

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

**Number: 4**

**Application Number: C20/0538/03/LL**

**Date Registered: 20-07-2020**

**Application Type: Full**

**Community: Ffestiniog**

**Ward: Diffwys and Maenofferen**

**Proposal: Demolish existing building and construct 6 new dwellings**

**Location: Ffordd Wynne, Blaenau Ffestiniog, LL41 3DW**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS AND SUBJECT TO THE COMPLETION OF A 106 AGREEMENT**

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## **1. Description:**

1.1 This is a full application to demolish an existing vacant building and erect 6 new dwellings and provide infrastructure, create parking spaces, gardens, landscaping and new boundary treatment. The site is in Blaenau Ffestiniog and was previously developed by the Health Authority as a multi-purpose health centre but has been empty since these facilities were relocated to the new Health Centre nearby. For clarity, the proposed main elements are as follows:-

- Provision of 4 three-bedroom houses (5 persons) and 2 two-bedroom houses (4 persons).
- Provide infrastructure to include water attenuation/retention areas within the site, bin / recycling storage and a shed for each house, 12 parking spaces for the users/residents of the new houses, erection of timber fence along the sides and rear of the site.
- Provision of individual gardens for each house to the rear of the site.
- It is proposed to demolish the existing building and locate the new houses more or less on the same footprint, they will be laid out in three sets of semi-detached houses with external elevations to include slate roofs and external walls a mix of render and slate cladding.

1.2 The existing site includes a vacant building with access to and from the site, there is a car park linked to the Community Centre to the western side and a car park for the staff and patients of the Health Centre nearby on the eastern side. There are residential units in the form of flats within a two-storey building to the rear of the site on land that is on a higher level than the site; and there are various residential homes adjacent to the front of the site on the opposite side of Ffordd Wynne which runs past the front of the site. Currently, the building and associated land is dormant and surrounded by a security fence. The site is relatively flat but is slightly elevated towards the rear. The site is located in a mainly residential area but there are mixed uses nearby also such as the Community Centre and the Health Centre (as already noted), along with the local secondary school, swimming pool, library etc.

1.3 The site is located within the Blaenau Ffestiniog 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. The entire area lies within the Blaenau Landscape of Outstanding Historic Interest. In order to support the application, the following documents were submitted - Planning / Affordable Homes Statement, Language Statement, Access Statement, information regarding protected species.

## **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.

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### 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

Policy PS 1 - The Welsh Language and Culture

Policy ISA 1 - Infrastructure Provision

Policy ISA 5 - Provision of open spaces in new housing developments

Policy TRA 2 - Parking Standards

Policy TRA 4 – Managing transport impacts

Policy PS 4 - Sustainable transport, development and accessibility

Policy PS 5 – Sustainable Development

Policy PCYFF 1 - Development boundaries

Policy PCYFF 2 - Development Criteria

Policy PCYFF 3 – Design and place shaping

Policy PCYFF 4 - Design and Landscaping

Policy PCYFF 6 - Water conservation

Policy PS 17 - Settlement Strategy

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

Policy TAI 8 - An Appropriate Mix of Housing,

Policy TAI 15: Threshold of Affordable Housing and their Distribution

Policy AMG5 - Local biodiversity conservation.

Policy AT 1: Conservation areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable Housing.

### 2.4 **National Policies:**

Planning Policy Wales, Edition 10 (2018).

Technical Advice Note (TAN) 2: Planning and Affordable Housing.

TAN 12: Design (2016).

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

3.1 C14/0586/03/LL – demolish part of health clinic building to create car park -approved 16/10/14

Pre-application enquiry for application number Y19/2047 for a residential development - the LPA's response stated that the proposal was acceptable in principle.

### **4. Consultations:**

Community/Town Council: No objection

Transportation Unit: No objection, it is a central location and the parking provision is in line with current standards, suggest including standard conditions.

Natural Resources Wales: No observations

Welsh Water: No objection - standard advice given

Public Protection Unit: Not received

Biodiversity Unit: No concerns

Strategic Housing Unit: The proposal partly addresses the local need. There are 77 extant applications for social renting units in Blaenau Ffestiniog. From these, 35% of the applicants want a two bedroom property and 22% wish to have a three bedroom property (this is discussed later in the report)

Language Advisor: Having received additional information from the developer confirming that there was a proposal for Adra to take ownership of the site and to provide social rent units on the site; we are happy to adapt the view and agree on the assessment of positive impact on the grounds that the units would not be placed on the open market, but rather under the control of Adra (in collaboration with the Council's Housing Options Team) and responding to local demand for houses of a size that will enable families to remain in their local area.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and two letters / items of correspondence have been received objecting on the following grounds:

- Extremely busy road/area, concern about the impact of the development on movements/parking/traffic
- Overlooking and loss of privacy
- Lack of parking on the site

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

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

- 5.1 The principle of constructing new dwellings is based on policies PCYFF1, PCYFF2, PS 27, TAI 1, TAI 15 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 already noted, in the JLDP, Blaenau Ffestiniog has been identified as an Urban Service Centre under Policy TAI 1, whilst Policy PS 17 notes that it is expected for 22% of the plan's growth to be located within these centres. These policies support housing developments to meet the Plan's strategy, that are located on suitable windfall sites within the development boundary, and are based on the indicative provision contained in the Policy.
- 5.2 The indicative supply level of housing for Blaenau Ffestiniog over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 298 units (including a 10% 'slippage allowance'). During the period 2011 to 2020, a total of 13 units have been completed in Blaenau Ffestiniog. The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, in April 2019 was 23 units. It is also noted that there are two sites that have been designated for housing in Blaenau Ffestiniog with a collective indicative figure of 155 units. There was no planning permission for any of these sites in April 2019. Given this information, approving a development on this scale would be acceptable given the indicative supply level for Blaenau Ffestiniog as it currently stands.
- 5.3 The proposal involves providing 6 residential units and in accordance with the requirements of Policy TAI 15 at least 10% of the units should be affordable. In this case, confirmation has been received that ADRA is linked to the proposal and that they intend to let the six units on social housing rent levels. ADRA is in the process of applying for this scheme to be included on the grant programme in Gwynedd and ADRA will then purchase the houses from the developer at GPA levels for affordable units. The size of the units are in line with the relevant requirements as noted in the policy and the SPG and have been designed in line with the Wales Development Quality Requirements (*DQR*). As would be the case with an application where a Registered Social Landlord such as Adra is not the applicant, but that they have expressed an interest in developing the site, it is believed reasonable to draw up a 106 agreement to ensure that the development is transferred to a Registered Social Landlord and that this will ensure control and affordability to the future.

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They also confirm that all units comply with Welsh Government's housing development technical standards including the size and layout of the units, size of the gardens and parking spaces.

Finally, Adra confirmed that Gwynedd Council's Housing Option Teams figures of those in need of social housing is 77 current applications (2020) for social rented units in Blaenau Ffestiniog. Of these, 36% of applicants want a two-bedroom property and 22% wish to have a three-bedroom property and are therefore of the opinion that there is sufficient need to support this application. Given this, it is believed that the proposal is an opportunity to develop a plan of high quality and meet the recognised needs as confirmed by Adra and the Council's Strategic Housing Unit and it is therefore in accordance with the requirements of Policy TAI 8 and TAI 15 of the JLDP along with the relevant advice provided in the SPG: Housing Mix and Affordable Housing.

- 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 suitable sites within the development boundaries of the Urban Service Centres in accordance with other Plan policies. It is believed 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 Therefore, it is believed 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.

#### **Visual amenities**

- 5.6 There is a mix of existing developments in the area, in terms of form, construction and design. Obviously, two-storey residential houses account for the majority of the housing that can be seen in the application site's area, albeit there are other mixed sites nearby including the buildings of the secondary school, health centre, community centre etc. The main construction materials that are common to the local area are red brickwork, natural slate, smooth render and pebble-dash. The elevations of the proposed houses will be in keeping with these materials using natural slate on roofs, coloured render together with natural slate cladding for some elevations with UPV-c windows and rainwater goods. The houses will be enclosed with a timber fence along the sides and rear of the site.
- 5.7 The development scheme will have a layout in the form of a row of three blocks of two semi-detached houses with parking spaces to the front and individual gardens to the rear. The site plan is one that reflects the general plan of nearby houses based on their setting namely terraced houses or rows. It is proposed to erect a low boundary wall to the front and carry out dispersed landscaping within the site.
- 5.8 To this end, therefore, it is considered that the proposal is acceptable based on the requirements of policies PCYFF3 and PCYFF4 of the LDP.
- 5.9 The site and the entire town are located within the Blaenau Landscape of Outstanding Historic Interest. It is not believed that the scale of this development along with the loss of the existing building would affect this designation and therefore it is accepted that the application is in accordance with the relevant requirements of Policy AT 1.

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### General and residential amenities

- 5.10 As referred to above, residential dwellings are located around the application site, as well as private gardens / amenity areas. Two letters of objection have been received as a result of the public consultation process. Mainly, and in terms of amenities, the concerns deal with matters of traffic and parking, loss of privacy and overlooking:-
- 5.11 It is anticipated that there will be only a small increase in the number of vehicles using Ffordd Wynne, and should the building be re-instated for a use related to the health service, it is likely that the numbers could be substantially greater. As Ffordd Wynne is already a relatively busy road due to the nearby secondary school and health centre, it is not believed that approving this application would create neither a significant or a substantial increase in the density of the traffic (along with the associated noise disturbance) which will use Ffordd Wynne. Each house will be provided with its own individual space to store bins and recycling equipment rather than in a single central space. It is believed that there will be better control of these resources by individual residents and that the provision is sufficient and suitable for the site.
- 5.12 Loss of privacy - there are existing residential dwellings in the form of flats to the north of the site (Llain y Maen), however, it is not believed that the location of the new houses would have an unacceptable degree of impact. The current level of the site is relatively level from the front towards the rear of the current building, raising approximately 1m towards the site boundary with Llain y Maen. It can be seen from the plans submitted that the finished floor levels of the new houses would be approximately 150mm higher than the current land level of the site near the entrance. The ridge of the new houses would be lower than the eaves of the Llain y Maen whilst the eaves of the new houses in turn would be lower than the first floor windows of Llain y Maen. The cross-section plan submitted confirms the distances by showing the location of the existing building, the location of the new houses and their relationship with Llain y Maen. Whilst it is acknowledged that the Llain y Maen living units are on slightly more elevated land, it is believed that there is a distance of approximately 12m between the back of the new houses and the closest part of the Llain y Maen houses with gardens between them and a 1.8m high timber fence, which provides reasonable distances within an urban setting as is the case here. In addition, it is noted that the windows of the proposed houses are on a different level to the Llain y Maen flats, meaning that there would not be direct unacceptable overlooking from window to window.

As already noted above, the built nature of the area is varied but it is believed to be mainly of a relatively dense form. This means that matters such as proximity and overlooking are relatively commonplace within this area and specifically within the estate itself. Whilst this does not justify new overlooking it presents a picture of the situation in the local area. It is recognised that there will be a change to things as they are, what needs to be considered is the extent of the detrimental impact, if any, on the residents of Llain y Maen. It is believed that the distances, ground levels and the presence of the proposed fence mean that the rear ground floor windows of the houses would not have an unacceptable impact on the amenities of the Llain y Maen residents. In terms of the first floor windows, it is seen that some will be for bathrooms and will therefore include opaque glass and there is no concern regarding these. Other windows serve bedrooms and these are the ones that have the potential for greater impact on the residents of Llain y Maen. It is not known what kind of rooms the windows to the rear of Llain y Maen service, however; it is not believed that the windows of the new houses would be excessive in numbers and there will be no direct overlooking due to the distances in question. As already noted, it must be borne in mind that the built form of towns, especially towns such as Blaenau Ffestiniog, is relatively dense. The

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previous use of the site as a busy health centre must also be considered; it is likely that the impact on movements etc., would be substantially less as a consequence of a residential development on this scale. It is likely that there will be an impact on local amenities during the demolition and construction phase and consequently, it is believed reasonable to include a condition to restrict operational hours and to agree on a suitable construction plan for the site.

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

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

- 5.14 Observations were received from local residents regarding the application as submitted based on the volume of traffic on the nearby road, insufficient number of parking spaces, parking problems along with road safety and pedestrians/children.
- 5.15 It is considered that this site is in a sustainable location served by public transport including a bus stop adjacent to the site and railway station relatively close by. It is within close distance of facilities such as shops, schools and the Health Centre. The proposal would use existing parking spaces at Ffordd Wynne.
- 5.16 The Transportation Unit confirms that the proposed parking spaces comply with statutory requirements in terms of size and form in addition to the numbers. The Unit raised a comment regarding the boundary fence and the need to ensure that it does not extend to the side of the highway affecting visibility when using the accesses. The agent submitted an amended plan in response showing the location of the fence that is far enough in front of the site ensuring that visibility would not be affected.
- 5.17 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. On this basis, and having considered the relevant requirements of specific policies related to traffic and parking, it is considered that the proposal complies with the requirements of policies PS 4, TRA2 and TRA4 of the LDP.

#### **Biodiversity matters**

- 5.18 Information was submitted in the form of an e-mail between the Council's Biodiversity officer and the applicant's bats expert. It can be seen there is agreement based on the information to hand, that the existing building is not suitable for use by bats and that no traces of bats were found when inspecting the site. It is therefore believed that the proposal is acceptable in terms of the requirements of policy AMG 5 which notes that proposals should protect and improve biodiversity which has been identified as being important to the local area.

#### **Linguistic matters**

- 5.19 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 state that any development of five units or more on windfall sites within development boundaries must address the evidence of need and demand for housing recorded in Housing Market Assessments and other relevant local evidence sources. The



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information submitted by the applicant to this end includes confirmation from the Adra company, that a demand from local residents has been identified for housing of this type and therefore it could be concluded that the proposed development would have an advantageous impact on the Welsh language and the communities of Blaenau Ffestiniog by providing an affordable home and open market housing to meet the identified need.

- 5.20 The original observations received from the Language Unit on the Statement noted that insufficient information had been submitted in the application documents to support the opinion of a positive impact. This matter was highlighted with the agent and a response to the matters raised. Having received additional information from the developer confirming that there was a proposal for Adra to take ownership of the site and to provide social rent units on the site; the Language Unit agree on the assessment of positive impact on the grounds that the units would not be placed on the open market, but rather under the control of Adra (in collaboration with the Council's Housing Options Team) and responding to local demand for houses of a size that will enable families to remain in their local area.
- 5.21 Full consideration was given to the additional information as received as well as the latest observations of the Language Unit, and consequently it is believed that the proposal is acceptable on the grounds of the requirements of Policy PS1 along with SPG: Maintaining and Creating Unique and Sustainable Communities.

#### **Education Matters**

- 5.22 The 'Planning Obligations' SPG were adopted in September 2019. Information in the SPG notes that this proposal is likely to lead to two additional primary age pupils:  $6 \times 0.4 = 2.4 = 2$ .

The capacity of Ysgol Maenofferen (which serves the catchment area where this application is located) is 216 and the number attending the school during 2019/20 is 206.

From this information, it would not be pertinent to consider an educational contribution in relation to this proposal.

#### **Open Spaces**

- 5.23 The relevant policy, policy ISA 5 notes that new housing proposals for 10 or more houses are expected to provide a suitable provision of open spaces. In this case, the proposed development would not reach this threshold. For information, the Sgwâr site, which has several play equipment is located approximately 300m from the application site

#### **Drainage matters**

- 5.24 A detailed drainage plan was submitted for the site which highlights how rain water will be collected and disposed of and how sewage systems will be connected. Confirmation has been received by Welsh Water that the proposal to connect to the present public system is acceptable. Since January 2019, Sustainable Drainage Systems will be a requirement for all new developments of more than one dwelling. These drainage systems must be designed and constructed in accordance with the Welsh Government standards for sustainable drainage. As usual, a note will be attached to any permission to ensure that these requirements are realised and that they therefore comply with the relevant requirements of policy PCYFF 6.

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### **Response to the public consultation**

5.25 Full consideration has been given to all the observations received including the observations objecting to the development. It can be seen from the above that these matters have been considered in detail whilst carrying out an assessment of all relevant planning considerations.

### **6. Conclusions:**

6.1 Having considered the above assessment, it is believed that this proposal to develop 6 two-bedroom and three-bedroom houses, would be 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, it is considered that the proposal is acceptable subject to the inclusion of appropriate 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 in order to transfer the units to a housing association and to the following conditions:

1. Five years.
2. In accordance with the plans.
3. Slate as roofing material
4. Samples of materials and colours for the buildings to be agreed with the LPA.
5. Highway conditions for parking / access.
6. Soft and hard landscaping.
7. 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.
8. Agree on details regarding a Welsh name for the development together with advertising signage informing of and promoting the development within and outside the site.
9. Removal of general development rights for all units.
10. Submission of a Construction Method Statement including demolition work and work arrangements during the construction phase to be agreed with the LPA.

Note:

SUDS  
Welsh Water