

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/01/2021</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

**Number: 3**

**Application Number: C20/0804/25/LL**

**Date Registered: 07-10-2020**

**Application Type: Full**

**Community: Pentir**

**Ward: Pentir**

**Proposal: Change of use of vacant unit from an office from B1 Use Class into a D1 Use Class dental practice (re-submission of the application refused under reference number C20/0351/25/LL)**

**Location: 8, Llys Castan, Ffordd Y Parc, Parc Menai, Bangor, Gwynedd, LL57 4FH**

**Summary of the Recommendation: TO REFUSE**

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

**1. Description:**

- 1.1 This latest application is a re-submission of an application refused in June 2020 for a change of use from an office (B1 Use Class) to a dental practice (D1 Use Class) within a vacant unit in Llys Castan and located at the northern end of Parc Menai, to the south of Bangor. Internally, the proposal would involve changing the offices on the ground floor to provide a waiting room/reception, two operating rooms, an office and two treatment rooms, as well as changing the use of the offices on the first floor into two operating rooms, a laboratory, a teaching room, storage and a changing room for staff. There will be no alterations to the external appearance of the unit.
- 1.2 The unit is located in Parc Menai, which is designated in the LDP as the *Primary Business Site of the Sub-regional Centre* and is served by an unclassified county roads network, which leads off the adjacent trunk road. There are parking spaces for 10 cars in the adjacent car park. The site is also within the Dinorwig Landscape of Outstanding Historic Interest.
- 1.3 To support the application, detailed and extensive information was received from the applicant, including the Planning Statement. Additionally, a Planning Statement was received from the agent, as well as Evidence of the Site Accessibility as well as a Sequential Test Statement. It is believed that the main points noted within the applicant's Statement to support this latest application is as follows:
- Given the complexity as well as the unique and innovative nature of the work of the proposed dental practice, patients would come to Parc Menai from all over North Wales, and there are currently no Dental Restorative Specialists in North Wales within the private sector, with many patients going to England for treatment.
  - National bodies such as Healthcare Inspectorate Wales promote high quality modern dentistry businesses, with an extensive number of similar businesses now located within business parks (e.g. a site for employment use, Cae Eithin, Abergele) and locating such a facility on the high street is no longer suitable, especially during the Covid-19 pandemic where a modern property is required in order to deal with patients safely, as well as to comply with national statutory requirements. This stance is supported by other dentists, Restorative Consultants as well as a company that specialises in designing and developing such a facility in north-west Wales and in the UK in general.
  - There are currently a vast number of vacant units in Parc Menai, with at least three years' supply of B1 use units available in 2020.
  - A number of the units in Parc Menai have uses that are not B1, B2 or B8, e.g. a drama school, a nursery, a hotel and a sandwich shop, and a dental practice is established in Ciblyn, Caernarfon and in the Snowdonia Business Park, Penrhyndeudraeth.
  - There are already a variety of uses at Parc Menai including accountants, solicitors and the Community Health Council.
  - The dental practice will be entirely bilingual.
  - The dental practice will be accessible to people with walking disabilities/older people - an ideal site for such a facility.

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

- The site is located in close proximity to the city of Bangor and the A55 trunk road, and at present only one patient attends the dental practice by bus, and two on bicycles, with the rest using a car. However, many patients attend a dental practice on their way to work or share the journey to a dental practice with shopping in Bangor or Menai Bridge.
- Wales Parking Standards - the advice within this document is that 16 parking spaces are required for *health centre* use, however this figure depends on the four surgeries within the dental practice being used simultaneously. Although four surgeries have been noted in the plans, this does not mean that they will all be used simultaneously (especially during the Covid-19 pandemic). In addition to the above, the owner of the Ysgol Glanaethwy site has offered to lease six car parking spaces for the patients who will be attending the dental practice, however the applicant states that it is not anticipated that these spaces are required given the above as well as the time taken to treat patients.
- There is a regular bus service to Parc Menai, although these services are reduced during the Covid-19 pandemic.
- Confidential information was also submitted, which includes letters from anonymous patients and other dentists that support the type of treatment the applicant specialises in.

1.4 The agent's Statement notes the following points to support this second application:

- The unit has been marketed extensively since March, 2019 by a local estate agent *Legat Owen* but no interest has been shown in it.
- The site is accessible to various modes of travel.
- The proposal would not have a detrimental impact on the amenities of the users of adjacent properties/workplaces.
- The proposal would provide a bilingual facility.
- Permitting the proposal would make a suitable use of a vacant unit and would complement adjacent business uses.
- The proposal would comply with national policies with regard to the promotion of sustainable developments and the local economy.
- The majority of the patients would visit the dental practice from other parts of North Wales.
- Policy CYF 3 (ancillary uses on employment sites) - the marketing evidence submitted with the application clearly demonstrates that there are a large number of vacant B1 Use Class units in Parc Menai, with a historically low interest in using these units, and this situation is justification for using this vacant unit, not only for business/commercial use, but also to provide an important health facility. This would not lead to an under-provision of B1 units in Parc Menai or undermine the role of the Parc as an Employment Site.
- Policy CYF5 (alternative use of current employment sites) - this Policy allows for the release of land/buildings on Employment Sites for alternative uses in special cases, and compliance is required with the criteria within the Policy itself. The agent notes that there is no need for B1 use for this unit; the local estate agent has demonstrated that there is an over-provision of B1 use within Parc Menai; the proposed use does not impair on

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

adjacent uses or users and the site is geographically accessible, with a vast number of patients coming from other areas in North Wales, as well as serving local patients.

- The facility would employ 3 to 4 full-time people, and one part-time.
- It is recommended that the facility would be open between 08:00 and 18:00 during the week, and between 09:00 and 12:00 on Saturday (an occurrence that is unlikely to take place often).

## 2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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

ISA1: Infrastructure provision

ISA2: Community Facilities

PCYFF2: Development criteria

PCYFF3: Design and place shaping

PS5: Sustainable development

PS1: The Welsh Language and Culture

PS4: Sustainable transport, development and accessibility

TRA2: Parking standards

TRA4: Managing transport impacts

CYF1: Safeguarding, allocating and reserving land and units for employment use

CYF5: Alternative use of Current Employment Sites

PS13: providing opportunities for a prosperous economy

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/01/2021</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

Supplementary Planning Guidance: Maintaining and Creating Unique and Sustainable Communities.

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

Planning Policy Wales (PPW - Edition 10, November 2018)

Technical Advice Note (TAN) 4: Retail and Commercial Developments

TAN 18: Transport

TAN20: Planning and the Welsh language

NCT23: Economic Development

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

3.1 Application number C20/0351/25/LL - change of use of vacant unit from an office (B1 Use Class) into a dental practice (D1 Use Class), was refused in June 2020 on the grounds of:

- The proposal is contrary to the requirements of Policy PCYFF1 and ISA2 of the Anglesey and Gwynedd Joint Local Development Plan, 2017 which states that new developments and new community facilities should be located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community.
- The proposal is contrary to the requirements of Policy PS13 and CYF1 of the Anglesey and Gwynedd Joint Local Development Plan, 2017, which states that land and units on existing employment sites (Parc Menai is listed in the policy) are safeguarded for Use Class B1, B2 and B8.
- The proposal is contrary to Policy CYF5 of the Anglesey and Gwynedd Joint Local Development Plan, 2017, which states that proposals to release land on existing employment sites safeguarded for Use Class B1, B2 or B8 in accordance with Policy CYF1 for alternative uses will be granted only in exceptional circumstances. Based on the information submitted, no special case has been proven. Furthermore, there is no over-provision of employment sites within the vicinity and the Local Planning Authority is not convinced that there are no other suitable alternative sites within the development boundary for the proposed use.
- The proposal is considered to be contrary to Policy PS4, PS5 and TRA4 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as the applicant has not convinced the Local Planning Authority that the site for community facility use is sustainable on the grounds of its accessibility for all modes of travel.
- The proposal is contrary to Policy TRA4 of the Anglesey and Gwynedd Joint Local Development Plan, 2017 as the car parking provision does not comply with the requirements of CSS Wales Parking Standards and this could, in turn, create a situation within the nearby parking areas and along the local highway network, which is likely to undermine highway safety.

### 4. **Consultations:**

Community/Town Council: No objection.

Transportation Unit: As the application is submitted, it does not include an adequate provision, and the relevant standards recommend the provision of up

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/01/2021</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

to 16 spaces for the staff numbers noted in the application form.

However, it is noted that the Planning Statement confirms that the application site includes 10 parking spaces with an intention to rent more parking spaces when the surgery operates at full capacity. There is no objection to the above proposal, however I would like to see a relevant condition being included on any planning permission granted which asks the applicant to submit evidence of the location and the agreement of additional parking before operating to its full capacity.

Public Protection Unit: No response.

Welsh Water: Condition regarding the disposal of surface water from the site.

Public Consultation: A notice was posted on the site and nearby users were notified. The notification period has already ended but no objections had been received from the public to the proposal following the statutory advertisement period.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

5.1 When considering the principle of the proposed use, it should be ensured that the proposal complies with all the criteria in policy ISA 2 (community facilities) of the LDP. In this context, and for the purpose of the policy, it is confirmed that community facilities include 'facilities used by local communities for health purposes...and any other facility that perform the function of serving the community'. Policy ISA2 states: 'The Plan will help sustain and enhance community facilities by:

1. Granting the development of new community facilities, provided that:

- (i) they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community. -

In this case, as the unit is not located within a development boundary (the development boundary of the city of Bangor is the closest development boundary to the application site), near the development boundary or within a cluster, the proposal does not comply with the first criterion.

- (ii) In the case of new buildings, the local community cannot be satisfied by making dual use of existing facilities or converting existing buildings. -

the second criterion is irrelevant to this particular application as the proposal is for the use of a building that already exists.

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

- (iii) Where the proposal is for a facility being relocated, it can be demonstrated that the existing site is no longer suitable for that use. -

In his Planning Statement, the applicant confirms that the existing facility/building is suitable based on the response to existing statutory requirements as the requirements of Healthcare Inspectorate Wales with regard to this type of provision and innovative treatment, i.e. the existing facility does not respond to the requirements of people with disabilities and it is not a modern and contemporary facility which can deal effectively with situations such as Covid-19.

- (iv) The proposal is of an appropriate scale and type compared to the size, character and function of the settlement -

this fourth criterion is irrelevant as the site is not located within a settlement as included in the LDP.

- (v) The proposal is easily accessible by foot, cycle and public transport. -

as referred to below, the Evidence of Accessibility document was submitted with the application which shows the accessibility of the geographical location of the site based on various modes of travel.

- 5.2 Given the above assessment, and despite the acknowledgement of all the background information submitted to explain the specialist and relatively unique nature of the proposed facility, it is considered that the proposal is unacceptable based on principle as the proposed community facility is not located within the development boundary, near a development boundary or within a cluster, and it is therefore contrary to criterion 1 of Policy ISA 2.

#### **Alternative use of protected employment sites.**

- 5.3 In accordance with Policy PS 13 and Policy CYF 1 of the LDP, the site and the unit are protected for employment use in Use Class B1. The proposed development would involve changing the use of the unit from a B1 use to become a D1 class use (non-residential establishments). The safeguarded and designated employment sites within the JLDP (in accordance with Policy CYF1) are based on the findings of the Employment Land Review held in 2012. The Local Development Plan attempts to ensure that a sufficient and appropriate provision of lands is available for employment purposes. It is considered appropriate to ensure that these lands are kept as much as possible as they are located in places that are close to where people live, and as these sites support local economic growth. Furthermore, the North Wales Regional Employment Land Strategy has been prepared, which identifies a portfolio of strategic employment land and attempts to identify how these sites can satisfy the demand during the lifetime of the Regional Plan. In accordance with Policy CYF 1, the Parc Menai site is defined as a **Main Employment Site**. Within the Regional Employment Land Strategy, the Parc Menai site is recognised as a *Sub-regional Strategic Site*.

In accordance with Policy CYF 5 (Alternative use of Current Employment Sites), proposals to release land in Use Class B1, B2 or B8 in accordance with Policy CYF1 for alternative uses will be granted **only in special circumstances** provided they conform to one or more of the criteria included in the policy. Those criteria note as follows:

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

1. *If the site is vacant, that it is unlikely to be used in the short and medium term for the original use or the safeguarded use and there isn't a viable business or industrial use for the site, or*
  2. *There is an over provision of employment sites within the vicinity, or*
  3. *The current employment use is having a detrimental effect on amenity and the environment, or*
  4. *The proposal would not have a detrimental effect on employment uses at adjacent sites, or*
  5. *There is no other suitable alternative site for the proposed use, or*
  6. *If the site is used for short-term use (temporary), that appropriate restoration measures are in place to the satisfaction of the Local Planning Authority."*
- 5.5 In response to the above criteria, the Planning Statement of the agent notes that only *one or more* of the above criteria that must be complied with when considering this application and that this is reflected nationally in TAN23: Economic Development. It states that if it possible to have compliance with only one criterion (e.g. criterion 1 of Policy CYF 5), it is sufficient to comply with all requirements of the Policy itself. However, the applicant and his agent has submitted additional information and evidence which elaborate on the information submitted with the previous application and which state that the proposal complies with the requirements of all criteria noted in Policy CYF 5 of the LDP.
- 5.6 The first criterion states in the event that the site is vacant and unlikely to be used in the short and medium term for its original purpose or for safeguarding use (Use Class B1). The unit which is the subject of this application has been extensively advertised since March 2019 as a B1 Use Class unit for a reasonable rent price (which compares favourably with other business units along the A55) with a choice of various rental terms, however no interest has yet been shown. The extensive advertising has included site advertisements, national websites such as *Zoopla, Prime Location, Realla* and *COSTAR*, regular communication with Welsh Government's Inward Investment Team representatives as well as sending correspondence to other North Wales properties. Given this information, it is believed that there is a suggestion that the unit is not likely to be used in the short or medium term for protected use of the unit as B1 Use Class. The explanation of Policy CYF 5 states 'When considering the release of existing employment sites it will be essential to ensure that the integrity of the employment site is not compromised specifically because it meets the needs of local employment. Furthermore it would be necessary to ensure that any potential use is not in conflict with the employment use remaining on the site.' In this sense, it is not considered that using one of the smaller units where similar units remain available would have a detrimental impact or compromise on the integrity of the employment site. It is also not considered that it would be a use that conflicts with the employment use that remains in the vicinity and on the wider site, as many of these provide specialist and professional services to a very limited amount of customers, i.e. it is not an intensive use and the associated coming and going is very low.
- 5.7 The second criterion is in relation to proving that there is an overprovision of employment sites within the vicinity. Generic information was submitted by a local estate agent, Legat Owen, which shows in March 2020 that there are 15,026 square feet of



PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

vacant floor space in Parc Menai. In addition to this, plots of land are on sale in Parc Menai for commercial office use and it is estimated that three years of land supply remain for B1 Use Class within Parc Menai itself. However, the Sequential Test Statement submitted with the application is based on information gathered in September 2020 and it states that the vast majority of B1 Use Class units for sale or for rent in the Bangor area are all within Parc Menai, including 10,630 square feet by the company *Cooke and Arkwright*; 2,986 square feet by *BA Commercial*; 4,000 square feet by *Fifield Glyn* and 1,615 square feet by Gwynedd Council (Intec). In addition to these figures, 137,160 square feet are for sale or for rent by the company *Sanderson Weatherall* including the Book People building. Given the evidence above, it is believed, at least at present, that there is an overprovision of B1 units in Parc Menai given the total vacant floor space already within Parc Menai, i.e. Parc Menai is below capacity for B1 Use Class property/land supply. It was also revealed that a change of use from B1 Use Class to D1 Use Class still offers a commercial/business use, supporting local employment and local economy.

- 5.8 The third criterion states that existing employment use should not have a detrimental impact on amenities or the environment. The legal and established use for the unit is B1 Use Class, which complies with the protected use of the unit itself for office use. These uses comply and are in keeping with the business use of Parc Menai as a whole. The agent's Planning Statement notes that using the unit as a dental practice would not have a detrimental impact on the character or integrity of adjacent uses based on the nature and the scale of the use itself, and that there will be no need to undertake external changes to the existing building, and the changes will be restricted to the inside, and these will be reversible changes.
- 5.9 The fourth criterion states that a development should not have a detrimental impact on employment use in nearby sites/units. According to the information submitted with the application, it is not anticipated that the specialist dental practice would create more noise disturbance than the current situation, given that B1 office uses already exist nearby. It is noted that the patients would visit the dental practice based on an appointment only system, and the treatment time for the patient would be longer at the dental practice compared to a NHS practice or another normal dental practice, meaning less movements in and out of the building and associated car park.
- 5.10 The fifth criterion involves ensuring that no other alternative site exists for the proposed use. In addition to the details submitted with the previous application, a Sequential Test Statement was submitted with this application in accordance with the requirements of PPW (2018), as well as TAN4: Retail and Commercial Developments, which state the following:
- \* Following the High Court cases, the main matter that must be considered in cases where a sequential test is required in order to support a planning application is that there are existing suitable sites within established centres or in the vicinity of centres which meet the locational requirements and the business marketing needs. A site/property that does not directly respond to the above needs and requirements should not be selected if it means adapting the means of operating the business (by, for example, reducing the facilities that the business will offer or if it is required to change and extend the property to meet the needs of the business) in order for it to fit into an alternative site/property.
  - \* As part of the availability assessment, two national websites were used as well as one local website in order to identify a suitable property for a dental practice in a location in a city centre and within a buffer zone of 5 miles around the city (the western/southern part of Anglesey cannot be considered, given the agreement restrictions). The websites of the companies referred to in paragraph 5.7 above were also used.

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

- \* A property was evaluated based on the requirements of the applicant's modern and specialist dental practice.
  - \* The investigation shows that there are a number of properties within the city and in the vicinity of the city that are currently being marketed, however these are not acceptable based on the requirements of the applicant's practice due to unsuitable size, a lack of convenient access for vehicles to the main door, unsuitable access/lack of access for disabled people, need complex adjustments in order to meet the statutory needs with an industrial design/plan feel.
  - \* This leaves eight properties to consider within the sequential test, with three of them (Caernarfon Road and Parc Menai) being unsuitable on the grounds of excess floor area size.
  - \* Of the five remaining properties (Bangor Road, Dean Street and Parc Menai), three of them were disregarded based on costs, high tax value, incompatible existing materials, a lack of parking spaces and insufficient floor space.
  - \* This sequential test leaves two properties left to assess, namely 30 Dean Street and 8 Llys Castan (the subject of this application). 30 Dean Street consists of four small offices as well as a kitchen and toilet located on the office block first floor. The floor surface area is too restricted for the statutory and modern requirements of the dental practice. A lift must be relied upon to gain access to the first floor. There are double yellow lines outside the main entrance on the ground floor, with the Council's public parking spaces below. Due to its central location, this property would not be easy to reach with regard to traffic, and it does not have a prestige feel to it, and it is not of a modern and contemporary design/appearance. This property is not for sale and, therefore, it would not be in the ownership of the applicant should changes or improvements be required.
  - \* 8 Llys Castan is the second property, and the sequential test comes to the recommendation that this is the property with the most potential to be used as a specialist and innovative dental practice based on the reasons mentioned above.
- 5.11 The sixth criterion is irrelevant to the proposal that is the subject of this application as it does not relate to the use of the site/unit for short-term/temporary use.
- 5.12 Should the application be acceptable with regard to other policies, a personal condition may be imposed on any permission in order to ensure that the building would be returned to B1 use should this use end in future. This has happened in similar circumstances in the past, and it is considered to be a way of managing the situation in an acceptable manner for the future.
- 5.13 The Sequential Test Statement comes to the conclusion that there is no suitable alternative site available based on suitability and financial feasibility within Bangor itself, and the statement proves that an extensive amount of modern industrial units are located outside the city's development boundary. Apart from the *Book People* and *Woodlands House* site, in September 2020, there were 23,681 square metres of empty floor surface area in Parc Menai, and between the four commercial companies referred to above, as well as Gwynedd Council, there are currently 14 vacant units within Parc Menai itself (not including the *Book People* and *Woodlands* sites which would add 8,970 square feet of empty floor surface area to the above figure). Within Llys Castan itself (where this current application site is located) there are three vacant units with a total of 6,236 square feet of empty floor surface area.

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

- 5.14 Given that the above assessment is based on the results of the current Sequential Test, it is considered that the proposal complies with the requirements of Policy CYF 1 and CYF 5 of the LDP.

#### **Visual amenities**

- 5.15 As referred to above, it is intended to carry out minor modifications to the unit, and these would be interior modifications; therefore, to this end, it is not believed that the proposed use would undermine the visual amenities of this part of the business park or would have a detrimental impact on the designation of the area as the Dinorwig Landscape of Outstanding Historic Interest by CADW. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy PCYFF3 and PS20 of the LDP.

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

- 5.16 The unit is located within an established commercial area, which consists of uses such as offices and light industries on the northern vicinity of Parc Menai. There are nearby designated parking spaces for these units and, given the commercial nature and character of the local area, it is not believed that the use of the unit as a dental practice would undermine the general amenities of adjacent users based on noise disturbance, given the fact that the patients visiting the dental practice would be by appointment only, and that such an arrangement would not intensify the use of the unit to such an extent that it would change and undermine the character of the adjacent area to the detriment of general amenities. It is also noted that the patients would be treated for a longer time at the specialist dental practice compared to a NHS practice or a similar dental practice, resulting in fewer movements in and out of the building and associated car park. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy PCYFF 2 and Policy CYF 5 of the LDP.

#### **Sustainable transport and parking matters**

- 5.17 The unit is served by an unclassified county roads network with a junction to the A487 trunk road to the south-east of Parc Menai itself. There are 10 designated parking spaces allocated for the users of this unit. Policy TRA 2 of the LDP states that parking provision for all modes of transport should be in accordance with the Councils' Parking Standards. Observations were received from the Transportation Unit, stating that in order to comply with the CSS Wales parking standards (2008), it is recommended to provide 16 parking spaces for this facility. It is also noted that written confirmation has been received from the owner of Ysgol Glanaethwy (which is within *comfortable* walking distance according to the advice included for the application site in the *Manual for Streets* document) that he is willing to provide a lease for six additional parking spaces for users of the dental practice if needed, and that the Transportation Unit would not have any objection to such arrangement. However, this type of arrangement cannot be controlled through the planning system and this would be a private matter between the applicant and the owner of the Ysgol Glanaethwy site.
- 5.18 The CSS Wales document states that the interpretation of the parking standards fall on the local planning authorities themselves, and that there is flexibility in the standards in order to consider the unique circumstances of each development. These considerations include access considerations for public transport; car sharing; the number of full-time/part-time employees; the site's accessibility by walking and cycling; the possibility of congestion along the local streets and the locations of private/public parking spaces near the site. To this end, and by noting the recommendation of the Transportation Unit, the latest information submitted with this current application states that the patients would visit the facility by appointment only; the patients would

PLANNING COMMITTEE	DATE: 11/01/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

be treated for a longer time in the specialist dental practice compared to a regular NHS practice or a similar practice, resulting in fewer movements in and out of the building and the car park with less congestion; this is not a proposal for regular dental use, rather it would be a specialist and innovative facility that would, in itself, limit the number of clients visiting the facility and that the applicant is willing to accept a planning condition should the application be approved to restrict the number of operating/surgery rooms at the beginning to two only, in order to comply with the parking requirements, and then submit details to be agreed with the Local Planning Authority for the provision of additional parking provision for the two other surgeries. Weighing up the proposal carefully, it is not believed that permitting the proposal would undermine the advice included in the CSS Wales document, or is it likely to create a situation within the local roads network that would significantly undermine road safety.

5.19 Policy PS 5 of the LDP states that developments that can show that they are in-keeping with sustainable development principles are supported by, for example, reducing the need to travel by private transport and encouraging the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport. Policy PS4 states that developments must be located so as to reduce the need for travel, supporting transport improvements that enhance accessibility for every mode of transport but especially on foot, bike and public transport. Policy TRA 4 reiterates the principles of both these policies by stating that a development should be designed in a way that promotes the most sustainable modes of transport, placing particular attention on, for example, pedestrians (persons with prams and/or young children), disabled people and people who have mobility problems and specific access needs; cyclists and public transport.

5.20 In order to support the application, the Evidence of Site Accessibility document was submitted, and based on the scale of the proposal, it comes to the following conclusions:

- The community of Penrhosgarnedd is closer to the application site than other dental properties in Bangor.
- The community of Parc Menai is closer to the site than other dental properties in Bangor.
- The staff/community of Ysbyty Gwynedd are closer to the application site than other dental properties in Bangor.
- There is a regular bus service by various companies that serve other businesses in Parc Menai.
- An existing cycle network as well as public footpaths serve Parc Menai.
- The site is geographically accessible to local and regional users who use the A55.
- It is noted that the vast majority of patients of the existing facility use a car (with a number of them being older patients where it would be inconvenient or impossible to use public transport) and that this situation would not change with this new site in Parc Menai. If anything, it would be closer for a large number of patients who use the existing facility and who travel from the north, east and south to their appointment.

5.21 Based on this additional information to support the proposal on this scale, it is not considered that the proposal would undermine the relevant local and national sustainability requirements and objectives. It is, therefore, believed that this proposal is acceptable based on the requirements of Policy PS 4, PS5 and Policy TRA4 of the LDP.

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/01/2021</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

## **Linguistic matters**

In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 10, 2018), along with Technical Advice Note 20.

- 5.23 The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.24 Although this current proposal is not the subject of a Welsh Language Impact Statement / Assessment, according to thresholds noted in Policy PS 1 of the LDP, guidance is provided in terms of the type of relevant applications where it is needed to give consideration to the Welsh language in Appendix 5 (The Screening Procedure) of the SPG (sections Ch to Dd). The guidance included within Appendix 5 notes that every retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement / Assessment should show how consideration has been given to the language. To this end, general information was submitted in the Planning Statement which confirms that the practice will implement a bilingual policy (e.g. pay for Welsh language courses); that the applicant is first language Welsh himself; the applicant is a member of a Welsh Dental Society and the majority of staff will be fluent in Welsh or with a basic understanding of Welsh. Additionally, the proposal would provide a specialist service to the County's residents. Therefore; it is considered that the proposal complies with the requirements of policy PS 1 of the LDP.

## **6. Conclusions:**

- 6.1 Despite the fact that extensive and more robust information and evidence were submitted to support this latest application compared to what was submitted with the previous application, it is not considered that this information and evidence overcome all concerns that were highlighted. Specifically, officers do not consider that the proposal can meet the requirements of criterion 1 of Policy ISA 2 involving the siting of new community facilities. Under the circumstances, and although the specialist nature of the proposed facility is acknowledged, there is no option but to recommend to refuse the application for the following reason.

## **7. Recommendation:**

### **7.1 To refuse – reason:-**

1. The proposal does not comply with criteria 1(i) of Policy ISA 2 of the Anglesey and Gwynedd Joint Local Development Plan, 2017, which states that new developments and new community facilities should be located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community.