

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

**Number: 5**

**Application Number: C21/0648/11/LL**

**Date Registered: 05/07/2021**

**Application Type: Full**

**Community: Bangor**

**Ward: Dewi**

**Proposal: Demolition of existing office building and erection of 39 living residential apartments for adults aged 55+ together with associated works**

**Location: Plas Penrhos, Penrhos Road, Bangor, LL57 2BX**

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

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- 1.1 This is a full application for the demolition of the existing building (unoccupied offices previously used by the Countryside Council for Wales) and the construction of a replacement building that would provide 39 residential flats for people aged 55+ along with associated works on the Plas Penrhos site, which is located to the south of the City centre. The application can be split into several different elements, which include:
- Provision of 39 flats that include 18 one-bedroom flats and 21 two-bedroom flats and each flat is offered as an affordable unit.
  - Provision of 31 parking spaces with six of these for disabled parking and six spaces for electric vehicle charging points.
  - Using the current access from Penrhos Road through Llys Adda as per the current arrangement. The parking spaces are located to the south and to the west within the application site.
  - Erecting a building that varies from three storeys in the north (facing Penrhos Road) to four storeys in the south taking the gradient of the land within the site itself into account. The new building is set in an "I" shaped form with the external elevations broken up by using numerous and various openings (some with Juliet balconies), various materials (e.g. clean brickwork, coloured render, grey panelled windows and doors that reflect vertical timber work and a blue slate roofing system) along with recessed walls.
  - Landscaping to include soft landscaping with a number of existing trees retained and additional planting work to mitigate for the loss of some trees, *cloddiau*/privets, shrubs and hard landscaping to include footpaths and an architectural feature in the form of a sphere water fountain near the main entrance.
  - Communal amenity spaces around the building as the building itself is located more or less in the centre of the site.
  - Installation of solar panels on the roof.
- 1.2 The site stands below Penrhos Road to the south of the City centre with access being provided from Penrhos Road and Llys Adda. Currently, the building is dormant and used to be offices in the past. The site measures 0.47ha with the land sloping from west to east with the height of the proposed building varying from 10.5m near Penrhos Road in the west to 13.5m in the eastern part of the 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. The site is included within a Tree Preservation Order ref. 3/TPO/A85, which also includes the Llys Adda Estate to the south of the application site. In order to support the application, a number of documents were submitted as follows: Design, Access and Planning Statement; A Pre-application Consultation Report (PAC); Welsh Language Impact Assessment; Landscape and Visual Assessment; Water Conservation; Structural Survey for Demolition; Transport Statement; Drainage Strategy; Arboriculture Impact Assessment; Affordable Housing Statement; Housing Mix Statement; Bat Survey Report; Mechanical and Electrical Services Report (regarding the construction of the building based on sustainability); Standards Report SAP; Daylight and Sunlight Report, Preliminary Ecological Assessment and a Lighting plan for the site.
- 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 that is defined as a major development. A Pre-application Consultation Report (PAC) has been included with the application to reflect this consultation.

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

Policy PS 1 - the Welsh language and culture.

Policy PS 2 - infrastructure and developer contributions.

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 PCYFF3 – design and place shaping.

Policy PCYFF 4 - design and landscaping.

Policy PCYFF 5 - carbon management.

Policy PCYFF 6 - water conservation.

Policy PS 17 - settlement strategy.

Policy TAI1 - 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 AMG 5 - local biodiversity conservation.

Policy PS 20 - preserving and where appropriate enhancing heritage assets.

Gwynedd Design Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Distinctive and Sustainable Communities.

SPG: Affordable Housing.

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SPG: Open Spaces in New Housing Developments.

## 2.4 **National Policies:**

Planning Policy Wales, Edition 11 (2021).

Future Wales: The National Plan 2040.

Wales Development Quality Requirements, Appendix A and B (2021).

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2017).

TAN 5: Planning and Nature Conservation (2009).

TAN 12: Design (2016).

TAN 18: Transport (2007).

TAN 20: Planning and the Welsh Language (2017).

TAN 24: The Historic Environment (2017).

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

- 3.1 A Pre-application Enquiry was submitted under reference Y19/2015 for demolition of existing building and erection of 33 flats. The enquiry was responded to by referring to principal planning matters, namely the principle of erecting housing on a site within the development boundary, affordable housing, housing mix, the Welsh language, amenity spaces, trees and landscaping, educational contribution, visual amenities along with residential amenities.

## 4. **Consultations:**

Community/Town Council: Support but some concerns regarding the large size and height of the development, access for older people on a slope and Menter Iaith to review in order to ensure that the application addresses the impact on the Welsh language in accordance with the LDP.

Transportation Unit: No objection in principle to the development and the level of parking proposed is acceptable. The parking system near the bottom entrance was changed in order to provide more turning space for lorries or emergency services vehicles.

The applicant will need to discuss the design of the crossing that is to be provided in front of the site on Penrhos Road directly with the Transportation Unit (under highways legislation).

Natural Resources Wales: There are concerns regarding the application but these can be overcome by including a condition that refers to the contents of the Preliminary Ecological Assessment that was submitted with the application.

The applicant is advised to submit a lighting plan in order to reduce the impact of the development on protected species by including a

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condition in any planning permission stating that such a plan must be submitted prior to the installation of lighting.

Offered advice to the applicant regarding managing the environment.

Based on the information submitted, it is not believed that the proposal would have an impact on the Eithinog Site of Special Scientific Interest.

Welsh Water:

Confirmed that Welsh Water had been informed of the proposal within the Pre-application Consultation process by the developer and that the applicant was already aware of his responsibilities in terms of connecting to the public sewer system. Need to include a condition to submit a foul water drainage scheme for the development.

Public Protection Unit  
(Pollution Control):

Working hours limited to 08:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sunday or Bank Holidays.

The applicant must show that external lighting will not impair the amenities of neighbouring occupants based on light pollution and artificial lighting must comply with statutory requirements (Reduction of Obtrusive Lighting).

It is advised that a noise barrier is erected between neighbouring houses and the building itself to reduce noise during the construction work.

A detailed plan to manage dust, noise and vibration during the construction will need to be submitted.

Fire and Rescue Service:

No observations to offer regarding the access for fire vehicles and water supply.

Language Unit:

The impact statement provided in 5.61 and 5.62 of the report is fair, and balances the risk with the need to meet the demand for living units for a particular cohort of the local population.

Strategic Housing Unit:

**Information about the need:**

The information provided in the planning application by means of the affordable housing statement is consistent with the information regarding the need in the area.

**Suitability of the Scheme:**

Based on the above information it appears that the Plan addresses the need in the area.

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The plan has been included within a specific programme that receives a Social Housing Grant from WG.

These plans contribute directly to the aim of Gwynedd Council's Housing Action Plan to provide more housing and residential units to meet with the current high demand that exists in the county.

**Biodiversity Unit:**

A condition must be included in any planning permission stating that there should be compliance with the mitigation measures included within the Preliminary Ecological Assessment document, which was submitted with the application.

**Trees Unit:**

No response had been received at the time of preparing this report.

**Water and Environment Unit:**

Our maps show that a watercourse runs along the development site, but it does not appear that the plan would disrupt the river flow in any way. Nevertheless, the developer is advised to avoid installing / constructing any structures within 3 metres to the course of the river as this could impede future maintenance. Additionally, an Ordinary Watercourse Consent would be required for any work that could affect the river flow, whether it be permanent or temporary.

Since 7 January 2019, sustainable drainage systems (SuDS) are required to control surface water for every new development of more than one dwelling or where the building surface area has drainage implications of 100m<sup>2</sup> or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Gwynedd Council in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, it is possible that an application will need to be provided to the SuDS Approval Body for approval before construction work commences. It appears that the developer intends to drain the site in a suitable sustainable manner; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SuDS Approval Body is recommended.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received from residents who live opposite the site objecting on the following grounds:

- The development is unsuitable based on scale and nature.
- It would affect the privacy of neighbouring occupants on the grounds of overlooking from balconies and loss of light/shade due to the path of the sun and scale of the building.
- Negative impact on the environment and health of neighbouring occupants.
- Not enough parking spaces for the development.
- An increase in traffic that can detrimentally impact road safety with a number of schools in the catchment area.
- The loss of mature trees that are important as natural features in the townscape.
- The building should be preserved as it was designed to reflect *Hafod Elfyn* nearby, which is a listed building.
- No need for more housing in Bangor.
- Support the type of units and the mixture but the density is too high for the site.
- Need to consider the capacity of educational services, shops, health and education to cope with all of the developments that are currently underway in the city.
- Need to address sustainable energy production for the development.
- This site offers an important site for birds that fly between Mynydd Bangor and *Gorffwysfa*/Brewery Fields.
- No need to demolish the building and it is possible to re-use it (e.g. such as the health clinic) as the structure is structurally sound.
- The Welsh Language Impact Assessment is insufficiently detailed to be able to convey how much of an impact the proposal will have on the Welsh language.

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

**The principle of the development**

- 5.1 The principle of constructing houses on this site is based in Policies PCYFF1, TAI1, TAI15, PS5 and PS17 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the LDP, 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.
- 5.2 Bangor is identified as an Urban Service Centre in Policy TAI1 and this policy supports housing developments to meet the LDP's Strategy (Policy PS17), which are located on housing designations and suitable windfall sites within the development boundary, and are based on the indicative provision contained within the LDP itself. The indicative housing supply for Bangor over the LDP period amounts to 969 units, which includes a slippage allowance of 10% - 393 on designated sites and 576 on windfall sites. During the 2011-2021 period, a total of 675 units have been completed

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in Bangor (266 on designated sites and 409 on windfall sites). In April 2021, the windfall land bank (i.e. sites with extant planning permission on sites not designated for housing) stood at 118 units, with further permission for 70 units on sites designated for housing. It is noted that the LDP refers to an indicative figure of 115 houses on two further sites that have been designated for housing in Bangor but have not received planning permission. It is noted that an existing application (ref. C20/1030/11/LL) is currently being considered for 66 houses along with another application (ref. C21/0803/11/LL - Adra application) for 36 flats. In addition, 30 units were recently approved on appeal on the Pen y Ffridd site.

5.3 This means that Bangor, by completing the existing land bank, reaches its indicative growth level of 969 units and, in such circumstances, consideration will be given to the units that have been completed thus far within the Key Centres tier where there is a shortage of 371 units. Under such circumstances, confirmation will need to be received with this particular application outlining how the proposal would address the needs of the local community. To this end, the following information was submitted:

- Provision of 39 residential flats for people aged 55+ on a brownfield land site within the development boundary.
- Although the capacity figures for Bangor have been reached, it is considered that the housing supply figure is an indicative figure only (as confirmed in a recent appeal for housing in Nefyn where the Inspector confirmed that the proposal would contribute to meet the need for such housing in Gwynedd, confirming that it was possible for housing provision that is more than the housing supply noted for settlements to be supported in principle).
- Although capacity figures for Bangor have been reached, it is considered that the proposal to provide 100% affordable units addresses the needs of the local community and this is confirmed in the response of the Strategic Housing Unit above to the proposal following the statutory consultation process.

5.4 The proposal involves providing 100% affordable residential units and Policy TAI15 states that Bangor is located within the Northern Coast and South Arfon house price area in the LDP; it is noted that a provision of 20% affordable housing is viable, which is the equivalent of providing five affordable units in relation to this application. As the proposal involves providing 100% affordable units, and provided there is a need for this type of units, the proposal meets the requirements of Policy TAI15 of the LDP.

5.5 Policy PS5 states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including reusing sites located in appropriate locations. In this case, it can be considered that the application site is a previously developed site (brownfield land) that is suitable for residential use in an established residential area.

5.6 Considering the above, it is believed that this application is acceptable in principle. It is also required that the proposal complies with other relevant planning policies and these are discussed below.

#### **Affordable housing and housing mix**

5.7 An Affordable Housing Statement was submitted by Adra with the application as well as a Housing Mix Statement. This information states:



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- Although Adra has over 6,000 rented homes in Gwynedd, there is a need for more such accommodation within the county, which are to be constructed to comply with Welsh Government requirements - Wales Housing Quality Standards.
- This current plan will offer social rented flats for occupants aged 55+ or those with disabilities and have registered with the Gwynedd Common Housing Register and Tai Teg.
- The proposal will provide 18 one-bedroom (two persons) flats and 21 two-bedroom (three persons) flats.
- The proposal offers 100% affordable units, which far exceeds the 20% required by the relevant planning policy.
- The success of the proposal relies on attracting a grant from Welsh Government and the Strategic Housing Unit has confirmed that the plan is included within a specific programme that receives the Welsh Government Social Housing Grant.
- Following the receipt of figures from the Council's Options Team (February 2021), it appears that 68 people are in need of a one-bedroom social flat in Bangor and 64 people are in need of a two-bedroom social flat in Bangor.
- The proposal would allow 50+ occupants to move into a high standard property, enabling them to leave existing unsuitable (bedroom tax) properties and move to a site with an accessible location. In Bangor, 205 occupants live in a one-bedroom under-occupied home and 60 live in a two-bedroom under-occupied home within the city.
- The proposal provides affordable units of varying sizes (although it continues to be affordable in terms of floor area and compliance with relevant policies and SPG) and high quality.
- The mixture of flats proposed here meets the need for this type of residential accommodation in Bangor (see above).
- The SPG: Housing Mix anticipates that the need for one and two bedroom units will increase in the near future with one-bedroom units increasing from 13% to 26% and two-bedroom units increasing from 32% to 44%.

5.8 Given the above information, the observations of the Council's Strategic Housing Unit and ensuring that the homes will be affordable now and in perpetuity (by imposing a standard planning condition within any planning permission that relates to agreeing on details such as determining eligible occupants for the affordable homes and details of the timetable to transfer the affordable units), it is believed that the proposal is in accordance with the requirements of Policies TAI 8 and TAI 15 of the LDP together with the advice included in SPG: Housing Mix and Affordable Housing.

### **Visual amenities**

5.9 The site is fairly prominent within the local street-scape, particularly from Penrhos Road which is located above and to the west of the application site itself and as referred to above, objections were received from local residents regarding the detrimental impact of the proposed building on visual amenities. The catchment area comprises buildings of various sizes, height, elevations and age including the *Hafod Elfyn* grade II listed building, which is located approximately 57m to the south-west of the setting of the new building. The main materials that are common to the nearby area are clean brickwork, natural slate, smooth render and pebble-dash. The impact of the proposal on visual amenities can be considered by referring to the following principles:

- Scale - the site is located on a prominent site within the local street-scape and on a downward slope from the west (Penrhos Road) towards the east (Gogarth and Fferm Coed Mawr properties). The proposed building has been designed and positioned so that it follows the gradient of the land with a two-storey section facing Penrhos Road (to reflect the height of neighbouring two-storey residential dwellings) and a four-storey section in the lowest part of the site. It has been positioned

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more or less above the footprint of the existing building, which means that amenity spaces surround the building, including existing and proposed trees and vegetation. The fact that it also has a flat roof reduces its physical impact within the local street-scape. It is believed that the scale and mass of the proposed building will be reduced by providing façade elevations that are broken up by various openings, various materials together with creating recessed walls on the main elevations.

- Design - the design concept with this proposal is to create a modern residential development given that numerous dwellings in the catchment area of the application site have modern elevations. The proposal here is to use a pallet of materials that reflect neighbouring materials using clean brickwork and rendered walls. The numerous and various openings on the external elevations of the building along with use of vertical timber infills and use of Juliet balconies help to soften the physical impact and appearance of the building and its impact on the local street-scape.
- Setting - the site is located within an urban context of fairly high housing density, which also includes vegetation and trees. The building's setting within the site means that it follows the footprint of the existing building and is in an "I" form with the main elevations towards the north and the south (as seen currently). Physical constraints, shape, vegetation and trees that are subject to a Tree Preservation Order determine where any new building can be located. Considering the scale, design, location and setting of the proposed building, it is not believed that it would have a substantial impact on the integrity or character of the listed building known as Hafod Elfyn. A Landscape and Visual Impact Assessment was submitted with the application, which assesses the impact of the development on the local landscape/townscape and further afield, the road network and footpaths along with open amenity spaces. The Assessment concludes that any visual impact would be minor to negligible in the short-term and negligible in the long-term. Although it is inevitable that the character of the landscape/townscape of the site would change, this change will be a reflection and in accordance with the character of the nearby urban environment and it would not have a harmful impact on the character of the landscape/townscape outside the catchment area of the site itself. However, it is acknowledged that any visual impact would be a local impact, particularly from Llys Adda, Penrhos Road, Bron y De and Blaen y Wawr. It is stated that any visual impact would be reduced by considering the design of the building and the proposed landscaping.
- Landscaping and trees - as referred to above, the proposal involves soft and hard landscaping work. The soft landscaping will include retaining some of the existing trees that are subject to a tree preservation order and additional planting work to mitigate for the loss of some trees, creating green lawns, planting *cloddiau*/privets and shrubs around the site and within the site. The hard landscaping will include creating porous surfaces and paths, tarmac for the roads and parking spaces, timber frames around raised planters along with paved paths. It is noted above that the site is included within the Plas Penrhos Tree Preservation Order area and, to this end, an Arboriculture Impact Assessment was submitted. The Design, Access and Planning Statement submitted with the application notes that pre-application discussions with the Local Planning Authority referred to the importance of the trees within the local townscape, which screened the site when looking towards the city centre, and also referred to two trees within the site - copper beech and wild cherry. The proposal recognises the importance of trees within and on the periphery of the site and seeks to strike a balance between preserving some of the trees and providing spaces to plant new trees for the future in order to develop the site in a meaningful way. The Arboriculture Impact Assessment recognises the importance of trees on the western periphery of the site (adjacent to Penrhos Road) and provision is proposed to protect these trees and to plant more trees in this visible part of the site. It is intended to plant additional trees and various plants in order to support and enhance the existing *clawdd* and trees to the east and to the south within and on the periphery of the application site.

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The Assessment confirms that only four trees within the site are in Category A (trees of high quality), 12 in Category B (moderate quality), 10 in Category C (trees of low quality) and 2 within Category U (trees that need to be felled due to their poor quality). The proposal will involve losing the beech tree and the cherry tree (Category B), the rowan (Category C) and the two trees within Category U. The Assessment concludes, subject to compliance with the contents of the assessment itself, that it anticipates that the development will have minimum impact on the arboricultural environment of the site.

The additional planting of these trees and shrubs is necessary in order to compensate for the felled trees, which includes the copper beech and the wild cherry, and statutory requirements ensure that protected trees are compensated with new trees of similar species and on close sites nearby. In addition to the statutory requirements, compliance with the landscaping plan and the recommendations of the Arboricultural Assessment can be ensured by including relevant conditions in any planning permission.

- 5.10 To this end, therefore, it is believed that the proposal is acceptable based on its visual impact and based on landscaping and the loss of many trees that are subject to a preservation order and that it complies with the requirements of Policies PCYFF3, PCYFF4 and AMG5 of the LDP.

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

- 5.11 As referred to above, residential dwellings are located around the site together with their private gardens/amenity spaces. A number of objections have been received as a result of the public consultation process. The concerns deal with matters that include overlooking, loss of privacy, loss of light and shade considering the scale of the proposed building. It is considered that the nearest properties to the proposed building are numbers 1, 2 and 3 Llys Adda to the south, 1 and 2 Blaen y Wawr to the north, Gogarth and Fferm Coed Mawr to the east. Dwellings numbers 1 and 2 Llys Adda are located on land that is higher than the application site, with a gap of approximately 27m between number 1 and a 24m gap between number 2 and the proposed building with the height of the building 2.8m higher than the roof ridge of number 3 Llys Adda with a distance of 16m between the corner of the building and the western two-storey gable end corner of number 3. Numbers 1 and 2 are located higher up and the first floor level of the building will be approximately the same level as the gardens of numbers 1 and 2 Llys Adda. It is noted that a close-boarded timber fence runs along the northern boundary of the dwellings with the southern boundary of the site. There will be a 27m gap between the proposed building and number 1 Llys Adda with this part of the external elevations including vertical windows/patio doors with Juliet balconies on the first and second floors. Although it is recognised that there will be an element of overlooking from the proposed flats to the rear of number 1, it is considered that such overlooking would not be substantial or significant given the distance between them. Part of the elevation that faces the rear of number 2 includes high horizontal narrow windows for the lounges and living rooms (in order to reduce overlooking towards the south) along with square windows to bring light to the kitchens. There are windows to bring light to the internal stairs to the left of these openings. Although it is recognised that there will be an element of overlooking to the rear of number 2, given the distance between them and the setting of windows within this part of the elevation, it is believed that any overlooking will not be substantial or significant. It is also noted that the existing timber fence on the northern periphery of both dwellings would assist to reduce the element of overlooking and loss of privacy as a result of the proposed development. Number 3 Llys Adda is located 15m to the south-east of the proposed building with the height of the building 2.8m higher than the height of the western two-storey gable end of number 3 itself. However, given the gap between them and the setting of the building that sits diagonally to number 3, it is not believed that the proposal would have a detrimental substantial impact on the amenities of number 3 occupants on the grounds of overlooking and loss of privacy.

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- 5.12 1 and 2 Blaen y Wawr are located to the north of the site on low land and on the southern periphery of an established housing estate. The northern elevation of the building will reflect the southern elevation of the building, i.e. openings in the form of vertical windows/patio doors with Juliet balconies on the first and second floors. There will be a 29m gap between the gable end of number 1 Blaen y Wawr and a 19.5m gap between the gable end of number 2 Blaen y Wawr and the northern elevation of the building. There are established trees and *clawdd*/privets along the northern boundary of the site and it is intended to enhance this screen of vegetation by undertaking additional planting work. It is acknowledged that there will be an element of overlooking from the application site down towards the north but it is anticipated that views towards the north would be on the highest parts and roofs of dwellings below in Blaen y Wawr considering the location of the existing vegetation.
- 5.13 Dwellings known as Fferm Coed Mawr and Gogarth are located to the east of the site and on land below. The proposed building will be located 34m to the west of Gogarth and approximately 50m to the west of Fferm Coed Mawr and, considering these distances and the fact that there is vegetation along the eastern boundary of the site and a proposal to erect a 1.8m high fence, it is not believed that the proposal would have a detrimental impact on the amenities of the occupants of these dwellings on the grounds of overlooking and loss of privacy.
- 5.14 To support the application, a Report on Daylight and Sunlight within the site and on the outskirts of the site was submitted. Within the site, the document concludes that 93% of the amenity area would get at least 2 hours of daylight on 21 March, which is substantially higher than the minimum level of 50% recommended by the Building Research Establishment. Outside the site, and within the curtilage of nearby dwellings (1, 2 and 4 Blaen y Wawr; 1, 2 and 3 Llys Adda and 18 and 22 Bron y De), the document concludes that the development would have a minimum impact on nearby dwellings and states -
- (i) daylight to windows - windows that require daylight within the nearby property comply with Vertical Sky Component test requirements; (ii) sunlight to windows - all windows facing 90% south have been tested and they all comply with BRE requirements regarding direct light to windows; (iii) overshadowing to gardens and open spaces - the gardens and open spaces tested comply with BRE requirements regarding overshadowing and (iv) conclusion - according to the above document, it is considered that the proposal, if approved, sufficiently protects the amenities of neighbouring residents on the grounds of daylight and sunlight and complies with the statutory requirements of the BRE.
- 5.15 Based on the above information, it is believed that the proposal is acceptable based on the requirements of Policies PCYFF 2 and PCYFF 3 of the LDP.

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

- 5.16 The proposal includes using the existing junction to the class III county road, Penrhos Road and the junction with the Llys Adda Estate road. It is also intended to provide parking spaces for 31 cars with six of them as disabled spaces and six of them for electric vehicle charging points. As part of the application, a Transport Statement (which includes a traffic survey) was submitted following discussions under the pre-application process with the Transportation Unit. The Statement concludes: (i) it is anticipated that the pattern of traffic arising from the development would be a reduction in comparison to what was seen when the site was previously used as offices; (ii) it is anticipated that this proposal would not have a detrimental impact on local road safety as traffic surveys along Penrhos Road indicate that the road itself is within capacity; (iii) the location of the site makes it accessible for various methods of travel including public transport, on foot and by cycling and (iv) it is intended to provide a new pedestrian crossing along Penrhos Road and adjacent to the application site, which makes the proposal more accessible for pedestrians, which is to be realised under Section 278 of the Highways Act, 1980. Following the statutory consultation process, the Transportation Unit has no objection to the development in principle subject to

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agreeing on details of the crossing with the applicant. It is therefore believed that the proposal is acceptable on the grounds of the requirements of Policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.17 In order to support the application and due to the presence of trees within the site and on its periphery, a Bat Survey Report and a Preliminary Ecological Assessment was submitted. In response to the statutory consultation process, the Biodiversity Unit has stated that the contents of the above documents are acceptable subject to the inclusion of a planning condition in any planning permission that refers to the need to comply with mitigation recommendations within the above documents. In accordance with the requirements of TAN: Planning and Nature Conservation (2009) and advice included in Planning Policy Wales, 2021, the proposal involves undertaking biodiversity improvements that include installing a bat box, swallow box, hedgehog box and highway, red squirrel box and a reptile hibernacula. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy AMG 5 of the LDP.

### **Sustainability matters**

- 5.18 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need where possible to re-use previously used land and buildings. Policy PCYFF 5 states that a contribution from renewable or low carbon energy will need to be demonstrated to satisfy the proposal's needs for electricity and heating and Policy PCYFF6 states that proposals should incorporate water conservation measures where practicable.
- 5.19 To support the application under the sustainability heading, the following documents were submitted: Transport Statement, Water Conservation Statement, Mechanical and Electrical Services Report (regarding the construction of the building based on sustainability) and a SAP Standards Report. It is considered that the site is previously developed, is accessible for various methods of travel and the applicant has a sustainability strategy in mind that entails using sustainable materials and measures to reduce energy use such as insulation measures and measures that involve the use of sustainable heating and hot water systems (e.g. installation of solar panels on the roof). The Water Conservation Statement states that the proposal will include measures to harvest and control water that flows from the site. To this end, therefore, it is believed that the proposal complies with the requirements of Policies PS 5, PCYFF 5 and PCYFF 6 of the LDP.

### **Educational Matters**

- 5.20 As the proposal is for older people (55+), an educational provision will not be required should this application be approved. This element of the development can be ensured by imposing a relevant condition on any planning permission. The proposal therefore complies with the requirements of Policy PS 2 of the LDP.

### **Open spaces matters**

- 5.21 Although there is a lack of provision of play areas with equipment for children in the area, as the proposal entails providing dwellings that include one-bedroom and housing for the elderly, open spaces provision is not required on this site. However, the proposal creates communal amenity spaces around the proposed building for the prospective occupants of the affordable units. The proposal is, therefore, believed to comply with the requirements of Policy ISA 5 of the LDP.

### **Linguistic matters**

- 5.22 A Welsh Language Impact Assessment was submitted with the application in accordance with criterion 2 of Policy PS 1 of the LDP and the Assessment concludes that the development overall would have a beneficial impact on the Welsh language and community in Bangor and nearby

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areas, based on the 100% provision of affordable housing to meet the local need noted above that is affordable for local people. This, in turn, would encourage local people to stay in the local area as the proposal, if approved, would be a way of meeting their housing needs locally. A response was received from the Language Unit stating that the impact statement provided in 5.61 and 5.62 of the report is fair, and balances the risk with the need to meet the demand for living units for a particular cohort of the local population.

- 5.23 In order to ensure that the proposal is fully compliant with the requirements of Policy PS 1, specifically, criteria 4 and 5 which note the need to ensure bilingual signs and a Welsh name for the new development, it is proposed to impose a standard condition that would require details to be agreed in relation to these elements. In doing so, it is believed there would be a positive impact on the local community and it would add to the linguistic character of the local area and protect it. Given the above assessment, the development can be considered acceptable based on the requirements of Policy PS1 and SPG: Maintaining and Creating Unique and Sustainable Communities.

## **6. Conclusions:**

- 6.1 Having considered the above assessment, it is believed that the proposal, as submitted, would improve the visual appearance of the site that is currently dormant and it is believed that the fact that 100% of the units are affordable would respond to the needs already identified; also, it is considered that it greatly contributes towards the affordable housing needs of the city. Full consideration has been given to the observations received from local residents and it is acknowledged that a development of this size will change the character of the local environment. Nevertheless, considering the current proposal in its entirety, no substantial harmful impact contrary to local planning policies and relevant national guidance have been identified. To this end, therefore, it is believed that the proposal is acceptable subject to the inclusion of the following conditions.

## **7. Recommendation:**

- 7.1 To delegate the right to the Senior Planning Manager to approve the application, subject to the following conditions:

To approve – conditions:

1. Five years.
2. In accordance with the plans/details submitted with the application.
3. Compliance with the parking scheme.
4. Compliance with the landscaping plan along with future maintenance work.
5. Welsh Water condition relating to submitting a foul water scheme for the development.
6. Secure a plan/arrangements to provide the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
7. Compliance with the recommendations of the Bat Survey Report and the Preliminary Ecological Assessment.
8. Agree on details regarding Welsh names for the development before the residential units are occupied for any purpose along with advertising signage informing and promoting the development.

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9. Working hours limited to 08:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sunday or Bank Holidays.
10. Condition to comply with the Lighting Plan submitted with application.
11. Submission of a Construction Method Statement to include measures to reduce noise, dust and vibration to be agreed with the LPA.
12. Restrict the use to prospective occupants aged 55+.

Note: Need to submit a sustainable drainage system application to be agreed with the Council.