local streetscape with an element of status and it is recognised that any new building on this site will have to be a building of a similar scale and prominence compared to the current (and previous) situation in order to give functional importance near public rights of way paths/busy crossing. To this end, the height of the building is in a stepped form, with the height varying from five floors on the corner (to create a striking structure and to highlight the importance of the site in the streetscape) to four floors further up Farrar Road following the contour of the land with the scale of the building reducing as it gets closer to the Victorian two-storey dwellings. It is considered that the scale and physical impact of the building will be reduced by elevations and a façade that is broken up by various openings, various materials together with creating angled wings that extend out above the outer fringes of the site.
  - Design - the design concept is to create a unique and contemporary residential development and the design reflects this aim by using varied architectural features throughout the whole building. The building's design and materials create a vertical rhythm that reflects the elevations of nearby dwellings. The building's main roof will be in a low profile form installed behind a parapet wall with the gradient rising towards the corner with Deiniol Road and Farrar Road. The building's design is not dissimilar to that of the previous building that was granted on appeal, and has now incorporated features suggested by the Design Commission for Wales.

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- Setting - the site is located within an urban context that has been recognised as a landmark site adjacent to busy rights of way paths. The building's setting on the site means that the building's footprint in an 'L' form with the main elevations towards the north (Farrar Road) and towards the east (Deiniol Road). The location of the building within the site reflects the ribbon form seen in the area.
- Landscaping - it is proposed to undertake a landscaping scheme around the verges of the application site that includes soft landscaping (decorative plants) and hard landscaping (paths and walls/railings). The purpose of landscaping is to create private amenity spaces for the prospective residents together with contributing towards the quality of the development.

5.8 Considering the above, it is believed that the proposal is acceptable on the basis of the impact of 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. It is recognised that there are some local concerns regarding the scale and materials, however, these are not considered to be inappropriate within the urban context of the site. It is noted that Planning Policy Wales, Edition 10 together with Technical Advice Note 12 – Design, support developments that promote and encourage good design by giving opportunities for innovative design that satisfy current and future needs. To this end, therefore, it is considered that the proposal is a positive response to the requirements of policies PCYFF3 and PCYFF4 of the LDP together with relevant national guidance.

#### **General and residential amenities**

- 5.9 As referred to above, residential dwellings are located around the application site together with their private gardens/amenity spaces. A number of objections have been received as a result of the public consultation process. The concerns deal with matters that include overlooking and loss of privacy; noise nuisance; pollution and odours; loss of light to 81 and 83 Farrar Road.
- 5.10 In response to the above objections, the applicant has amended the original plans on the grounds that the balconies to flats numbers 8 and 9 on the lower floor, flats numbers 20 and 21 on the first floor together with flats numbers 32 and 33 on the second floor (all facing those dwellings located opposite the site and on Farrar Road) are set at an angle to reduce any direct and substantial overlooking into these dwellings. In addition, the windows facing the rear of numbers 81 and 83 Farrar Road (on the first and second floors) are either bathroom windows (opaque glass) or for lighting internal stairs/corridors only rather than to light habitable rooms and opaque glass can be a condition here as well. Some windows have also been located to face away from the rear of numbers 81 and 83. Concerns have also been received regarding the loss of light into nearby property and that the proposal creates an oppressive structure. The applicant submitted a plan showing the impact of shadowing on the rear of numbers 81 and 83 Farrar Road, and this plan confirms that any shadowing will be minimal during the start of the spring/autumn equinox and during winter solstice mornings. As the proposal is very similar to the plan previously approved, it is not considered that there is any grounds for these objections. In his decision, the Planning Inspector confirmed that he had carefully considered matters such as shadowing and these matters would not change his decision to approve the appeal.
- 5.11 The applicant states that there would be no noise nuisance or pollution/litter that may derive from the development that would be any different to any other type of development situated in a residential area, especially if located near a busy road network. It is noted that one of the residential units will be allocated to the building's

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manager and there are arrangements in place by the applicant to accept and respond to such complaints if need be. If the work is approved, it would be appropriate to restrict the working hours / hours serving the development together with the submission of a Construction Method Statement to be agreed with the Local Planning Authority. Such conditions were imposed on the previous application by the Planning Inspector.

- 5.12 It is confirmed that the size and design of the proposed building have considered the Planning Inspector's observations on the previous application/appeal by quoting - *In my opinion (the Planning Inspector) the location of the site justifies a building of the scale and prominence in comparison with the current situation where there is a lack of cohesion and clarity in terms of the site. The proposed building gives the site a focus that designates its functional importance near the Deiniol Road through road that joins with the busy Farrar Road junction'.*
- 5.13 The matters raised regarding the stability of the land have already been discussed by the Planning Inspector when considering the previous application /appeal and it was confirmed that this was a matter for the developer to comply with the relevant rules and regulations regarding building control regulations.
- 5.14 Given the above assessment, it is considered that the proposal is acceptable and would not have an unacceptable impact on residential or general amenities of local residents. It is considered therefore, that the proposal is positive in terms of the requirements of policies PCYFF2 and PCYFF3 of the LDP.

#### **Transport and access matters**

- 5.15 A Travel Plan was submitted together with a Transportation Statement with this application. The Travel Plan concludes that the site is accessible to different and varied modes of sustainable transport including a car, walking, cycling (a bicycle storage area is included as part of the development) and public transport (bus and train), due to its central location within the city. The residents of the units will be informed of the aims of the Plan by signposting and promoting various sustainable modes of travel to and from the application site. The Transportation Statement concludes, bearing in mind the scale and type of development in question, that it would not have a significant impact on the local road network and would comply with local and national requirements and guidance. Following on from the consultation prior to the submission of the proposal, the proposal has been amended on the grounds of re-locating parking spaces, re-locating the recycling/bins area and the bicycle storage, hard-standing for litter and re-locating the barrier near the access. As a result of these changes the Transportation Unit has no objection to the application subject to the inclusion of appropriate conditions. To this end, therefore, it is believed that the proposal complies with the requirements of policies TRA2 and TRA4 of the LDP

#### **Drainage matters**

- 5.16 The Drainage strategy document submitted with the application indicates that the site can be drained appropriately without impairing the existing public system and this has also been confirmed by Welsh Water. Welsh Water and the Council's Drainage Unit have stated the need to meet with the requirements of SUDS and this can be ensured by imposing a condition/appropriate note on the permission. It is considered that the proposal satisfies the requirements of policies ISA1, PS2, PCYFF6 and PS5 of the LDP.

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### Affordable housing and housing mix

5.17 An Affordable Housing Statement was submitted by Cartrefi Cymunedol Gwynedd (CCG) with the application along with a Housing Mix Statement. This information states:-

- The number, type, occupancy and location of the affordable housing provision - the proposal will include 23 two-bedroom flats (three persons) and 15 one-bedroom flats (two persons) with 68% of the units being affordable.
- The rent levels of the intermediate social flats will be in accordance with the requirements of CCG Intermediate Rent Policy (which is usually 80% less than the open market rent value) and the social rented flats will be allocated to those people on the Council's Options Team Housing List.
- The timing of building the affordable housing - all affordable units will be completed and transferred to CCG's management when the work is completed.
- Arrangements for transferring the affordable housing - subject to receiving planning permission, CCG would buy the site and employ contractors to build on their behalf. Following the completion of the units, they would then be under the ownership and management of CCG.
- Arrangements for ensuring that the provision is affordable for the first and subsequent occupiers - the development will receive a social housing grant funded by Welsh Government, and the development will be included in Gwynedd Council's Social Housing Programme for 2018/19. There will be a legal charge on the site by Welsh Government which means that the affordable units will continue to be permanent social/intermediate rented units.
- The occupancy criteria to be used when determining occupiers of the houses - CCG is the largest social landlord in Gwynedd and lets social rented units across the county by using Gwynedd Council's Affordable Housing Register administered by the Council's Housing Options Team. The tenants will be selected through the Council's Housing Options Team and they will be let in accordance with the General Housing Allocation Policy.

5.18 The following details were received in support of the application:-

- Within the Menai Ward (where the application site is located) there are 106 people on the Gwynedd Housing Options Team List that require a one-bedroom flat and 101 people who are in need of a two-bedroom flat. Within the Bangor area these figures increase to 823 people who need a one-bedroom flat and 1,117 people who need a two-bedroom flat.
- CCG own 1,183 affordable social units in Bangor but most of these (within Marchog ward) are outside the city centre. Approving this application would provide affordable units closer to the city centre and would make it more accessible to prospective tenants.
- Approving this application would assist those tenants who are affected by the bedroom tax as they under occupy residential property and consequently prevent families to have access to larger houses.
- The affordable units will be designed to meet the Welsh Government's Wales Development Quality Requirement (DQR) and Lifetime Home Standards.
- The type and location of the proposed units offer a solution to house young people and the elderly.
- There will be a mixed tenure and the ability to create a sustainable community.

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- 5.19 The application has been the subject of prior discussions between Cartrefi Cymunedol Gwynedd and the Council's Strategic Housing Unit which led to the development being included to receive a Social Housing Grant from Welsh Government. Considering this and the observations of the Strategic Housing Unit noted above, it is believed that the proposal is in accordance with the requirements of policies TAI8 and TAI15 of the LDP, along with the advice included in the SPG: Housing Mix and Affordable Housing.

### **Linguistic matters**

- 5.20 A Community and Language Statement was submitted with the application, although this is not required under Policy PS1 of the LDP or the SPG: Maintaining and Creating Distinctive and Sustainable Communities as there is a demand for this type of housing in Bangor and approving this application would not involve providing more than the indicative housing provision set for Bangor. The Statement comes to the conclusion that any impacts should be minor as the development will:- (i) satisfy the need for local affordable units; (ii) the process to score applications via the Housing Options Team and Tai Teg gives consideration and additional weight to local connections; (iii) no significant impact on the Welsh language and only a small percentage of the population currently speak Welsh; (iv) positive economic impact and (v) positive impact as a dormant site will be developed for housing.
- 5.21 The observations of the Welsh Language Unit were received on the development and they state:- (i) there is a small possible risk or impact on the Welsh language; (ii) as the developer is targeting the local market for the affordable units it is unlikely that the development will lead to a major change within the population of the wider area in the city and will not be likely to attract in-migration; (iii) however, this is not tantamount to no linguistic impact as Bangor wards are already vulnerable in terms of the Welsh language; (iv) there are additional opportunities attached to the application that will have a positive impact on the Welsh language, for example, giving priority to the Welsh language when offering apprenticeship opportunities during the construction.

Since the application has been registered SPG: Maintaining and Creating Distinctive and Sustainable Communities has been adopted and officers have asked the applicant to provide information in accordance with the requirements of the SPG before re-consulting with the Language Unit on its contents. It is trusted that it will be possible to report this verbally during the Committee.

- 5.22 Conditions can be included that require a Welsh name(s) to be used for the development as well as bilingual signage to inform and promote the development. A condition cannot be imposed to give priority to the Welsh language when offering apprenticeship opportunities during the construction work, however, this can be raised with the developer in a letter. Based on the above, and subject to receiving favourable observations from the Language Unit on the contents of the new information, it is considered that the proposal is acceptable on the grounds of the requirements of Policy PS1 together with SPG: Maintaining and Creating Distinctive and Sustainable Communities.

### **Educational matters**

- 5.23 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. The Supplementary Planning Guidance adopted to support the previous Development Plan continue 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 SPG: Housing Developments and

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Educational Provision, when discussing this application. The information/formula within the SPG suggests that nine primary school-age pupils would derive from the proposed development (one-bedroom units are not considered for the need to provide a contribution to educational establishments and to this end, therefore, only the 23 flats apply here). The SPG notes that consideration should be given to the situation in the school that serves the catchment area where the development is located and in this case, the relevant school is Ysgol Cae Top. This school is already over capacity and in line with the advice included in the SPG, consideration will need to be given to receiving an educational contribution in relation to this proposal.

- 5.24 However, considering (i) that only nine pupils will derive from this proposal; (ii) that there is enough capacity available in other local schools; (iii) that Ysgol Hiracl, Ysgol Ein Harglwyddes as well as the new Ysgol y Garnedd are closer to the application site than the school's catchment area (Ysgol Cae Top) and (iv) that the applicant has a backfall to turn back to as the development granted on appeal (that included 30, two-bedroom units) has already commenced, it is considered that an educational contribution is not reasonable or necessary if this application is approved. To this end, therefore, it is believed that the proposal complies with the requirements of Policy ISA of the LDP in addition to the relevant SPG requirements.

### **Open Spaces Matters**

- 5.25 Policy ISA 5 of the LDP states that new housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development should provide suitable provision of open spaces in accordance with the Field in Trust benchmark standards of 2.4 hectares per 1,000 population. The proposal will deliver a total of 38 residential units and to this end, consideration will need to be given to the need for open spaces as part of the development if there is no sufficient provision close to the development site.
- 5.26 Current information shows that there is a provision of open spaces within 600m and 1.2km from the application site. There is a large 28ha amenity open space at Hiracl, north of the site, and to this end no contribution should be requested for the outdoor play element.
- 5.27 Although one-bedroom units are not included within the calculations for the requirements of open spaces for children, there is a local lack of play areas for children. However, spaces are conveniently available but are not sufficient and therefore there is justification to ask for a contribution of £8525.39. Such a contribution to be given to improve, maintain or create suitable play areas on the site instead of direct provision within the development site itself. Consideration also needs to be given to the fact that no such provision or payment were provided as part of the appeal permission that remains extant. On this basis it is considered that the proposal is acceptable on the grounds of the requirements of Policy ISA5 of the LDP as well as SPG: Open Spaces in New Housing Developments.

### **Biodiversity matters**

- 5.28 A Preliminary Ecology Report (Phase 1 Extended Species Survey) was submitted and confirms that the comprehensive composition of the site is of negligible ecological value. In response to the statutory consultation process, the Biodiversity Unit state they have no objection to the development subject to following the recommendations on the Ecological Report together with the recommendations noted in the Forestry Statement concerning mitigation measures. To this end, and subject to relevant conditions, it is

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deemed that the proposal is acceptable based on the requirements of Policy AMG5 of the LDP.

### **Sustainability matters**

5.29 There are several policies within the LDP that promote sustainability in new developments within the County. Policy PS 5 refers to the need where possible to re-use previously used land and buildings. Policy PCYFF5 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 PCYFF6 states that proposals should incorporate water conservation measures where practicable.

5.30 The Inspector stated that the site was suitable for re-development and is sustainable as it is within walking distance to facilities, shops and public transport options. As part of the application, a Design and Access Statement together with a Water Conservation Statement were submitted to support the sustainability element of the proposed development. The applicant has a sustainability strategy in mind that entails using sustainable materials and measures to reduce energy use such as insulating the building, reducing any unnecessary air emissions, sustainable heating and hot water systems. In addition, it is intended to install permeable surfaces together with the provision of outdoor clothes drying spaces. The Water Conservation Statement states that the proposal will include measures to harvest water (using a water tank installed below the proposed car park) and to control surface water that flows from the site.

5.31 As a result of the above, it is considered that the proposal is acceptable based on the requirements of Policies PS5, PCYFF5 and PCYFF 6 of the LDP.

### **Relevant Planning History**

5.32 An application was refused to demolish Bangor Social Club and erect 49 units of one and two-bedrooms together with parking and associated landscaping, in April, 2008 on the grounds of an over-development of the site together with its impact on the visual amenities of residents in the vicinity. However, the development was approved on appeal following an Inquiry. This permission remains valid and it can be implemented without any further applications.

5.33 As referred to above, the proposal is very similar in terms of setting, form/design and scale to the structure approved on appeal (although the current application involves less density of residential units). The building is in an 'L' form and its height rises near the junction with Deiniol Road and Farrar Road, with parking spaces partly underground and partly visible in the south-western corner of the site and amenity spaces around the outskirts of the site; the form of the proposed building in terms of design and elevations reflect the form/design of the building approved on appeal and the scale of both proposals are similar in terms of floor area and height in relation to the buildings that surround the site.

5.34 Given the similarity between the plan approved on appeal and this plan, as well as the additional advantages that stem from this application (e.g. contribution for open spaces provision and providing a high element of affordable units to meet with local need), it is believed that the proposal is acceptable within the context of the site's planning history.

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## 6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal as submitted would significantly improve the visual appearance of the site as it is recognised as an important landmark within the streetscape. It is recognised that the contribution of one and two bedroom flats/units would be a positive contribution to the housing stock, and would respond to identified needs, and it is considered that this would contribute to affordable housing needs. Full consideration has been given to the observations received from local residents and it is acknowledged that a development of this size will change the character of the local environment. Nevertheless, the previous appeal decision must be considered for a larger development in terms of scale and density on this particular site (together with the fact that work has already commenced on this development) and when assessing the current proposal in its entirety, no substantial harmful impact contrary to local planning and national guidance have been identified. To this end, therefore, it is believed that this 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 applicant completing a Section 106 agreement to ensure a financial contribution for the provision of open spaces and the following conditions:-
1. Five years.
  2. In accordance with the revised plans.
  3. Samples of materials and colours for the building to be agreed with the LPA.
  4. Highway conditions for parking and the access.
  5. No unit to be occupied until the sustainable water system has been completed and is fully operational.
  6. Soft and hard landscaping.
  7. Development to be undertaken in accordance with the mitigation measures referred to in the Preliminary Ecological Report.
  8. Working hours limited to 8:00 - 18:00 during the week, 08:00 - 13:00 on a Saturday and no working at all on Sundays and Bank Holidays.
  9. Agree on details regarding Welsh names for the development together with advertising signage informing of and promoting the development within and outside the site.
  10. Ensure that a bin area is provided and remains within the site prior to the occupancy of the units.
  11. Ensure a plan/arrangements to provide affordable units.
  12. Opaque glass condition