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REPORT OF THE SENIOR MANAGER OF THE PLANNING AND PUBLIC PROTECTION SERVICE	

Number: 4

Application Number: C19/1072/11/LL

Date Registered: 03-12-2019

Application Type: Full

Community: Bangor

Ward: Dewi

Proposal: A residential development of 30 units (to include 12 affordable units) together with infrastructure, parking areas, access, paths and an open space

Location: Land off Ffordd Pen y Ffridd, Penrhosgarnedd, Bangor, LL57 2DQ

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 erect 30 residential units (to comprise 12 affordable houses) together with providing infrastructure, parking areas, access, paths and open space. The site is in Penrhosgarnedd and is a site that was previously used by Bangor University as a horticulture field centre. The application can be split into several elements, which include:-

- Provision of 12 three-bedroom houses (5 persons) and six two-bedroom open market houses (4 persons) together with four three-bedroom affordable houses (5 persons).
- Provide infrastructure to include underground electricity cables, attenuation / water retention areas within the site, bin / recycling storage for each house, estate road and associated footpaths together with parking areas for existing users / residents of Ffordd Pen y Ffridd.
- Provision of two parking spaces for each house together with providing 10 parking spaces for nearby occupants (Ffordd Pen y Ffridd).
- New access to be created off Ffordd Pen y Ffridd to adopted standards.
- Footpath within the coppice in the western section of the site that links with Ffordd Pen y Ffridd.
- Provision of amenity spaces within the site.

1.2 The site stands adjacent to Pen y Ffridd housing estate with a walkway and current access to it opposite the property known as 18 Pen y Ffridd. Currently, it is a plot of derelict and abandoned land which is overgrown, and was the site of the former field centre building that was demolished some time ago. The whole site measures approximately 2.3ha and is fairly flat. North of the site are residential dwellings (Pen y Ffridd), to the east is agricultural land, to the west are the back gardens of Ffordd Penrhos dwellings and to the south is an area of open land together with the Ysbyty Gwynedd site.

1.3 The site is located within the Bangor development boundary, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP), however, it has not been allocated for any specific use. In order to support the application, the following documents were submitted - Supporting Planning Statement, Transportation Statement, Part I & II Geo-Environmental Report, Ecology Report, Drainage Strategy Statement, Flooding Risk Assessment, Welsh Language Statement, Housing Mix Statement, Affordable Housing Statement together with a Residential Noise Planning 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 a development defined as a *major* development. A Pre-application Consultation Report (PAC) has been included with the application to reflect this consultation. Although the development is one that is described as a *major* development, there is no need for an Environmental Impact Assessment in relation to this development as it does not reach the thresholds noted in Schedule 2, Regulation 2(1) of the Town and Country Planning Regulations (Infrastructure Projects - (b) Urban Development Projects) i.e. it does not entail erecting more than 150 houses and the site does not measure more than 5ha.

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 PS4 - 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 Unique and Sustainable Communities.

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SPG: Planning Obligations.

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 Pre-application enquiry for application number Y18/001545 for a residential development of up to 32 houses - the LPA's response stated that the mix of open market and affordable housing was acceptable in principle.
- 3.2 Application number C13/1143/11/AM - Outline application to erect up to 366 living units with ancillary developments including an access road, parking spaces and ancillary resources was refused on appeal in March 2018, on the grounds of the impact of the development on the Welsh language, principle, location, scale, level of affordable housing provision in general and sustainability.
- 3.3 Application C11/0632/11/LL – renewal of application C08A/0065/11/LL in relation to the construction of a new road – approved on 13.10.11
- 3.4 Application C08A/0065/11/LL - extending the commencement period of a development to construct a road approved under planning permission C05A/0525/11/LL - approved 01.04.08.
- 3.5 Application C05A/0525/11/LL - variation of condition on permission C98A/0111/11/LL as amended under condition 1 of planning permission C03A/0408/11/LL in relation to the commencement period of the development to create a new road between Caernarfon Road and Penrhosgarnedd Road – approved 26.09.05.
- 3.6 Application C03A/0408/11/LL – variation of condition 1 under planning permission C98A/0111/11/LL to extend the commencement period of developing a new road between Caernarfon Road and Penrhosgarnedd Road - approved 27.08.03.
- 3.7 Application C98A/0111/11/LL - new road between Caernarfon Road and Penrhosgarnedd Road including junctions and a car park and a new roundabout – approved 10.12.98.

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4. Consultations:

Community/Town Council: No response.

Transportation Unit: No objection subject to the inclusion of standard conditions regarding design and construction of the new estate road together with parking spaces. However, in addition to the above, the following observations were also included:-

- It is noted that a number objected on the grounds of access through the existing estate road. In response to some of the observations, I confirm that the width of the existing estate road on average is 4.9m with footways of approximately 2.1 metres rather than 5.5m - 6m as noted in the applicant's report. Although their width is less than the ideal size for new estates, 4.9m is acceptable for an adopted road and sufficient to allow 'two way traffic' flow where the road is clear.
- The design of the proposed estate road is acceptable to the Transportation Unit and complies with the design standards for estate roads, including width, setting and turning areas. The development also includes parking for each unit at the usual rate, namely, two spaces for each unit with 2/3 bedrooms.
- The only concern is the design of the new estate road and the presence of two vehicular access tracks to the land at the back. One track is shown between plots 4 and 5 in grey, which suggests a tarmac finish and is labelled as 'Access to Farm Land'. Neither the setting or the location of the track and its entrance are suitable for use by large agricultural vehicles, however, there is no objection to retain this for occasional use and as access for normal vehicles. The second track is shown with a similar design, however, I assume that its purpose is to retain clear easement to the underground electricity cables. However, confirmation will be required by the applicant regarding the purpose of both tracks and the type of use likely to be made of them.

Following the receipt of the above observations, the applicant has revised the relevant section of the Transportation Statement dealing with the width of Ffordd Pen y Ffridd.

Additional information was also submitted regarding the two access tracks to the land that borders the application site stating that there was a clause in the sale between Adra (the applicant) and the University to retain access for agricultural machinery to this land. In addition, it was confirmed that these entrances will be for small agricultural machinery/vehicles and will only be

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used occasionally. Following the receipt of this confirmation the Transportation Unit has no concerns regarding the use to be made of the two access tracks.

Natural Resources Wales (NRW):

Considerable concerns and therefore a condition will need to be imposed on any permission regarding compliance with the recommendations included in the Ecology Report to protect the mating and resting areas of bats in the nearby trees.

Welsh Water:

Approve subject to the inclusion of a condition to submit and agree on a foul water drainage scheme for the site.

Public Protection Unit:

Offer the following observations:-

- Due to the previous use of the site, a desktop investigation is required to assess the potential pollution risk.
- If the desktop investigation recommendations indicate that further action is needed, a sufficient intrusive investigation would be required to assess the risk and approved by the Local Planning Authority and the Public Protection Service.
- Once the development has been completed, a Completion Report should be provided for approval by the Local Planning Authority and the Public Protection Service.
- If any contaminated land problems should arise during the construction work e.g. unusual ground conditions found, then there should be immediate correspondence with the Public Protection Service.
- Every action should be recorded and submitted to the Public Protection Service including details of assessments and remedial work completed.
- Any assessment should comply with the statutory requirements including the requirements of BS 10175:2011 Investigation of potentially contaminated sites – Code of Practice (British Standards Institution 2011)- Planning Policy Statement (PPS) 23: Planning and Pollution Control, Annex 2: *Development on Land Affected by Contamination (Office of the Deputy Prime Minister 2004, Published by The Stationery Office)*.- *Contaminated Land Report (CLR)11 Model Procedures for the Management of Land Contamination (Environment Agency 2004)*. - *Land Contamination: A Guide for Developers (Welsh Local Government Association, Welsh Assembly Government & Environment Agency Wales 2006)*
- Mitigation measures must be put in place to ensure that nearby residents are not affected by noise and dust. The best practical methods should be used to reduce noise and vibration from the development and recommendations should be considered within *BS 5228-1:2009 Code of practice for noise and vibration control on construction and open sites. Noise (+A1:2014)*”

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- As a result of the nearby residential properties, the hours of operation permitted for construction, including associated activities such as deliveries, will be restricted to standard hours:
 - 8am-6pm (Monday to Friday);
 - 8am – 12pm (Saturday);
 - Work is prohibited on Sundays, bank holidays or other national holidays

Water and Environment Unit: Sustainable drainage systems will be required if the application is approved and this should be designed and built in accordance with the minimum standards as published by Welsh Ministers. These systems have to be approved by Gwynedd Council in its role as a SuDS Approval Body.

In response to the second consultation, the Water and Environmental Unit responded and explained that there are two water courses in the northern corner of the site that flow through a 6" pipe where they meet and then flow into the Welsh Water system. There is a history of standing water in the back gardens of Ffordd Pen y Ffridd and Ffordd Penrhos, either due to the lack of maintenance work or due to obstruction(s) at the end of the pipe.

Strategic Housing Unit: There are 608 applicants on the Council's Housing Options Register in Bangor (that include the wards of Deiniol, Dewi, Garth, Glyder, Hendre, Hiracl, Marchog and Menai). It is noted that this scheme is for 30 residential units on the list of "reserved plans" in the Transfer Programme Plan to receive grant monies next year that would be funded via the Welsh Government Social Housing Grant. Such developments that have been included in the Transfer Programme Plan are a priority for the Council regarding the provision of affordable housing in Gwynedd. It is analysed from the data for Bangor that the main demand is for one, two and three bedroom units.

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Language Advisor, Corporate Support Unit:

The following observations were offered:-

The opinion was that a neutral impact was more likely on the basis that the development is likely to attract residents who already live in the local area, and entailed re-location from one part of the city to another.

It is deemed that the statement has not shown sufficient evidence to support their view, and has not shown consideration and sufficiently detailed analysis for the size of the development.

Following the above observations, the applicant submitted a revised statement and the Language Advisor has submitted the following further comments on the contents of the revised statement:-

Although the authors have not made major changes to the document that reflect the observations noted following the original statement the general analysis proposed from the information has been adapted, and the likely specified impact has changed from being positive non-significant to a more neutral impact, and we welcome this.

It is noted that the development is unlikely to lead to a significant change in the number of Welsh speakers in the area, as moving people within the local area is the most likely result.

We also recognise the comment in the document that not proceeding with the development is likely to lead to a negative impact by preventing affordable housing provision that is required in the area.

We also welcome the addition of a mitigation measure that will commit the developer to gather and share data to be able to prove the impact of the development over the next few years.

Biodiversity Unit:

Following a site meeting with the applicant, amended plans were submitted with additional information regarding the protected species and these are the Unit's comments in response to this latest information:-

- Habitats - welcome that the applicant will transplant the '*clawdd*' (hedgerow) near the current access to another location within the site as it is an important wildlife habitat.
- Wildlife corridor - a wildlife corridor has been created at the rear of the houses in the eastern section of the site and such a feature is supported.
- Creating pools - this element of the application is supported and it would contribute to a wildlife habitat and also answers the practical purpose of having a suitable water drainage system within the site.
- Oak trees - need to retain three oak trees together with undertaking future maintenance work on these.
- Invasive species - agree with the ecology consultant's assessment

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- regarding the management of invasive species.
- Otters - agree with the results of the Otter Survey stating that it is unlikely that otters will be impacted by this development.
- Planning conditions - need to include relevant conditions to ensure biodiversity improvements for this development.

Public Consultation:

A notice was posted in the press and on the site (x2) and nearby residents were informed. The advertising period has expired and correspondence was received (including a petition) objecting on the following grounds:

The land where the planning application is situated is contaminated bearing its previous use in mind.

- The site should be protected from development as it is by now a habitat for many birds and animals and a vast majority of these are protected by wildlife legislation.
- Ffordd Pen y Ffridd is a narrow road and would not cope with additional traffic bearing in mind that currently local occupants and visitors park along the carriageway.
- Visibility from the new entrance is sub-standard, considering that it is on a corner.
- This additional traffic would impair residential amenities based on the increase in noise disturbance.
- Ffordd Penrhos is already a busy road and approving this application would add to this.
- Four parking spaces would have to be lost to create the proposed access.
- Further assessments will need to be undertaken regarding the suitability of the local highway network to cope with an increase in traffic, if this application is approved.
- Detrimental impact on the Welsh language if another application is approved for more housing considering the increasing pressure on the language within the City and the local area.
- The Welsh Language Statement submitted with the application is insufficient as it is a non-specialist statement.
- A part of this area (Pen y Ffridd) has a history of flooding and the proposed drainage plan does not go far enough to minimise this problem.
- A problem with education/medical provision in this part of the city.
- The infrastructure of Penrhosgarnedd is unsuitable for another housing development.
- The prices of the affordable housing offered as part of the development are not affordable for the residents of Bangor and the vicinity.
- Some houses at Pen y Ffridd would lose privacy if this development is approved.
- The site has not been allocated for housing in the LDP as although this plot of land is described as *windfall land* the Inspector's decision on the previous appeal has to be considered when it was confirmed that there was a supply of five years of building land. Approving this application would open the doors

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to many similar residential developments on nearby land, considering the recent developments at Goetre Uchaf and Tai'r Efail.

- The location of the new footpath to be created at the gable-end of number 18 Pen y Ffridd would impair the residential amenities of the occupants of that property. It will be necessary to relocate the footpath further away from the residential property's curtilage.

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

- Approving the application would mean a reduction in the value of nearby housing.
- New affordable housing have already been approved within the area.
- Why not use the access road from Caernarfon Road?
- A possibility that construction traffic may damage vehicles and cars parked along Ffordd Pen y Ffridd carriageway.
- Engineers are already digging at the site (this is in connection to the Geo-Environmental Report submitted with the application).

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 living units per hectare for residential development. In this case, the proposed density of the housing development is a little lower (the size of the site is 2.3ha) however, bearing in mind the limitations of the site that include the need to create a wildlife corridor, retaining the existing mature copse, provide open amenity spaces together with safeguarding an area for land drainage it is believed that providing 30 units would be acceptable for this site.
- 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 supplied via windfall sites and 393 on allocated sites. During the period between 2011 and 2019, a total of 572 units were completed in Bangor (224 on allocated sites and 348 on windfall sites). The windfall land bank, i.e. sites with extant planning permission, in April 2019, was 292 units, with 119 units on allocated sites and 173 on windfall sites. This means that there is currently sufficient capacity within the indicative provision for windfall sites within the Bangor settlement.

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- 5.3 The proposal involves providing 30 residential units and in accordance with the requirements of Policy TAI 15 at least 20% of the units should be affordable. In this case, 12 of the proposed units will be affordable (equivalent to 40% of all units intended to be provided at this site) and all the houses subject to this application will be designed to the Wales Development Quality Requirements (DQR) with 12 affordable houses rented in accordance with the requirements and guidance of the Council's Housing Options Team and Tai Teg. If more social housing grant was available this would then enable Adra (the applicant) to offer more affordable housing as part of this scheme as the open market units have also been designed to Wales Development Quality Requirements. Adra also has an option to rent some of the open market housing on the grounds of providing intermediate rented housing or undertake an equity sharing scheme such as the Homebuy Scheme or similar.
- 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 within the development boundaries of the Sub Regional Centre (Bangor), Urban and Local Service Centres, Villages or in the most appropriate places outside them in accordance with other Plan policies. It is deemed that this specific site can be defined as a sustainable site based on its location within the development boundary and within an established residential area, its location close to the public transport network together with its location in relation to local facilities such as shops, hospital and schools.
- 5.5 Given the above, and the fact that 40% of the houses will be affordable (rather than the 20% the LDP policies require to be provided) it is considered that the application is acceptable in principle. It is also required that the proposal complies with other relevant policies and these will be discussed below.

Affordable housing and housing mix

- 5.6 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 provide 12 two-storey houses (provision for eight two-bedroom houses, four persons and provision for four three-bedroom, houses five persons).
 - The rent levels of the affordable units (rent for occupation, affordable and intermediate rent) will be in accordance with the requirements of the Welsh Government Rent Policy and Adra as a Registered Social Landlord and will be allocated to those people on the Council's Options Team Housing List or/and registered with Tai Teg.
 - The timing of constructing the affordable housing - all affordable units will be completed within the first phase of the development as there is a recognised identified need for this type of housing in Bangor.
 - Arrangements to transfer affordable housing - the contract for tendering will be based on the Sell2Wales Occupancy Framework and 98% of Adra contracts are based on this framework. Adra will be the client for the affordable units and they will commit to a Design and Build contract (2016) where the process of transferring the units will follow the Employers Requirement Document procedure.
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers - as referred to above, this plan is on a list of '*contingency plans*' in the Transfer Programme Plan to receive grant monies next year that would be funded via the Welsh Government Social Housing Grant. There will be a legal charge on the site by Welsh Government which means that the affordable units will continue as permanent affordable social/intermediate rented units.

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- The occupancy criteria to be used when determining occupiers of the houses - Adra 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 as well as those registered with Tai Teg and they will be let in accordance with the Council's General Housing Allocation Policy.

5.7 In addition, the following details were received in support of the application:-

- Within the Dewi Ward in February, 2019 (where the application site is located) there are 151 people on the Council's Housing Options Team List that need a two-bedroom house (41%) and 125 people need a three-bedroom house (27%). Within the Bangor area these figures increase to 991 people who need a two-bedroom house and 697 people who need a three-bedroom house.
- Out of a 109 applicants on the Tai Teg housing list interested in renting two and three bedroom houses in Gwynedd, 64 of these are interested in living in Bangor.
- Adra own 1,183 affordable social units in Bangor and if this application is approved it would then provide social and intermediate housing on the outskirts of the city where a variety of facilities are located within a reasonable walking distance.
- 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 30 proposed units will be designed to meet the Welsh Government's Wales Development Quality Requirement (DQR) and Lifetime Home Standards and will create flexibility to provide more affordable units to meet the recognised local need within the plan if the grants situation allowed this.
- The SPG document: Housing Mix states - *Providing two and three bedroom flats/houses (whether they are new build, change of use of non-residential buildings or bringing empty houses back into use) will increase the choice for smaller families, young couples and young people who wish to share, or older households who wish to down-size. These type of households would find it difficult to afford four or five-bedroomed houses, or houses of this size would be too big for their requirements.*
- As the proposal entails providing 30 units that comply with the Wales Development Quality Requirements and Lifetime Home Standards they would offer mixed occupancy (young families, individuals and the elderly) with the ability to create a sustainable community.

5.8 The application has been the subject of prior discussions between Adra and the Council's Strategic Housing Unit, which led to the development being included on the 'contingency plans' list in the Transfer Programme Plan to receive grant monies next year that would be funded via the Welsh Government Social Housing Grant. Considering this, and the observations of the Strategic Housing Unit noted above, it is believed that the proposal is an opportunity to develop a quality scheme to satisfy recognised requirements and is therefore 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.

Visual amenities

5.9 There is a mix in terms of form, construction and design of existing developments in the area. Obviously, two-storey residential houses are the majority of the housing that can be seen in the

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application site's area, the vast Ysbyty Gwynedd site nearby includes substantially sized buildings that are prominent on the horizon and visible from the east and the A55 and beyond. It is also appropriate to consider the two-storey residential housing development by Redrow that is about to be completed on land to south-west of the site. The main construction materials that are common to the local area are clean red brickwork, natural slate, steel profile covering, horizontal timber boards, smooth render as well as pebble-dash. The elevations of the proposed housing will be in keeping with these materials using natural slate on roofs, horizontal boards, coloured render together with natural stone on walls with windows and rainwater goods in UPV-c. Enclosure methods will include steel railings, hit and miss timber fencing, security fencing and livestock fencing along the fringes of the site. It is also proposed to install solar panels on the roofs of the houses.

- 5.10 The development's plan follows a hook shape in a cul-de-sac form with an open amenity space at the centre of the site and on its western outskirts. The site plan is one that reflects the plan of nearby urban estates on the grounds of scale and character with the estate road and associated pavement that joins with Ffordd Pen y Ffridd to the north. The estate's atmosphere is similar to the adjacent estate and provides extensive gardens and private parking areas. It is proposed to retain the coppice west of the proposed housing and will also include an outlet for the surface water drain, basin for water attenuation pool together with a vehicle track to undertake maintenance.
- 5.11 To this end, therefore, it is considered that the proposal is acceptable based on the requirements of policies PCYFF3 and PCYFF4 of the LDP.

General and residential amenities

- 5.12 As referred to above, residential dwellings are located to the west, north and south of 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. Mainly, and in terms of amenities, the concerns deal with matters of traffic, noise disturbance as a result of more dense use of Ffordd Pen y Ffridd and based on creating a footpath opposite number 18 Ffordd Pen y Ffridd, loss of privacy together with the loss of light:-

- Although the proposed development will entail an increase in the number of vehicles who will use Ffordd Pen y Ffridd, it is anticipated that the main increase will be during peak hours in the morning and the afternoon. The travelling assessment conducted by the consultants anticipates that there will be 12 two-way journeys during peak morning times and 13 two-way journey during peak afternoon times emanating from the proposed residential development (i.e. occasionally during the day). As Ffordd Pen y Ffridd is already a fairly busy road it is not believed that approving this application would create a substantial or significant increase in the density of traffic (together with associated noise disturbance) that will use Ffordd Pen y Ffridd.
- Creation of footpath adjacent to number 18 Ffordd Pen y Ffridd - in response to this objection that causes concern for the occupants of the property on the grounds of disturbance and loss of privacy, the applicant has submitted a revised plan that addresses the concerns and indicating that the footpath has been relocated further away from the curtilage boundary of number 18, creating a maintenance space between the existing boundary and the new footpath.
- Loss of privacy and light - although existing residential settlements have been located to the north (Pen y Ffridd), to the south (Bro Ogwen) and to the west (Ffordd Penrhos) it is anticipated that the dwellings that will be affected most will be numbers 1 and 2 Bythynnod Pen y Ffridd, located on the northern outskirts of the site and in front of the

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proposed houses in plots numbers 26 and 27. These houses are located at the end of a cul-de-sac at the centre of the site with their gable-ends facing the backs of the cottages. The front corner of house plot number 26 is approximately 16m from the back wall of 1 Bwthyn Pen y Ffridd and the back corner of house plot number 27 is located approximately 12m from the back wall of number 2 Bwthyn Pen y Ffridd. Between the proposed housing and the cottages are private gardens together with the existing fence that screens the back of the two cottages. The gable-end of the houses on plot numbers 26 and 27 will include two small windows on the lower floor and no opening will be created on the first floor facing the cottages and, in terms of this, it is not considered that the privacy of the occupiers of the cottages will be substantially affected (if at all) as these windows will be at eye level only. The ridge height of both new houses would measure 8m, however, in considering the setting of the new houses in relation to the nearby cottages together with the design it is deemed that these houses would not create substantial oppressive structures at the expense of the amenities of nearby occupants. In order to reduce any overlooking and try to ensure the privacy of the occupants of Bythynnod Pen y Ffridd it is proposed to erect a new 1.8m high fence between the back of the cottages and the nearest two new houses, leaving 1m space between the existing fence and the proposed fence for any future maintenance work - this element of the development is also a requirement under the sale of the site between Adra and the University. This can be secured by imposing a condition on any planning permission that states that the fence should be erected prior to the occupation of houses on plots 26 and 27 situated within the cul-de-sac.

- 5.13 Given the above assessment, it is considered that the proposal, as amended, is acceptable and would not have a substantial unacceptable impact on residential or general amenities of nearby occupants. Therefore, it is considered that the proposal is in accordance with policies PCYFF2 and PCYFF3 of the LDP.

Transport and access matters

- 5.14 A Transportation Statement was submitted with this application, however, a large number of objections to the application as submitted were received on the grounds of the existing heavy traffic flow on Ffordd Penrhos and Ffordd Pen y Ffridd, the lack of existing parking facilities along Ffordd Pen y Ffridd together with highway safety and pedestrians/children. The Transportation Statement comes to the following conclusions:-

- The site is located in a sustainable location served by public transport and within close distance to facilities such as shops, schools and Ysbyty Gwynedd together with safe crossings for pedestrians on busy roads,
- The proposal will create a new entrance on the southern side of Ffordd Pen y Ffridd and will give consideration and priority to pedestrians, cyclists and drivers.
- The proposed parking spaces comply with the statutory requirements.
- The data gathered regarding personal collisions for the last five years does not indicate that road safety matters are a concern on the local road network and the road network itself operates safely and would continue to operate safely if this proposed development is realised.
- The travelling assessment conducted by the consultants anticipates that there will be 12 two-way journeys during peak morning times and 13 two-way journeys during peak afternoon times emanating from the proposed residential development.
- The junction capacity assessment undertaken shows that the local road network can operate generally within its capacity during 2024, including additions of committed developments as well as an increase in traffic that may emanate from this development without significantly harming the existing traffic flow that uses the local road network.

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- Bearing the above points in mind, the Transportation Statement reaches the conclusion considering the scale, sustainable location and nature of the proposal that the proposal itself is acceptable on the grounds of highways and transportation.

5.15 In response to the statutory consultation and in accordance with the above observations, the Transportation Unit confirms that there is no objection to the development despite the objections received from the public regarding the suitability of Ffordd Pen y Ffridd to be able to cope with more traffic together with the suitability of the existing junction with Ffordd Penrhos. The contents of the Transportation Statement submitted with the application has been updated by quoting the correct distances for the width of Ffordd Pen y Ffridd. Based on this, it is considered that the proposal complies with the requirements of policies TRA2 and TRA4 of the LDP.

Flooding and drainage matters

5.16 Following the statutory advertisement period an objection was received on the grounds that this part of the area (Pen y Ffridd) has a history of flooding and the proposed drainage plan does not go far enough to minimise this problem. Following the pre-submission enquiry, local residents raised this matter with the applicant and in response to this concern a Drainage Strategy Statement was submitted together with a Flooding Risk Assessment with this application explaining the disposal of surface water and foul water from the application site. The drainage strategy states that a surface water disposal system can be designed to conform with the requirements of the Sustainable Drainage System (SuDS) with foul water disposed by connecting to the existing sewerage network. In accordance with the current statutory requirements, surface water run-off from the site will be limited to the speed of surface water from the existing green site and the majority of the existing drainage system will be replaced with a new drainage system. The Drainage Statement states that reducing surface water run-off from the site as well as including water attenuation areas and surface water storage within the copse, together with using a new drainage system will alleviate the risk of flooding downstream i.e. at the rear of numbers 2 to 18 Penyffridd and the rear of houses parallel to Ffordd Penrhos. The Statement also refers to the fact that domestic refuse/soil has been historically tipped at the rear of the houses where the water course flows, and in turn this has contributed to causing flooding in this part of the site.

5.17 NRW and the Water and Environment Unit were re-consulted on the flooding matter. NRW confirmed they had no records showing that the watercourse overflowed. However, in response to the second consultation the Water and Environmental Unit responded and explained that there were two water courses in the northern corner of the site flowing through a 6" pipe where they meet and then flow into the Welsh Water system. There is a history of standing water in the back gardens of Ffordd Pen y Ffridd and Ffordd Penrhos, either due to the lack of maintenance or to obstruction(s) at the end of the pipe. As referred to below, the developer has to submit a specific maintenance plan for the drainage system as part of the Sustainable Drainage System and consequently the watercourses should receive more attention and maintenance.

5.18 In order to ensure the efficiency of the new drainage system, maintenance measures will be included within the sustainable water systems (SuDS) that will be approved by the Council's Water and Environment Unit in its role as a SuDS Approval Body.

5.19 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 an appropriate note on the permission. Welsh Water also recommend conditioning any planning permission by asking the applicant to submit

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comprehensive details of the foul water drainage system from the site and it was confirmed that there is sufficient capacity within the local foul water treatment works to cope with the requirements of this development. In addition to receiving advice from the above statutory consultees, advice was also received from NRW who offered advice to the applicant on the grounds of managing the environment (reduction of any effluent into the water course from construction work) together with the disposal of any demolition or construction waste excavation materials produced during the development, in a satisfactory way. Considering the above assessment, it is believed that flooding and drainage matters can be controlled by including relevant conditions in any planning permission. It is therefore considered that the proposal satisfies the requirements of policies ISA1, PS2, PCYFF6 and PS5 of the LDP as well as the requirements of TAN 15.

Linguistic matters

- 5.20 A Welsh Language Statement was submitted with the application and criterion 1c of Policy PS1 on the LDP together with the advice included in the SPG: Maintaining and Creating Unique and Sustainable Communities, states that any development of 5 or more housing units on allocated or windfall sites within development boundaries must address evidence of need and demand for housing recorded in a Housing Market Assessments and other relevant local sources of evidence. The information submitted by the applicant to this end includes a Welsh Language Statement that concludes that the proposed development will have a beneficial impact on the Welsh language and the community of Dewi ward and the wider Bangor community by providing affordable housing and open market housing to satisfy the identified need. The Statement also refers to mitigation and improvement measures. Objections were received from the public on the grounds of detrimental impact on the Welsh language if another application is permitted for more housing bearing in mind the increasing pressure on the language within the city and the local area and the Welsh Language Statement submitted with the application is insufficient as it is a non-specialist statement.
- 5.21 The observations of the Welsh Language Unit on the development were received and they are of the view that the proposal would have a neutral or non-significant negative impact on the Welsh language if the proposal was approved as the development would not represent a major change in the city's existing position in terms of the Welsh language. They elaborate by stating that the development is not big enough to have a major impact on the area's linguistic composition, but if the pattern of deterioration that has been in the city's wards over the last decades continues, then it may be argued that this development (alongside with other developments) could contribute to further deterioration and this will then be highlighted in the next census. Following the first response of the Language Unit, the applicant has revised the statement to explain that it is anticipated that the development will have a neutral impact on the Welsh language and culture and the Unit welcomes this revision. The applicant intends to undertake mitigation measures that include a commitment to develop the plan in accordance with the Welsh Government's Welsh Language Plan, a commitment to provide a Welsh name for the development together with providing local apprenticeships.
- 5.22 Based on the above, it is considered that the proposal is acceptable on the grounds of the requirements of Policy PS1 and SPG: Maintaining and Creating Unique and Sustainable Communities.

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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 contents of SPG: Housing Developments and Educational Provision when discussing this application. The information/formula within the SPG suggests that 21 primary and secondary school-age pupils would derive from the proposed development. The SPG notes that consideration should be given to the situation in the school that serves the catchment area where the development is located. In response to the statutory consultation the Education Department's Information officer states that normally the catchment area's primary school closes in July of that year (Coed Mawr Infants School and Ysgol Glanadda). There is another school in the catchment area (Ysgol y Garnedd) that is currently being built and primary school children in the catchment area will then attend this school next term. The new school will have capacity for 420 pupils (together with nursery children) sufficient to meet the requirements of this development and there is also capacity within the secondary schools. To this end, therefore, it is believed that the proposal complies with the requirements of Policy ISA of the LDP as well as the relevant SPG requirements without the need for a financial contribution.

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 a minimum of 2.4 hectares per 1,000 population. The proposal will deliver a total of 30 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.
- 5.25 Current information indicates that there is sufficient provision based on outdoor sports, sports pitches (over 0.4ha) together with play areas for children within 1.2km from the application site but there is a lack of provision for play areas with equipment for children locally. Therefore, there is justification here to ask for a contribution to satisfy this need and is calculated to be £8295.50. To this end, the applicant has agreed to contribute this specific sum by signing a legal agreement under Section 106 to comply with the requirements of Policy ISA 5 of the LDP together with SPG: Open Spaces in New Housing Developments.

Biodiversity matters

- 5.26 A Preliminary Ecology Report (Phase 1 Extended Species Survey) was submitted confirming 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 deemed that the proposal is acceptable based on the requirements of Policy AMG5 and PS5 of the LDP.

Pollution Matters

- 5.27 Correspondence was received referring to the historical use of the site as the former field station of Bangor University with the possibility that the land has been contaminated and Part I and II of

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the Geo-environmental Report was submitted with the application recommending a number of relevant measures in the context of mitigating measures regarding the construction method, soil contamination and surface water pollution. There are no concerns regarding ground gas. Following recent discussions between the pollution expert and the Officers of the Public Protection Unit, the Unit agrees with the recommendation of Part 7 of the Geo-environmental Report stating the need to undertake a remedial strategy to respond to concerns regarding local surface water pollution, presence of arsenic together with materials that may include asbestos. At the end of the strategy, a check report will need to be submitted to show that there will be no residual pollution that will pose a risk to human health or to controlled waters. This can be ensured by including an appropriate condition in any planning permission that states that this information has to be submitted and agreed with the LPA prior to starting any work on the site, and to this end, it is deemed that the proposal is acceptable on the grounds of Policy PCYFF2 of the LDP.

6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal to develop 30 two and three bedroom houses, with 12 of these as affordable housing, is a positive response to the various housing needs that have been identified in the area. In assessing the application, full consideration has been given to the observations received in response to the consultation period and the response received from statutory consultees. Based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, therefore, it is considered that the proposal is acceptable subject to the inclusion of the following conditions.

7. Recommendation:

- 7.1 To delegate powers to the Assistant Head of the Environment Department 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 estate road.
 5. No unit to be occupied until the sustainable water system has been completed and is fully operational (Water and Environment Unit).
 6. Soft and hard landscaping.
 7. Development to be undertaken in accordance with the mitigation measures referred to in the Preliminary Ecological Report including the disposal of invasive species and transplanting a 'clawdd' (hedgerow) as a wildlife habitat.
 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. Noise level restrictions during the construction period
 10. Agree on details regarding Welsh names for the development together with advertising signage informing of and promoting the development within and outside the site.
 11. Ensure a plan/arrangements to provide affordable units.
 12. Removal of general development rights for the affordable units.
 13. Submission of a comprehensive foul water drainage scheme for the development (Welsh Water).
 14. Submission of a Construction Method Statement to be agreed with the LPA.
 15. Condition to erect a privacy fence prior to the occupation of houses in plots 26 and 27.

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16. Submit an Environmental Management Plan to include noise, vibration and dust.
17. Undertake a remedial strategy to be followed by a check report prior to the commencement of any work on the site.
18. Submission of a management plan for the site's open green land.