

**PWYLLGOR CYNLLUNIO**  
**PLANNING COMMITTEE**

**DYDDIAD:** 28/04/2014  
**DATE:**

**YSTAFELL GYFARFOD**  
**FRONDEG MEETING**  
**ROOM PWLLHELI**

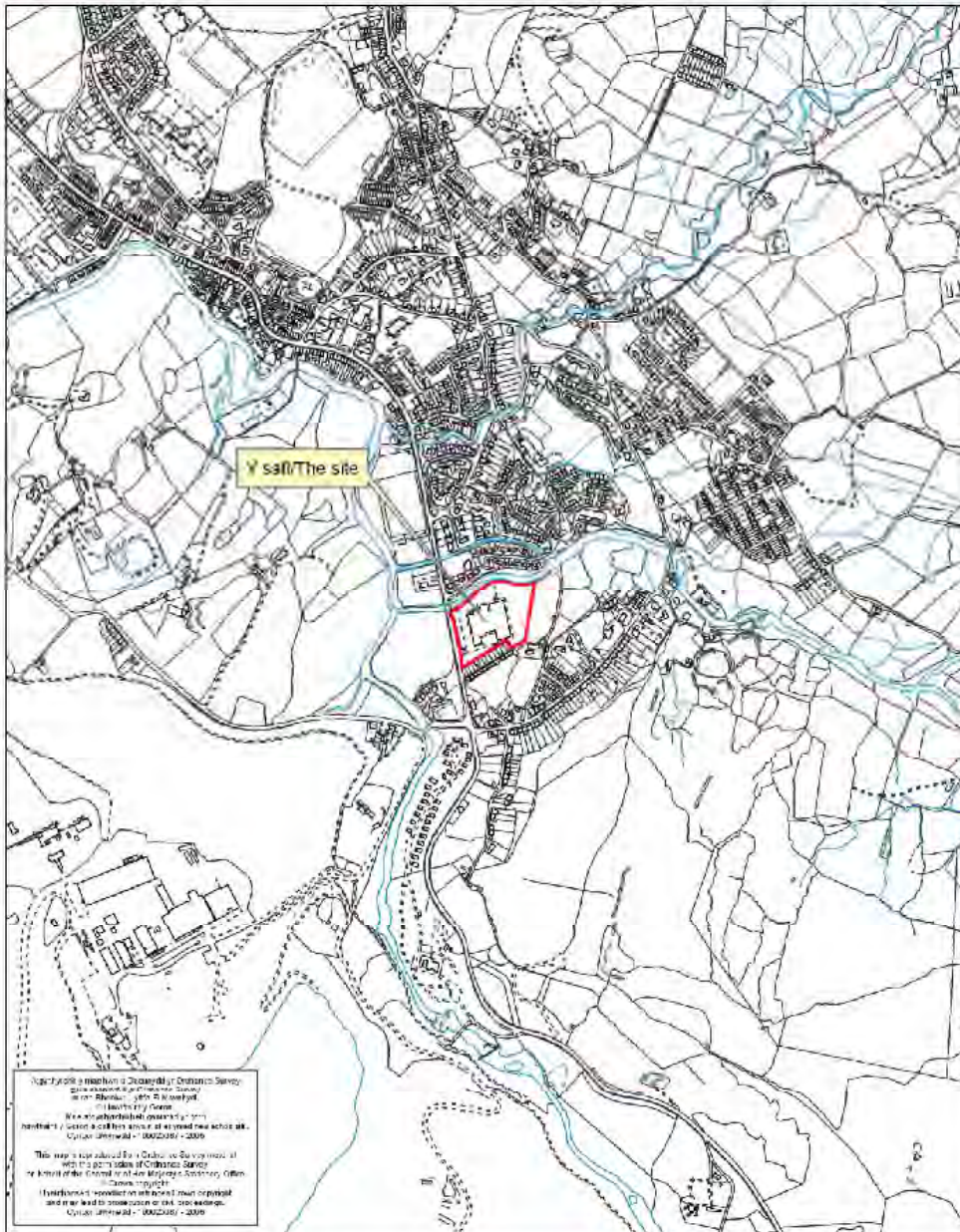
<b>EITEM ITEM</b>	<b>CAIS RHIF APPLICATION NUMBER</b>	<b>CYMUNED COMMUNITY</b>	<b>LLEOLIAD LOCATION</b>
1	C13/0036/13/AM	Bethesda	Austin Taylor Communications Ltd, Stryd Fawr / High Street, Bethesda
2	C13/0600/08/LL	Penrhyndeudraeth	YMCA, Rhes Osmond, Penrhyndeudraeth
3	C13/0995/11/LL	Bangor	137, Stryd Fawr / High Street, Bangor
4	C13/1137/42/LL	Nefyn	Clannad, Y Fron, Nefyn
5	C13/1279/25/HY	Pentir	Tir Ger / Land Near, Ffordd Penrhos, Penrhosgarnedd, Bangor
6	C14/0041/11/LL	Bangor	Cyn / Former Ysgol Glanadda, Ffordd Caernarfon Road, Bangor
7	C14/0055/25/LL	Pentir	Mountain View, Penrhosgarnedd, Bangor
8	C14/0100/23/LL	Llanrug	7, Minffordd Estate, Llanrug
9	C14/0106/20/LL	Y Felinheli	27, Brynffynnon, Y Felinheli
10	C14/0108/39/RC	Llanengan	1, Cae Arfryn, Mynytho
11	C14/0171/42/LL	Nefyn	Tir ger / Land nr Y Ddol, Nefyn

Number: 1



Rhif y Cais / Application Number : C13/0036/13/AM

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Yn eiddo a mapiau a Chyfeirdd yr Ordnans Survey, gwelwch y safle hwn yn eiddo a Chyfeirdd yr Ordnans Survey, Rhwyfod, 100, Rhydolfa, Llanfair-y-fawr, Gwynedd, LL57 2JG. Rhwyfod y safle hwn yn eiddo a Chyfeirdd yr Ordnans Survey, Rhwyfod, 100, Rhydolfa, Llanfair-y-fawr, Gwynedd, LL57 2JG. Rhwyfod y safle hwn yn eiddo a Chyfeirdd yr Ordnans Survey, Rhwyfod, 100, Rhydolfa, Llanfair-y-fawr, Gwynedd, LL57 2JG.

This map is not advised for use in any way other than for identification purposes only. It is not intended to be used as a legal document and may lead to confusion or risk of litigation. Cynllun Gwynedd - 00000000 - 2009

Application Number: C13/0036/13/AM  
Date Registered: 20/02/2013  
Application Type: Outline  
Community: Bethesda  
Ward: Gerlan

Proposal: OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDING TOGETHER WITH THE ERECTION OF 37 DWELLINGS AND CREATION OF ESTATE ROAD  
Location: AUSTIN TAYLOR COMMUNICATIONS LTD, HIGH STREET, BETHESDA, BANGOR, LL57 3BX

***Summary of the Recommendation:***

DELEGATE THE RIGHT TO THE SENIOR PLANNING MANAGER

**1. Description:**

- 1.1 This is an outline application to demolish a factory building together with the erection of 37 residential units and to confirm access details. Matters regarding appearance, landscaping, layout plan and scale are to be reserved and to be agreed under a subsequent application. The proposal offers 7 of the 37 dwellings to be affordable housing.
- 1.2 The application site is located within the Bethesda development boundary and has not been designated for housing. The site measures 1.59 hectares and comprises a substantial former factory on a fairly level plot. The site is situated below the A5 trunk road and Afon Caseg runs directly past the site. The majority of the site that forms part of this application is situated within a C2 flood zone.
- 1.3 The layout plan has been submitted as part of the application and it is indicative only, however, the plan is set in accordance with the flood impact assessment. The plan also shows an open public area, estate road and a buffer landscaping area. It is proposed to use the existing access to the site from the A5 without any changes.
- 1.4 There is a terrace of houses directly near the site that are grade II listed; and part of the site is located within the Penrhyn Quarry buffer zone.
- 1.5 A flooding impact assessment has been submitted as part of the application together with an ecological assessment, affordable housing assessment, linguistic and community impact assessment together with a design and access statement.
- 1.5 The Welsh Government Circular: 07/12: Town and Country Planning (Notification) (Wales) Directive 2012 states that proposals for 10 dwellings or more where the whole site is located within a C2 flood zone should be referred for consideration to the Welsh Ministers. It is considered that the above requirement is relevant to this application as at least 85% of the site is within a C2 flood zone.

## **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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

## **2.2 Gwynedd Unitary Development Plan 2009:**

### **POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES**

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

### **POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS**

Ensure that proposals have no impact on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

### **POLICY B7 – SITES OF ARCHAEOLOGICAL IMPORTANCE**

Refuse proposals which will damage or destroy archaeological remains of national importance (whether scheduled or not) or their setting. Also refuse any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

### **POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT**

Proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats will be refused unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

### **POLICY B22 – BUILDING DESIGN**

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

### **POLICY B23 – AMENITIES**

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

### **POLICY B25 – BUILDING MATERIALS**

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

### **POLICY B27 – LANDSCAPING SCHEMES**

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

#### **POLICY B29 – DEVELOPMENTS ON LAND AT RISK FROM FLOODING**

Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they can conform to a series of criteria relevant to the features of the site and to the purpose of the development.

#### **POLICY C1 – LOCATING NEW DEVELOPMENT**

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

#### **POLICY C3 – RE-USING PREVIOUSLY DEVELOPED SITES**

Proposals that give priority to re-using previously developed land or buildings that are located within or near development boundaries will be permitted provided the site or building and the proposed use are appropriate.

#### **POLICY C7 – BUILDING IN A SUSTAINABLE MANNER**

Proposals for new developments or for the adaptation and change of use of land or buildings will be refused where consideration has not been given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

#### **POLICY C12 - BUFFER ZONES**

Development within buffer zones will not be permitted unless it is possible to provide new buffer zones which reflect the minimum distance referred to in NCTM 1: Aggregates.

#### **POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES**

Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

#### **POLICY CH18 – AVAILABILITY OF INFRASTRUCTURE**

Development proposals will be refused if there is no adequate provision of necessary infrastructure for the development, unless they can conform to one of two specific criteria which require that appropriate arrangements are made to ensure adequate provision, or that the development is carried out in phases in order to conform to any proposed scheme for the provision of infrastructure.

#### **POLICY CH30 – ACCESS FOR ALL**

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

#### **POLICY CH33 – SAFETY ON ROADS AND STREETS**

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

#### **POLICY CH36 – PRIVATE CAR PARKING FACILITIES**

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking

guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

#### **POLICY CH43 – PROVISION OF OPEN SPACES OF RECREATIONAL VALUE IN NEW HOUSING DEVELOPMENT**

Expect that new housing developments of 10 or more dwellings, in areas where the existing open spaces provision cannot meet the needs of the development, provide suitable open spaces of recreational value as an integral part of the development.

Supplementary Planning Guidance – Planning Obligations

Supplementary Planning Guidance – Affordable Housing

Supplementary Planning Guidance – Planning and the Welsh Language

Supplementary Planning Guidance – Planning for Sustainable Building

Supplementary Planning Guidance – Housing Developments and Open Spaces of Recreational Value

### **2.3 National Policies:**

Planning Policy Wales (6<sup>th</sup> Edition) February 2012

Part 4.9 – Preference for the re-use of land

Part 4.11 – Promoting sustainability through good design

Part 4.12 – Planning for sustainable buildings

Para 6.5.9 – Effect on listed buildings

Para 8.7.1 – Development control and transport

Para 9.2.14 – The community's need for affordable housing

Para 9.3.1 – New housing developments should be well integrated and connected to the existing pattern of settlements.

Part 13.3 - Development and Flood Risk

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12: Design

Technical Advice Note 15: Development and Flood Risk

Technical Advice Note 18: Transport

Technical Advice Note 20: The Welsh Language

Technical Advice Note 22: Planning for Sustainable Buildings

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

3/13/81D – EXTENSION AND ADDITIONAL CAR PARK - APPROVED - 03.01.1996

3/13/81C – CREATION OF A CAR PARK - APPROVED - 22.02.1991

3/13/81B – CHANGE OF USE TO A1 AND B1 – REFUSED – 04.07.1990

### **4. Consultations:**

Community/Town Council: 24.10.2013 Objection. The site has not been designated for residential development and the land should continue for industrial use. Concern regarding the flooding situation. Concerns regarding parking for Cae'r Berllan vehicles. Concern that there will be further development in the future at the rear of this site.

Transportation Unit:	<p>14.10.2013 No objection. Propose standard conditions and note that parking spaces should be offered to Cae'r Berllan residents within the site.</p> <p>13.03.2013 No objection to the proposal and standard conditions recommended. In addition to the above conditions, the Trunk Roads Unit was consulted to consider releasing the slip road land into the existing site, and request that the developer considers extending the site nearer to the main road, retaining a footway of usual width and use the standard junction as a standard access.</p>
Public Protection:	No response
Welsh Water:	<p>18.10.2013 Proposed conditions.</p> <p>28.08.2013 Withdrew the objection following additions to the flood impact assessment together with proposing conditions.</p> <p>24.04.2013 Object as the proposal would overload the existing public sewage system.</p>
Natural Resources Wales:	<p>06.03.2014 No objection following the receipt of further information on the flood impact assessment. Propose conditions</p> <p>18.11.2013 Confirm that the information submitted thus far is sufficient to show that the site is suitable for 37 dwellings.</p> <p>13.03.2013 Object the proposal on the grounds that it does not conform to the requirements of Technical Advice Note 15 Development and Flood Risk. It is also noted that a bats survey is required prior to demolition of the building and perhaps an ecological assessment may be required dependent on which sections of the site will be developed.</p>
Biodiversity:	<p>11.03.2013 An ecological report was submitted with the application. In accordance with the recommendation in the report, it should be ensured that a 'buffer' zone is created between the development and the river. Native trees should be planted along this strip. Since this plot is not detailed in the submitted plans, the developer should re-submit the plan with this buffer zone marked clearly. A condition should also be included in accordance with the recommendation in the report to ensure that the site is cleared of vegetation and trees outside the nesting season (March-August)</p>
Conservation Officer:	<p>28.02.2014 Further to the observations dated 7/3/13 I refer to the revised plan dated 17/2/14. The three new properties have been moved from the listed terrace which is to be welcomed and therefore there is no objection to the application.</p> <p>18.10.2013 It is noted that it is proposed to retain the three properties</p>

near the listed terrace but they will be single-storey dwellings rather than two-storey. It is considered that the impact on the terrace will be less.

07.03.2013. The site is located near a terrace of 12 houses that are grade II listed. There is no objection to the proposal in principle, however it is suggested that the three new properties nearest to the terrace are re-located in order to safeguard the historical appearance and character.

Archaeological Trust:

21.05.2013 There is a draft report on the experimental trenching that has occurred on the site; and following the assessment it is considered that there is no need for any further investigation or mitigation on the site.

13.03.2013 Sufficient information has not been submitted and it is necessary to undertake further archaeological work in order to assess the archaeological potential of the site prior to granting planning permission.

Strategic Housing Unit:

21.11.2013 Continue to be of the view that 11 affordable housing (30%) are required and the seven proposed is a low number bearing in mind that 45 persons have registered with Tai Teg and state Bethesda as a first option regarding where they would like to live.

Assembly Transportation  
(Trunk roads) :

19.12.2013 and 04.02.2014 Propose conditions.

15.10.2013 Need further information regarding proposed daily movements and confirmation that the existing access conforms to the requirements.

14.03.2013 Confirm that it does not intend to give any directive in this case.



## Public Consultation

A notice was posted on site and in the press, and nearby residents were informed. The latest advertising period expired on 04.03.14 and four items of correspondence were received objecting on the following material planning grounds:

- Parking – increase in traffic and the site's capacity, no consideration given to parking for Cae'r Berllan residents.
- Safety of the residents of Cae'r Berllan street
- Pressure on the existing sewerage system
- Flooding
- The site should be retained for industrial use and to ensure that employment is kept in the area.

Three items of correspondence were received supporting the proposal that also note the following:

- Suitable site for housing.
- Opportunity to create a path from the rear of the site to Braichmelyn for the safety of pedestrians.
- Houses for families

Observations were received that were not material planning issues:

- The consideration of the application should be deferred until the Ogwen Valley planning strategy has been drafted in order to ensure a suitable development for the whole community.
- Tourism would also be another suitable use for the site.

## 5. Assessment of the material planning considerations:

### Principle of the development

- 5.1 Policy A2 of the Unitary Development Plan concerns safeguarding the social, linguistic or cultural cohesion of communities. In accordance with the Supplementary Planning Guidance 'Planning and the Welsh Language,' a linguistic and community assessment has been submitted as part of this application. The assessment states that the development would have a positive impact on the use and promotion of the Welsh language as there is a potential to increase the number of Welsh speakers through the immigration of Welsh speakers to the areas and the opportunities for learning Welsh to those who do not speak the language. The Joint Planning Policy Unit has evaluated the assessment and states that it does not believe that the scale of the proposed development is likely to cause a significant increase in the population that can detrimentally impact the Welsh language in this area, and that the mixture of housing proposed makes the development attractive to the local population especially to families with children and the proposal is therefore likely to be beneficial for the Welsh language. On this basis, it is considered that the development is unlikely to cause a detrimental effect on the social, linguistic or social cohesion of the local community and therefore the proposal conforms to the requirements of policy A2 above.
- 5.2 Policy C1 of the Unitary Development Plan involves locating new developments, and states that land within town and village development boundaries will be the main focus for new developments. New buildings, structures and ancillary facilities in the

- countryside will be refused with the exception of a development that is permitted by another policy of the Plan. Policy C3 of the Unitary Development Plan concerns the re-using of previously developed sites and proposals that give priority to re-using previously developed land or buildings located within or near development boundaries will be permitted provided the site or building and the proposed use are appropriate. Policy CH4 of the Unitary Development Plan concerns new dwellings on unallocated sites within the development boundaries of local centres and villages and approves proposals for the construction of new dwellings on unallocated sites within the development boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.
- 5.3 The site that is the subject of this application is situated within the development boundary of the Bethesda local centre, and it has not been designated for any specific use. In the past, the site was used for factory use and a substantial building is located at the centre of the site with hard standings and grass surrounding. There is vehicular access to the site via the slip road. Economic use of the site has expired over 12 months ago and the site is large and unlikely to attract another business use.
- 5.4 Subject to providing an acceptable number of affordable housing, it is considered that the proposal may comply with the requirements of Policy CH4 of the Unitary Development Plan and on the grounds that the proposal conforms to this policy; it is also considered that the proposal makes suitable use of a previously developed site situated within the centre's development boundaries, and therefore it is considered that the proposal is in compliance with the requirements of policies C3 and C1 of the Unitary Development Plan.
- 5.5 Policy C7 of the Unitary Development Plan concerns building in a sustainable manner. The application includes confirmation that the proposal will be completed in accordance with the requirements of the affordable housing code, and therefore it is considered to be in compliance with this policy.
- 5.6 Policy C12 of the Unitary Development Plan deals with buffer zones and states that development within buffer zones will not be permitted unless it is possible to provide new buffer zones which reflect the minimum distance referred to in MTAN 1:Aggregates. A small section of the site (south west) is situated within the Penrhyn Quarry buffer zone. Housing development is considered as a sensitive development in Minerals Technical Advice Note 1: Aggregates. It is noted that this specific buffer zone deals with the impact of traffic and that the quarry works themselves are located up to  $\frac{3}{4}$  of a mile away from this zone. The application site is situated within the Bethesda development boundary and there is residential housing north and south of the site with the quarry located on the other side of the A5 to the site. Although the submitted layout plan as part of the application is only indicative it shows that it can be ensured that the majority of the houses are located outside this buffer zone. It is possible that a small number (up to four properties) will be situated within the buffer zone, however it is considered that the impact of the quarry is minimal in this case and to this part of the site. It is therefore considered that the proposal cannot be refused based on the requirements of Policy C12 of the Gwynedd Unitary Development Plan.

## Visual amenities

- 5.7 Policy B3 of the UDP concerns developments affecting the setting of listed buildings and ensures that proposals have no detrimental impact on the setting of Listed Buildings. The application site is located directly near the side of a terrace of 12 small cottages that are grade II listed. The proposal before you does not include any work to any listed structure. It was originally proposed to erect three houses on land directly near the end of this listed terrace. More recently it was agreed that the units located here would only be single-storey. By now, and following more flood impact modelling work, this parcel of land is earmarked in the indicative layout plan as open public land. Therefore on this basis the applicant has shown that the site can be developed without causing a detrimental impact to the setting of the nearby listed buildings. The Senior Conservation Officer is satisfied with the latest arrangement. Therefore, it is considered that the proposal complies with Policy B3 above.
- 5.8 Policy B22 and B25 of the UDP deal with design and building materials and promote good design by ensuring that proposals conform to a series of criteria by aiming to safeguard the recognised features and character of the landscape and the local environment, together with safeguarding the visual character by ensuring that building materials are of a high standard and in keeping with the character and appearance of the local area.
- 5.9 In this case, the application is outline with all setting, design and appearance matters reserved. The layout plan has been submitted and revised to try to ensure that the site can cope with the impact of flooding. What has been submitted is an indicative layout and it shows that it is possible to develop the site in a manner that offers reasonably sized plots and set out in a suitable way. It is considered that there will be an opportunity to consider the design during the reserved matters application.
- 5.10 To the same end, it is not currently possible to assess any proposed materials, however, it is considered that it is reasonable in this case to attach a planning condition to the permission to ensure that slates of a suitable type and colour in keeping with the area are used, as well as suitable materials that are in keeping with the area.
- 5.11 On the above basis, it is therefore considered that the proposal complies with the requirements of policy B22 and B25 of the Unitary Development Plan.
- 5.12 Policy B27 of the UDP deals with landscaping plans and it ensures that permitted proposals incorporate soft/hard landscaping of high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features. In this case, the proposal does not include any landscaping details, apart from including a reference to the landscape buffer between the proposed houses and Afon Caseg on the indicative layout plan. It is considered reasonable for the proposal to include hard and soft landscaping, and this landscaping complies with the requirements of the ecological report submitted as part of the application. It is therefore considered that it is reasonable to attach a condition to agree on a landscaping scheme that comprises of soft and hard landscaping on the site. On this basis, it is considered that the proposal complies with the requirements of Policy B27 of the UDP.

### **General and residential amenities**

- 5.13 Policy B23 of the UDP deals with safeguarding the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area. The application before the committee is an outline application to develop the site with 37 houses. The layout plan submitted is indicative only and does not form part of any permission. However, the plan shows that it is possible to develop the site to provide 37 living units as well as ensure that there is no serious flooding impact to the satisfaction of Natural Resources Wales. It is considered that the site is set out in a manner where no unit has a direct impact on the reasonable privacy of any existing dwelling. The location, size and setting of the units mean that the proposal will not overdevelop that site and it is considered that the development would not cause a substantial or significant increase in traffic or noise associated with an increase in traffic, bearing in mind its current and previous use as a factory. It is considered that the layout shown ensures that people would feel safe to walk, cycle and play and that there is potential for the site to provide units for the widest range of individuals.
- 5.14 Further assessment of the above issues will be required in an application of reserved matters but in terms of the details submitted with this outline application it is considered that the proposal complies with the requirements of policy B23 above.
- 5.15 Policy CH43 of the UDP concerns the provision of open spaces of recreational value in new housing developments and expects that new housing developments of 10 or more dwellings - in areas where the existing open spaces provision does not meet the needs of the development - provide suitable open spaces of recreational value as an integral part of the development. The proposal is to erect 37 properties that comprise a mixture of two bedroom, three bedroom and four bedroom units and the indicative layout plan also notes that it is proposed to provide an open area for the public within the site. This layout plan will not form part of the permission however the applicant has shown that it is possible to provide an open area within the site as well as to provide a garden for each house. It is therefore considered reasonable for the developer to provide an open area within the site. Therefore to this end, it is considered that the proposal complies with the requirements of policy CH43 above.

### **Transport and access matters**

- 5.16 Policy CH30 of the UDP deals with ensuring access for all, and refuses proposals for residential, business/commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals. A design and access statement has been included as part of this application, and its contents indicate that full consideration has been given thus far to the contents of this outline application. It is considered that it will be possible to assess access issues further when assessing the reserved matters, however, the proposal before the committee as it stands complies with the requirements of policy CH30 above.
- 5.17 Policy CH33 of the UDP deals with safety on roads and streets and development proposals will be approved if they comply with specific criteria involving the vehicular access, the quality of the existing roads network and traffic calming measures. Policy CH36 of the UDP deals with private car parking facilities and proposals for new

developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park. In this case, it is proposed to retain the access to the site from the A5 exactly as it is. There is a slip road north of the access with sufficient visibility for the proposal according to the Transportation Unit and the Assembly's Trunk Roads Unit. In the past, and up until recently the site was used as a factory with staff and lorries using the access daily. A number of objections to the application have been received as it does not include parking bays for the residents of nearby Cae'r Berllan street. These residents do not have specific parking areas with their houses and they currently park on the slip road at the access to the application site, although there are double yellow lines there. The application site is private and there is currently no parking provision within the site for these residents and it is illegal to park on the slip road and therefore the parking situation for these residents does not change at all. The indicative layout plan shows that space will be available within the plots for parking and the Transportation Unit proposes a standard condition is attached to any permission to provide off-street parking spaces. Therefore, it is considered that the proposal complies with the requirements of policies CH33 and CH36 above.

### **Biodiversity matters**

- 5.18 Policy B20 of the UDP concerns species and their habitats that are internationally and nationally important and to refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of such sites. An ecological report has been submitted as part of the application and has been assessed by the Biodiversity Unit. More recently, an indicative layout plan was submitted showing the possibility of providing a buffer area between the development and the river in accordance with the requirements of the ecological report. The Biodiversity Unit also considers that this buffer area should be planted with native trees and it is considered that a landscaping condition would be sufficient for this element. The Biodiversity Unit also notes that the site should not be cleared of vegetation and trees during the nesting season and it is considered reasonable to attach a planning condition to this end. On the basis of the above, it is considered that the proposal complies with the requirements of Policy B20 of the UDP.

### **Archaeological Matters**

- 5.19 Policy B7 of the UDP relates to sites of archaeological importance and states that proposals which will damage or destroy archaeological remains which are of national importance (whether they are registered or not) or their setting will be refused. Following the initial receipt of the planning application, the Gwynedd Archaeological Planning Service noted the potential for archaeological remains on the site and therefore further work should be undertaken on the site. More recently, an archaeological report was received following a burrowing test on the site and the Gwynedd Archaeological Planning Service have confirmed that there is no archaeological potential on the site and therefore no further work is required in terms of archaeology. It is therefore considered that the information submitted as part of the application complies with the requirements of Policy B7 above.

## **Flooding matters**

- 5.20 Policy B29 of the UDP manages specific developments in the C1 and C2 flood zones and directs them towards suitable land in zone A, unless they conform with a series of criteria relevant to the features on the site and to the purpose of the development. In this case, the development is located within a C2 flood zone and a Flood Consequence Assessment has been submitted and assessed by Natural Resources Wales. The applicant has submitted appendices and amendments to the Flood Consequence Assessment in accordance with the requirements of Natural Resources Wales; and Natural Resources Wales have now confirmed that sufficient information has been submitted in order to indicate that it is possible to develop the site in the way shown in the submitted the indicative layout plan. It is noted that Natural Resources Wales have proposed planning conditions to secure the flooding situation and have stated that the layout of the outline application is only indicative. If the layout changed than the Flood Consequence Assessment would have to be amended and ensure that the development continues to be suitable at the time. To this end, it is considered reasonable that the reserved matters should be stipulated for permission for the whole site prior to development, in order to ensure that the setting continues to be suitable when considering flooding.
- 5.21 A residential development is defined as development that is less vulnerable to damage within Technical Advice Note 15 and therefore such a development should not be permitted within the zone C2 area unless it complies with the specific criteria in policy B29 and TAN 15. In this case, the proposal forms part of the Local Planning Authority's strategy via its location within the Bethesda Local Centre development boundaries; and it will support the settlement by providing residential units (with an affordable percentage). During the building period the proposal will provide employment for local workers and will make suitable use of a substantial site within the boundaries which is now an unoccupied business site. Therefore, the Local Planning Authority is satisfied that it is previously developed land. Because Natural Resources Wales are also satisfied with the proposal, it is considered that it complies with the requirements of Policy B29 of GUDP and TAN15.
- 5.22 Despite the above, in paragraph 1.6 above it is noted that circular 07/12 states that the proposed development of 10 dwellings or more on a site which is entirely located within a C2 flood zone should be referred for consideration to the Welsh Ministers. It is considered that the above requirement is relevant to this application as at least 85% of the site is within a C2 flood zone.

## **Infrastructure Issues**

- 5.23 Policy CH18 of the UDP deals with the availability of infrastructure and development proposals will be refused unless there is adequate provision of necessary infrastructure for the development, unless they conform to one of two specific criteria which require that appropriate arrangements are made for sufficient provision or that the development is carried out in phases in order to conform to any proposed plan for the provision of the infrastructure. Although Welsh Water initially objected to the application due to the pressure on the existing sewerage system, they have by now confirmed that the development is acceptable and therefore consider that the proposal complies with policy CH18.

## **Affordable Housing Matters**

- 5.24 Policy CH4 states that a proportion of the units on the site should be affordable that meet with the local general need specified for affordable housing and it is required that the size, building plan, design and materials of affordable housing including the number of bedrooms, should be commensurate to the specific need identified for affordable housing. The Housing Strategy Unit has stated that there is a need for affordable housing in Bethesda with a high number of individuals registered with Tai Teg for homes in this area. The Housing Strategy Unit therefore considers that it is reasonable for 30% of the houses to be for affordable need which is equivalent to 11 on this site of 37 houses. The agent argues that costs will be incurred when developing the site which mean that no more than seven affordable house can be offered on the site. The costs have been assessed by the Joint Planning Policy Unit using 'toolkit' '3 Dragons'. Some of the figures submitted are inconsistent and the Local Planning authority are awaiting further confirmation of the figures in order to ensure that the appropriate number of affordable houses are offered, and it is possible that it will be necessary to negotiate for more affordable houses on the site. This has not been confirmed at the time of writing and it is trusted that there will be more information to hand by the date of the committee. If an acceptable number of affordable houses are proposed and if the application is approved, a 106 legal agreement will be established prior to releasing any planning permission on the site to secure a specific number of affordable housing; restrict the occupation of any affordable house on the site initially and in perpetuity to those who can prove need for an affordable house in accordance with the agreement.

## **Community benefit / 106 Agreement issues**

- 5.25 Policy CH4 is to erect houses on unallocated sites within the local centres development boundaries, states that a proportion of the units on the site should be affordable, as discussed in paragraph 5.24 above.
- 5.26 It is considered that the above issues that have already been discussed in the report, will form a part of a 106 legal agreement that will be attached to any planning permission.

## **Response to the public consultation**

- 5.27 The response to the public consultation period has already been noted as part of this report. Due consideration has been given to the relevant planning observations received as a result of the public consultation period as part of this assessment and it is considered that there are no issues that override the material planning policy issues.

## **6. Conclusions:**

- 6.1 As a result of the above assessment it is considered that that proposal is not contrary to any of the relevant policies or national guidance stated as it is considered that the proposal is unlikely to have a detrimental impact on the amenities of the local area or on any nearby property, or likely to lead to an unacceptable flood impact and will not have an unacceptable impact on the area's linguistic and social cohesion or national guidance.

**7. Recommendation:**

7.1 Delegate the right to the Senior Planning Manager to approve the application subject to providing an acceptable number of affordable houses and to complete a 106 agreement regarding affordable housing provision and the following conditions:

1. Time
2. Time (three years reserved matters)
3. Reserved matters to be submitted
4. Slates on the roof
5. Agree on external materials
6. Sustainable homes code
7. Parking areas
8. A buffer area will be provided in accordance with the ecological report
9. Landscaping Scheme
10. Welsh Water conditions
11. The finished floor levels to be agreed with the LPA
12. The flooding swale to be maintained in order that it works effectively.
13. The access details between the site and the highways to be agreed prior to commencement of the work and no property to be occupied until the work on the access has been completed.
14. A safety inspection to be provided and agree on any safety measures with the Council's transportation unit.
15. Size of the estate road
16. It will be ensured that surface water will be prevented from running off the site curtilage to the highway.
17. No vegetation/plants to be cleared from the site during the nesting season.
18. To remove delegated rights permitted from the affordable housing
19. Boundaries
20. Complete the development in accordance with the ecological report.





Rhif y Cais / Application Number : C13/0036/13/AM

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
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# LEGEND

- 2 BED
- 3 BED
- 4 BED

AFFORDABLE DWELLINGS:  
1, 2, 3, 33, 34, 35, 36

• 151.00 SPOT LEVELS FOR NEW PLATEAU

**CYNLLUN DIMWYBODIG**  
**REVISED PLAN**

Derbynwyd/Received..... 17/2/14  
Llofnod/signature..... am

REV	DATE	NATURE OF REVISION	BY	CHECKED
C	01-2014	LAYOUT AMENDED: HSE TYPES ADDED		

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**Chartered Engineers & Architects**

26 Meebyn Road, Ceflyn Bay, Conwy, LL20 8PB  
T: (01492) 533117 F: (01492) 530955 E: broun@rba.iod.uk



CLIENT: AUSTIN TAYLOR COMMUNICATIONS LTD

PROJECT: PROPOSED DEVELOPMENT ON LAND AT AUSTIN TAYLOR COMMUNICATIONS LTD, BETHSDA  
FLOOD CONSEQUENCES ASSESSMENT

DRAWING: INDICATIVE HOUSING LAYOUT

SCALE: 1:1250	REV: A3	DRAWN: GMD	DATE: 17/2/14	BY: SKO	NO: 3798	CHK: SKO	APP: C
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Application Number: C13/0600/08/LL  
Date Registered: 10/02/2014  
Application Type: Full - Planning  
Community: Penrhyndeudraeth  
Ward: Penrhyndeudraeth

Proposal: ERECT 4 TWO-STOREY, THREE BEDROOM DWELLINGS.  
Location: YMCA, OSMOND TERRACE, PENRHYNDEUDRAETH, GWYNEDD, LL48  
6PA

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

**1. Description:**

- 1.1 This is a full planning application to erect four dwelling houses, including creating an estate road, creating parking spaces, demolishing a building, drainage work and landscaping. The plans show four two-storey, three bedroom houses that are in the form of two semi-detached dwellings and two detached dwellings. The applicant shows that the houses have been designed to the required standards of Registered Social Housing as it is intended to sell the development to a housing association or commercial developer. The three bedroom houses have an internal floor surface area of approximately 82m<sup>2</sup>. It is proposed to cover the walls of the new houses in smooth white render combined with a natural stone feature as well as installing timber windows and doors and natural slate on the ridge roofs. It is proposed to provide a garden and two parking spaces for each unit.
- 1.2 The existing site includes a vacant timber frame building with external finishes of zinc sheets and is in a state of disrepair. A part of the land has a surface of chippings and can be used as a parking area for vehicles and the rest of the site lies redundant and has a cover of vegetation.
- 1.3 The site is located within the development boundary of the town/local centre of Penrhyndeudraeth and the land has not been earmarked in the Gwynedd Unitary Development Plan (GUDP). Approximately 3 metres of the gardens of the proposed houses on the northern boundary of the site are designated as 'protected public land'. This land abuts the Parc y Mileniwm development and which has now been developed as a community resource.
- 1.4 The site is located near local facilities and at the end of a single unclassified road which leads past Osmond Terrace. Ysgol Gynradd Cefn Coch is located to the south, as well as a residential area and a children's play area and public park.
- 1.5 In accordance with the requirements of Technical Advice Note 12: Design (June 2009), a Design and Access Statement was submitted and in accordance with national policy requirements, details of the Sustainable Homes Code were provided. After submitting the application and in accordance with the requirements of Natural Resources Wales, a restricted flood impact assessment for the site was submitted, which is land within zone A, as defined in the development advice map referred to in the national flood maps.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

## **2.2 Gwynedd Unitary Development Plan 2009:**

Policy B22 – Building Design – Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

Policy B23 – Amenities – Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

Policy B25 – Building Materials – Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

Policy B27 – Landscaping Schemes – Ensure that permitted proposals incorporate high quality soft/hard landscaping that is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

Policy B29 – Developments on Land at Risk of Flooding - Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they conform with a series of criteria relevant to the features on the site and to the purpose of the development.

Policy C1 – Locating New Development – Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new development. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

Policy C3 – Re-using Previously Developed Sites - Proposals which give priority to reusing land or buildings previously developed and located within or adjacent to development boundaries will be permitted provided that the site or the building and use are appropriate.

Policy C7 – Building in a sustainable manner – Proposals for new developments or for adapting and changing the use of land or buildings will be refused unless consideration is given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

Policy CH4 – New Dwellings on Unallocated Sites within the Development Boundaries of Local Centres and Villages – Approve proposals for the construction of new dwellings on unallocated sites within the boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

Policy CH30 – Access For All – Refuse proposals for residential business/commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

Policy CH33 – Safety on Roads and Streets – Development proposals will be approved if they can conform to specific criteria relating to the vehicular access, the standard of the existing roads network and traffic calming measures.

Policy CH36 – Private Car Parking Facilities – Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council’s current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

Policy CH38 – Safeguarding Existing Facilities – Proposals to change the use of buildings used to provide educational, health and community facilities will be refused unless they conform to a series of specific criteria related to the need within the community for the existing service, availability of similar facilities within reasonable distance, the viability of the existing service and also considerations related to the environment and amenities.

Policy CH42 – Safeguarding Open Spaces of Recreational Value – Proposals that will lead to the loss of existing open spaces of recreational value will be refused unless a series of criteria can be satisfied in relation to the need for the facilities, offering a similar provision, best way of ensuring the future of the facility, improving the range and quality of the current provision and the importance in terms of biodiversity, the quality of the landscape and amenities.

Supplementary Local Planning Guidelines (SPG): Affordable Housing (November 2009)

### **2.3 National Policies:**

Planning Policy Wales - (Sixth edition, February 2014)

Part 4.10 – Promote sustainability through good design

Part 4.11 – Planning for sustainable buildings

Para. 8.7.1 – Development Control and Transport

Technical Advice Note 2: Planning and Affordable Housing (2006).

Technical Advice Note 12: Design (2009)

Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 22: Planning for Sustainable Buildings

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

3.1 The site has no recent relevant planning history.

### **4. Consultations:**

Town Council:

Object the application as it is considered that the land has been transferred a century ago for the recreational purposes of the town and request that the application is deferred until the legal matter of

land ownership has been resolved. Furthermore, object to the application as the land is near the school and the development would increase the health and safety risk to staff and pupils as a result of an increase in vehicles and as the access is unsuitable and that there was concern about speeding on Osmond Terrace.

Transportation Unit:	A consultation was undertaken on the proposal and observations were received expressing satisfaction with the improvement to the turning space and road matters in relation to the amended site plan.
Strategic Housing Unit:	It can be seen from the information and general indicator in relation to the need, there would be a need for such housing in Penrhyndeudraeth and it is accepted that the units would be affordable as a result of the size and location of the units.
Natural Resources Wales (NRW):	NRW are satisfied with the results of the Restricted Flood Consequence Assessment and state that the development meets the requirements of TAN 15.
Biodiversity Unit:	No observations to submit.
Welsh Water:	Propose standard conditions.
Public Consultation:	<p>A notice was posted on the site and nearby residents were informed. The consultation period ended on 18 July 2013 and 12 letters/ items of correspondences have been received objecting to the application on the following grounds:</p> <ul style="list-style-type: none"><li>• Concern about losing a resource and facility by changing the use from recreational to housing.</li><li>• Useful parking space for the residents of the terrace and wish to see the houses being built elsewhere.</li><li>• Question whether or not the houses will be sold on the open market.</li><li>• Concern that the houses will overlook the school yard.</li><li>• Loss of resource as parents use the land to drop-off and pick-up their children from school and as staff park on the land.</li><li>• Adding to the vehicular use would have an impact on pupil safety.</li><li>• State that the road is narrow and unsuitable for lorries to deliver goods and it would disrupt the residents of the existing dwellings.</li><li>• Concern about loss of privacy and light.</li><li>• Wish to see opaque glass on the gable end window and erection of a two metre fence between the new house and No. 12, Osmond Terrace.</li><li>• Hope that the houses are affordable and are for local people.</li></ul>

A second consultation was undertaken on the amended plans and five

letters/pieces of correspondence were received from the above-mentioned correspondents objecting on the following grounds:

- State that Osmond Terrace is narrow and dangerous and is unsuitable to be used by lorries.
- Concern that the houses are too near to the school with a loss of parking spaces and impact on privacy.
- Concern about the boundary between private property and the development.
- State that building houses would disrupt the work of the language unit in the nursery school.
- Wish to see the houses being affordable and not open market housing.

In addition to the objections noted above, objections were received that were not valid planning objections which included:

- Providing background that the land was given as a gift by Sir Osmond and his family to the Penrhyndeudraeth YMCA Trustees in 1918 for the benefit of the community and not for the benefit of the YMCA central body.

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

### **Principle of the development**

- 5.1 The principle of developing this particular site for houses is acceptable as the site is located in the town centre and within the development boundary of Penrhyndeudraeth but it is not land that has been earmarked specifically for houses. Policy C1 of the GUDP requests that new houses are located within the development boundaries of towns and villages and that this will be the main focus for developments. To this end, the proposal is likely to be sustainable as it is within 100 metres of the facilities and services of Penrhyndeudraeth High Street. It is considered that the site is a previously developed site and Policy C3 of the GUDP gives priority to using previously developed sites within development boundaries if the proposed use is suitable and in-keeping with the objectives and development strategy of the plan. The proposal would therefore make acceptable use of previously developed land.
- 5.2 The proposal is for the development of 4 three bedroom living units and it is considered that the application is consistent with the CH4 housing policy principles in the GUDP which relates to proposals for new houses on appropriate sites that have not been designated within the development boundaries of a local centre such as the town of Penrhyndeudraeth. In accordance with the policy's criteria, it is required for a percentage of the units on such sites to be affordable which meets the general local need, unless the Local Planning Authority can be satisfied that it would be inappropriate to provide affordable housing on the site. In this case, the internal floor surface area of the houses are approximately 82 square metres each and this size is within the measure of 100 square metres that complies with the requirements of the Supplementary Planning Guidelines: Affordable Housing for two-storey, three bedroom houses. Considering their size, design and location on a no-through road in the town, it is believed that there is no point controlling the affordable housing further by asking the applicant to sign a Section



106 legal agreement as such a development does this naturally. Therefore, it is considered that the plan is in accordance with the principles of Policy CH4 of the GUDP.

- 5.3 The public park located on the northern boundary of the site has been designated as an open plot that is to be protected. In addition, a strip measuring approximately 3 metres of the gardens of the proposal along the northern boundary of the site is also within the designation and therefore, the proposal must be considered from the perspective of Policy CH42 which relates to safeguarding open plots of land of recreational value. However, Parc y Mileniwm has now been developed for recreational value for the community and the strip of private land that forms a small part of the rear garden of the development is surplus to requirements and it is reasonable to consider that the proposal is not contrary to the requirements of policy CH42 of the GUDP.
- 5.4 The proposal would involve demolishing a vacant timber frame building with an external finish of zinc sheets and this is cause for concern to local residents in terms of the loss of a community facility. The applicant states that the YMCA building used for snooker and socialising purposes has stood empty and unused by the community for over 30 years. Furthermore, the applicant states that it is not possible to renovate the building and it is not fit for purpose anymore as the building is in a poor structural condition and its windows has been boarded up for over 20 years. Policy CH38 of the GUDP emphasises that it is important to maintain and safeguard existing community facilities, nevertheless, there are other community facilities in the town, e.g. the Memorial Hall, the Library and religious buildings. It is acknowledged that there are concerns about the loss of a community building in the town, but its structural condition must be considered and the substantial period of time where the building stood empty and that the facility is not now attractive to be used or fit for purpose. Consequently, it is not considered that the proposal is contrary to policy CH38 of the GUDP.
- 5.5 Consequently, and subject to meeting other relevant policies, it is considered that the principle of the proposal is acceptable.

#### **Visual amenities**

- 5.6 The site is located at the far end of Osmond Terrace, which is a no-through road, and it is not considered that the proposed two-storey houses are likely to be prominent in the streetscape as they will be located on a relatively level plot of land to the west of the town's High Street. It is not believed, based on design, elevations and the materials of the proposed dwellings that they would have a significant or substantial impact on the amenities of this part of the town, given that established residential areas are already located close to the application site. In this case, the modern design is simple and current which combines slate on the roofs and walls of stone and smooth render and it is likely to integrate well with the existing built form of this part of Penrhyndeudraeth in an area where there is a variation in the design. The proposal includes soft and hard landscaping and in order to design out crime and maintaining privacy, it is proposed to install a solid timber fence measuring 1.8 metres high on the external boundary of the site. The site has stood redundant and has been an eyesore in the streetscape and granting permission for the two semi-detached dwellings and two detached dwellings would add to the character of the streetscape, rather than draw away from it. It is believed that the proposal is likely to be an improvement to the visual standard of the area and is acceptable on the basis of requirements B22, B23, B25, B27, C1 and C3 of the GUDP.

### **General and residential amenities**

- 5.7 In terms of the residential amenities, the current site is near a variety of houses, a primary school and playing fields. The development plan and design means that the proposed dwellings have been set-out with the gable end of the type B house near Osmond Terrace and the houses on the north-western part of the site with their gable end facing towards the nursery school yard. The type C house would face the remainder of the development and would abut the school yard. Concern has been expressed about loss of privacy and light in relation to a nearby house at the end of a terrace and it is noted that a distance of approximately 2.76 metres would be between the gable end of the terraced house and the proposed gable end of the type B house. In this case, it is not considered that it would have an unacceptable impact in terms of loss of light and a condition could be imposed to ensure that opaque glass is installed in the gable end windows in the landing area to ensure that there will be no overlooking.
- 5.8 A part of the site is on land that is higher than the school yard and it is acknowledged that there is concern about the likely impact on the amenities of the school site and park; however, it is considered that community overlooking exists already. The proposed development would include erecting a timber fence measuring approximately 1.80 metres high along the external boundary and therefore it is considered that there would not be any significant overlooking. It is not considered that the development would have a significant detrimental impact on the amenities of the school, the park or nearby residents and the proposal would be consistent with the principles of policy B23 of the GUDP.

### **Transport and access matters**

- 5.9 Following consultation with the Transportation Unit, an amendment and improvement was received to the parking and turning provision within the proposed development and following a second consultation it is considered that it complies with the requirements of road safety guidelines. It is proposed to use the existing vehicular road which leads to the site off the High Street. Although concern was expressed on the grounds of an increase in the traffic using the existing road, it is not believed that the scale of the development will have a detrimental impact on the adjacent unclassified county road, as the road already serves a vast number of dwellings in the area. A part of the site is used as an unofficial parking area for the houses and school and as a result of developing the private land, this would not be available. However, a free public car park is available within 150 metres of the site. The concerns of the objectors have been acknowledged and have been considered in full, however; with conditions it is considered that the proposal is in accordance with Policy CH33 and CH36 of the GUDP.

### **Biodiversity matters**

- 5.10 A consultation was undertaken with the Biodiversity Unit and they stated that they have no observations to make on the proposal; therefore, the proposal is considered acceptable from this aspect.

### **Sustainability matters**

- 5.11 The Sustainable Homes Code (“The Code”) is a nationally acknowledged code selected by the Welsh Government to assess and improve the sustainability of new homes. The site is registered with a sustainability code assessor and the applicant has submitted a pre-

assessment report to show that the units could reach level 3 of the sustainable homes code. This aspect of the application manages to incorporate design resolutions that are environmentally sustainable and comply with the requirements of C7 of the GUDP and TAN 22.

### **Flooding matters**

- 5.12 As the application site is located in flood zone 'A' (as defined in the document Technical Advice Note 15 - "Development and Flood Risk"), the applicant has provided a topography plan detailing the site's ground levels as well as the internal levels of the finished floors of the houses to satisfy the requirements of Natural Resources Wales. Natural Resources Wales does not have any objection to the development and it is believed that the proposal is acceptable based on the requirements of policy C7 of the GUDP and TAN 15.

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

- 5.13 Full consideration was given to the objections and concerns of the local community in the assessment of this application. Observations have been received in relation to land ownership matters and it should be noted that it is not a material planning matter when considering the application. It is not considered that any matter outweighs the relevant policy considerations and that the application is acceptable and complies with the requirements of local and national policies and guidelines, subject to the inclusion of relevant conditions.

## **6. Conclusions:**

- 6.1 Having given full consideration to all relevant planning matters and all objections received, it is considered that the development is suitable for the site and that it complies with all local and national policies and guidelines noted.

## **7. Recommendation:**

- 7.1 To approve – conditions
1. 5 years
  2. Work in accordance with the plans
  3. Slates on the roof
  4. Materials
  5. Opaque glass
  6. Sustainable homes code
  7. Roads
  8. Landscaping
  9. Water
  10. Boundaries

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
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




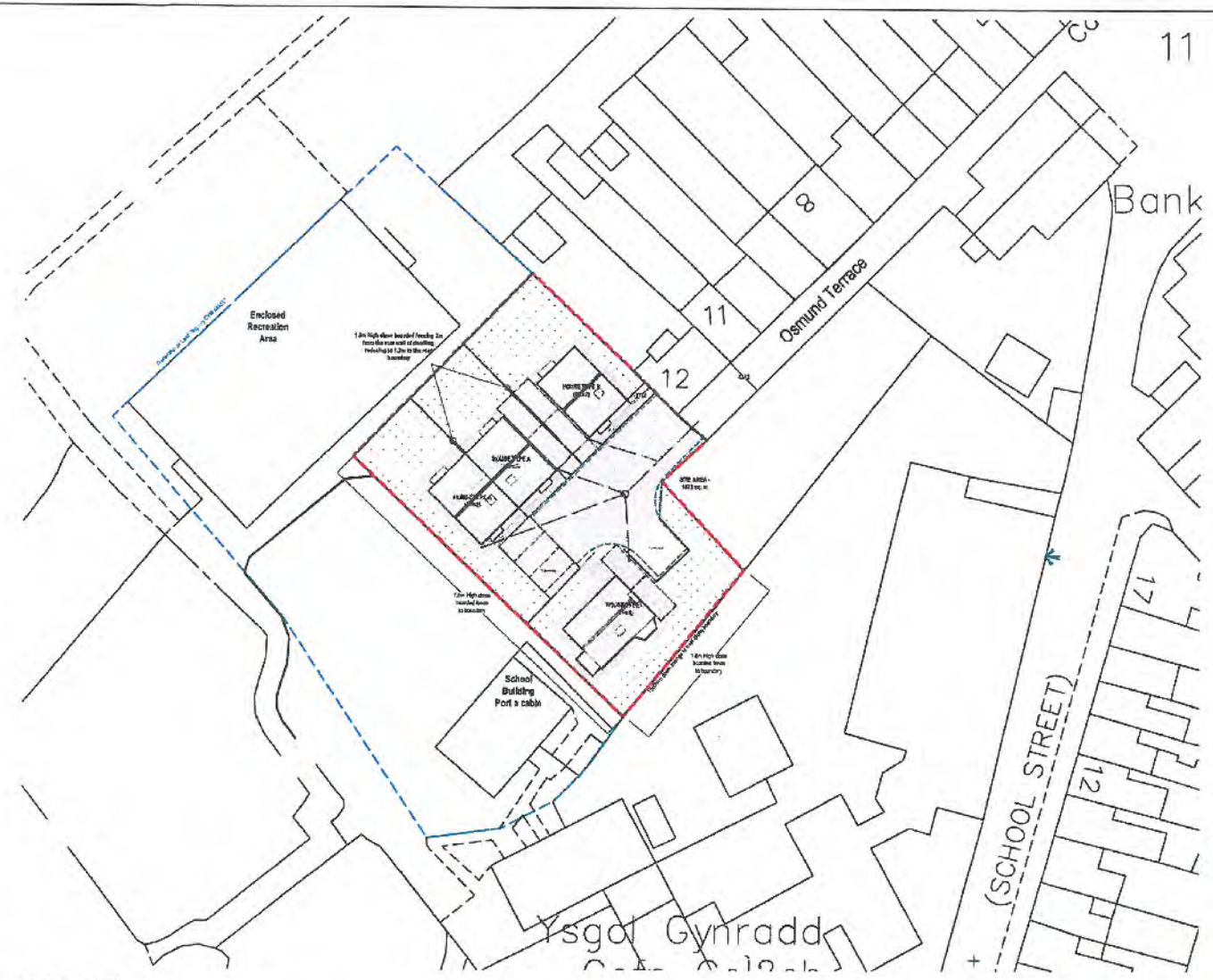
Agynhyrchir y map hwn o Ddaliwydd yr Ordnance Survey gyda charifeddiad yr Ordnance Survey ar ran Rhwydwr Llyfrau Eri Mawrhydi, 85 Howffrait y Goron.  
Mae agynhyrchu heb ganiatâd yn toni hawffreit y Goron a gall hyn arwain at erlysiad neu achos s.f.t. Cyngor Gwynedd - 100029387 - 2008

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 NOTE: All dimensions to be checked on  
 site and not scaled from the drawing.

-  Permeable brick surface with perimeter edge meter course band.
-  Concrete paving.
-  Grass.



Site Layout Plan  
 Scale 1:500



Site Elevation  
 Scale 1:200

**CYNLLUN DIWYGIED / REVISED PLAN**  
 Derbyniwyd/Received 15/10/13  
 Llywodraeth / Signature: [Signature]

**PROSARTH SHARBTYNG**  
**HELU GRIFFITHS**  
 CHAERFFILD ARIANFOLY  
 ARIANFOLY IRELAND

TYPE:  
 YWCA

Proposed New Development:  
 YWCA, Osmund Terrace,  
 Pen-y-bont-on-Tydfal,  
 Gwynedd

DATE: 15/10/13

SITE TITLE:  
 SITE LAYOUT PLAN  
 SITE ELEVATION

NO. OF SHEETS: 1/20  
 SHEET NO.: 01

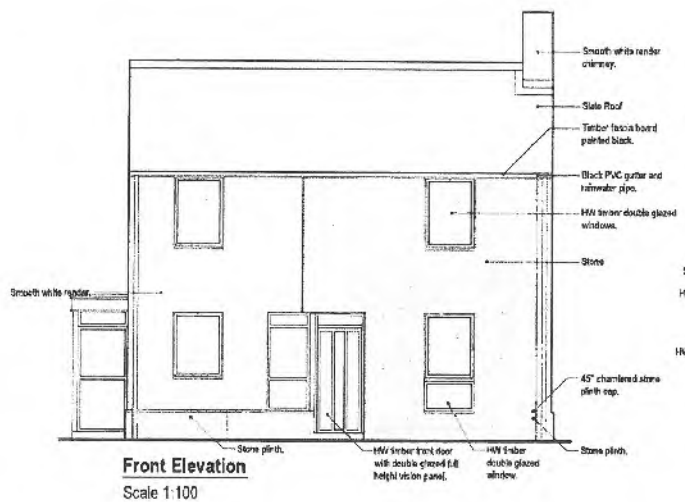
DATE: April 2010

NO. OF SHEETS: 1/20  
 SHEET NO.: 01

HE-11-1240

**HELU GRIFFITHS CPD ARCH DESK**  
 CHARLETTON ARCHITECTS LTD  
 70 ST. JAMES'S STREET, ST. JAMES'S, C11 5DB  
 TEL: 01753 66401 FAX: 01753 66444  
 E-MAIL: info@helugriffiths.com

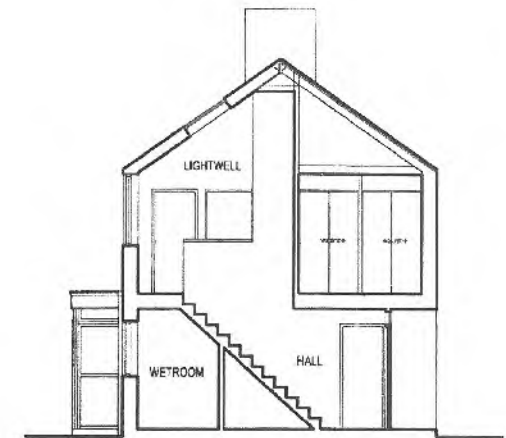
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 NOTE: All dimensions to be checked on site and not scaled from the drawing



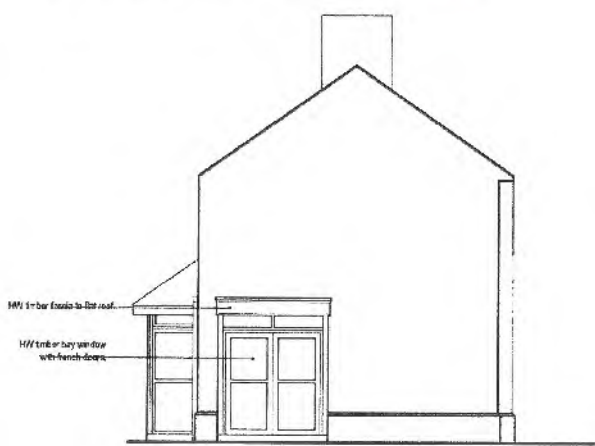
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 Scale 1:100



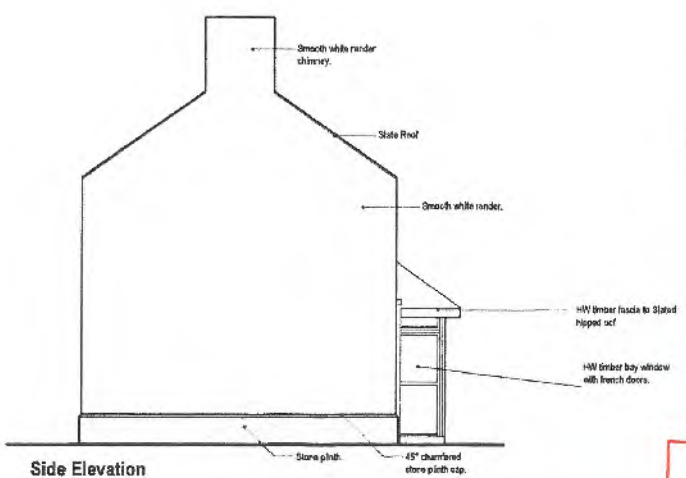
**Rear Elevation**  
 Scale 1:100



**Section A**  
 Scale 1:100



**Side Elevation**  
 Scale 1:100



**Side Elevation**  
 Scale 1:100

CYNGOR GWYBODAETH  
 CYFADWYLL  
 10 HYD 2013  
 CWAIR IATHEN  
 10/10/13



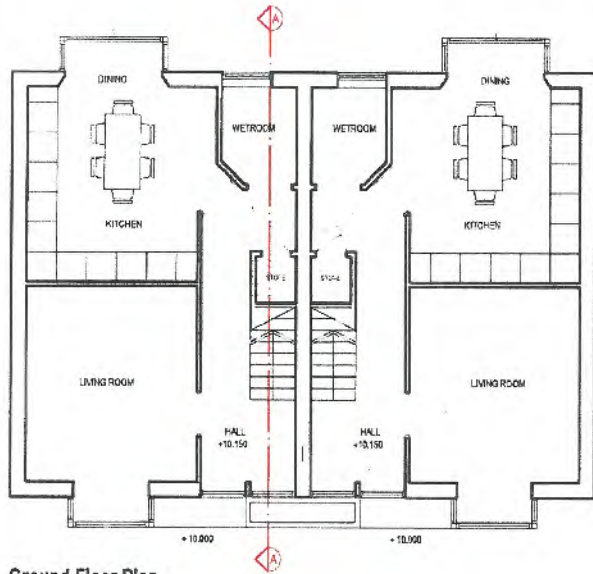
PROJ. NO.	YMCA
PROJ. NAME	Proposed New Development 16/20, Gwynedd Terrace, Penrhynside, Llanfair Penrhyn
PROJ. TYPE	HOUSE TYPE C ELEVATION & SECTION 3 Bedrooms 5 Person House
DATE	10/10/13
SCALE	1:100
NO.	01

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 Derbyniwyd/Received 10.10.13  
 Llofnod/signature [Signature]

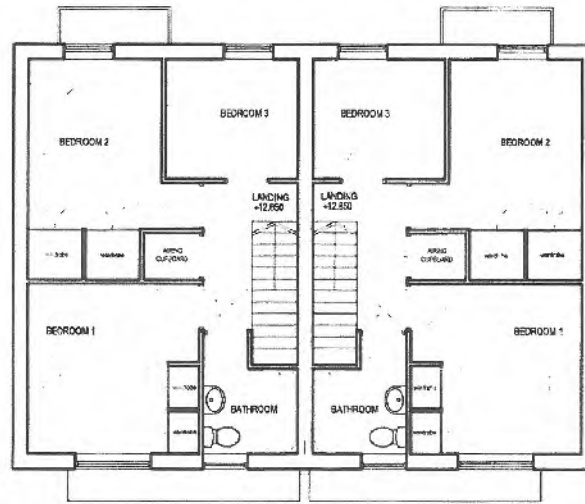
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 RIBA, RIBA ARCHITECT  
 100/101, 100/101  
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 PENRHYN, Gwynedd, LLANFAIR  
 PENRHYN, Gwynedd, LLANFAIR



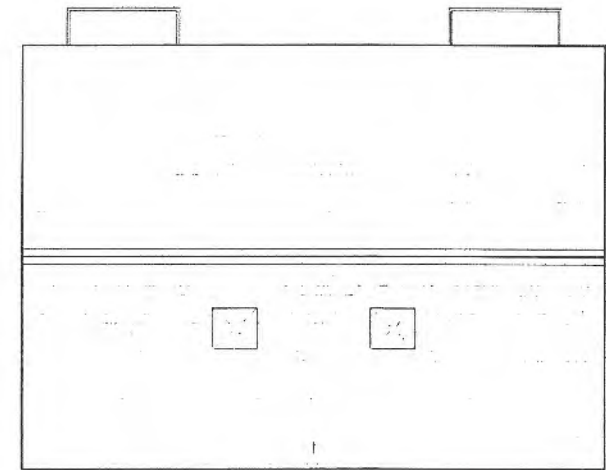
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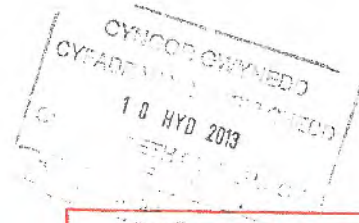
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 Scale 1:100



**Roof Plan**  
 Scale 1:100



FURNAE MAATHRIG RLW GRIFITHS CHARTERED ENGINEERS AND SURVEYORS	
STUDY YMGA	
PROJECT TITLE Proposed New Development YUCA, Osmund Terrace, Penryn, Cornwall, PL23 7AA	
DRAWING TITLE HOUSE TYPE A PLANS	
DRAWING NO. HO-1412-02	DATE 04/12/13



**CYNLLUN DIWYGIEDIG**  
**REVISED PLAN**

Derbyniwyd/Received ..... 18.10.13

Llofnod/signatures ..... C. J. [Signature]

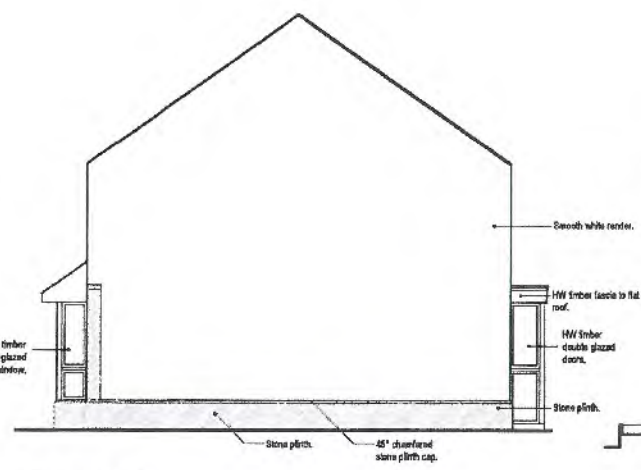




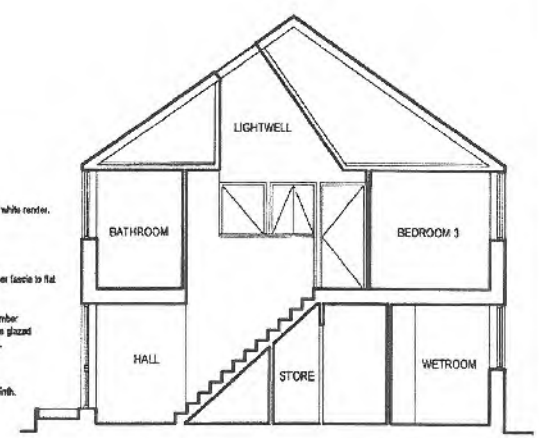
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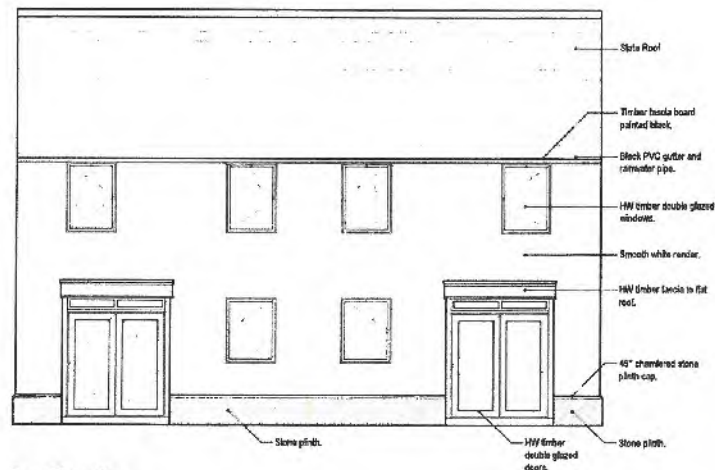
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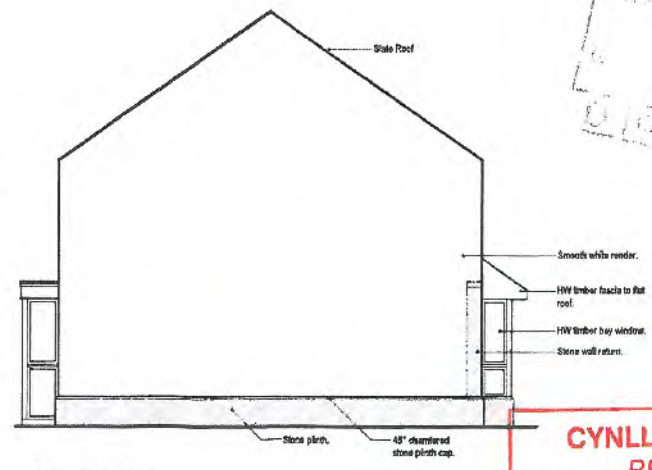
**Side Elevation**  
 Scale 1:100



**Section A**  
 Scale 1:100



**Rear Elevation**  
 Scale 1:100



**Side Elevation**  
 Scale 1:100

CHYLLUN DIWYGIEDIG  
 CYMRU  
 10 HYD 2013  
 LLOFNED  
 10/10/13

**CYNLLUN DIWYGIEDIG  
 REVISED PLAN**  
 Derbyniwyd/Received 10/10/13  
 Llofnod/Signature C. J. Jones

**PERIALLIAD WYATREIDD**  
 FELIWCYRFFID  
 CHYRFFID ARCHITECT  
 10 THE PENTAGON

**YMCA**

Proposed New Development  
 YMCA, Darnund Terrace,  
 Pen-y-bont-y-ddu,  
 Cymru

**HOUSE TYPE A  
 ELEVATION & SECTION**  
 3 Bedroom 5 Person House

SCALE  
 Scale 1:100

DATE  
 2nd 2013

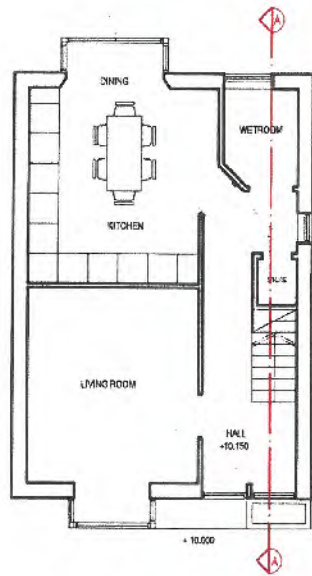
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PAGE  
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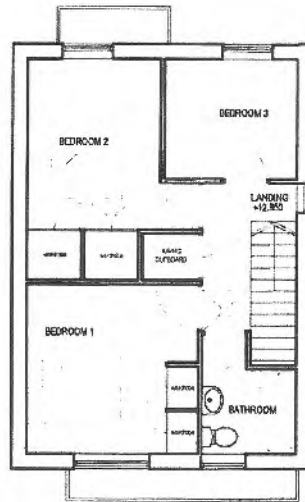
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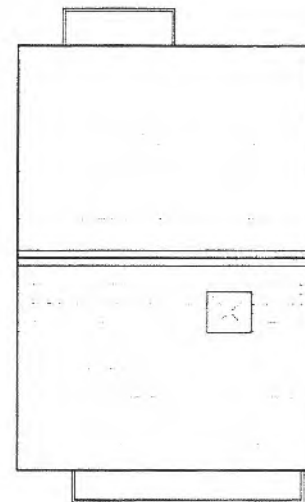
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**Ground Floor Plan**  
 Scale 1:100



**First Floor Plan**  
 Scale 1:100



**Roof Plan**  
 Scale 1:100



JENAEK MARKERT  
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YMCA

Proposed New Development  
 Ymca, Gwynedd Terrace,  
 Pen-y-wern, Gwynedd,  
 Gwynedd

HOUSE TYPE B  
 PLANS

SCALE: 1:100 (1:200) DATE: April 2013  
 PROJECT: HC-11-10-05

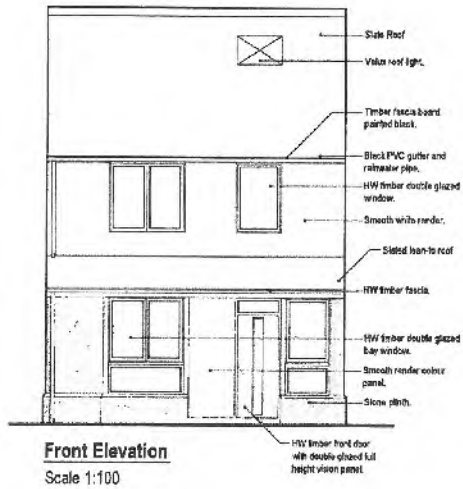
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CYNLLUN DIWYGIEDIG  
 CYFRANWYBODAETH  
 10 HYD 2013  
 GWYBODAETH DDIWYGIEDIG  
 D. H. H. H.

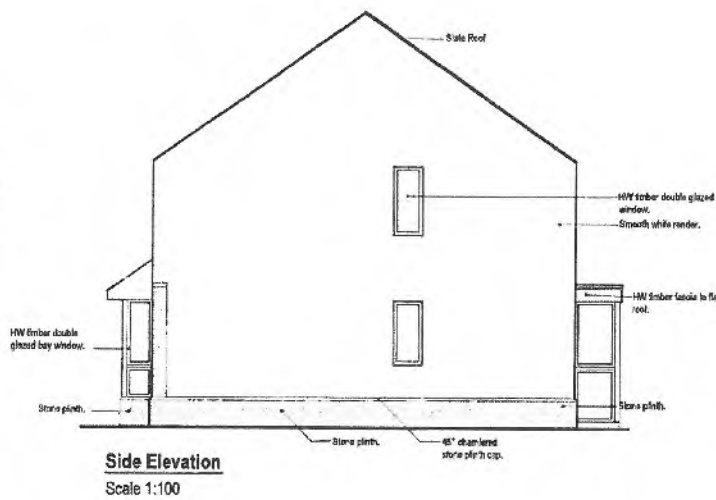
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 REVISED PLAN**  
 Derbyniwyd/Received 10.10.13.  
 Llofnodwyd/Noted 10.10.13.



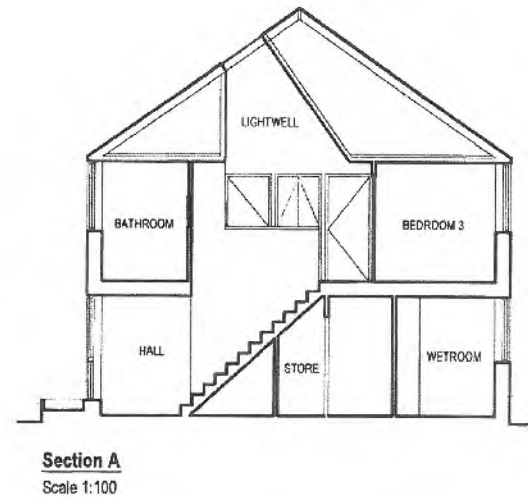
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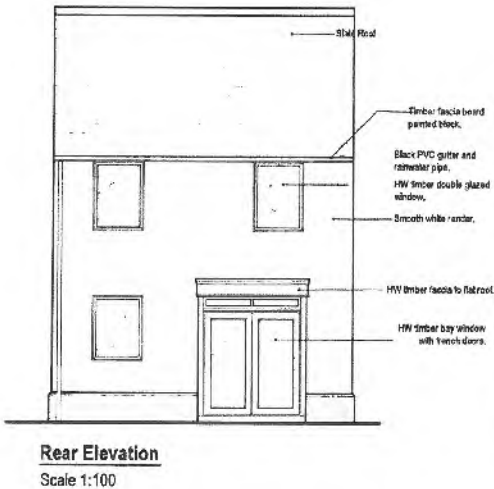
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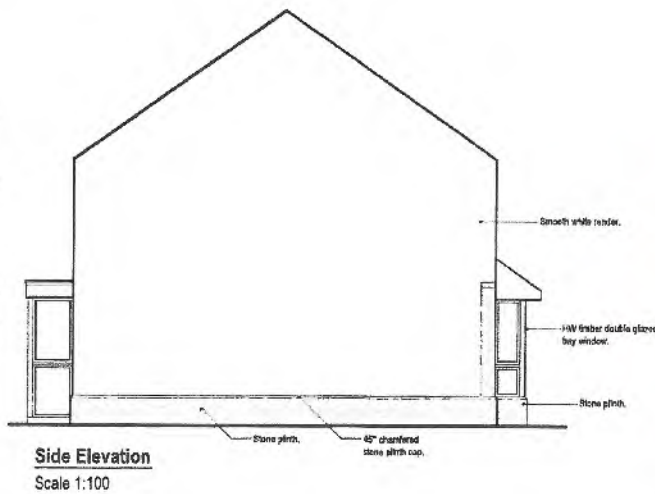
**Side Elevation**  
 Scale 1:100



**Section A**  
 Scale 1:100



**Rear Elevation**  
 Scale 1:100



**Side Elevation**  
 Scale 1:100

**CYNLLUN DIWYGIEDIG**  
**REVISED PLAN**  
 Derbynwyd/Received ..... 10.10.13  
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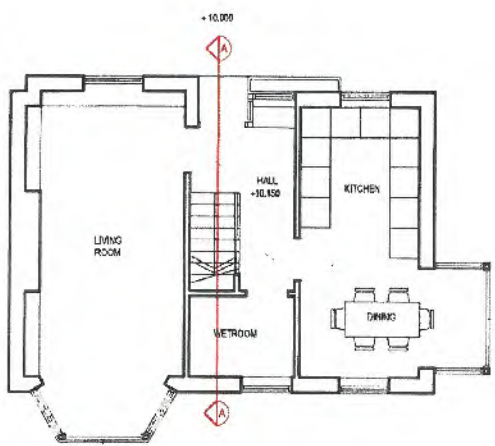
YR YMCA
PROFFEL: Proposed New Development PUGHES, Cymuned Tereos, Swyddfa'r 100, Dyffwrdd

PLAN WITH: <b>HOUSE TYPE B</b> <b>ELEVATION &amp; SECTION</b> 3 Bedroom 5 Person House	
SCALE: 2000 1:100	DATE: April 2013
PLAN NO: HG-11-12-06	REV: 01

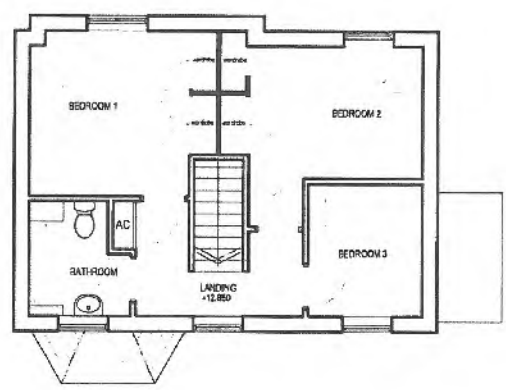
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 10 HYD 2013  
 GWYBODAETHYR A AMGYNWEDD  
 D. J. S.



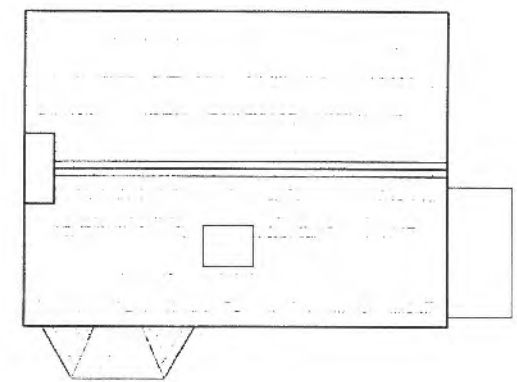
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**Ground Floor Plan**  
 Scale 1:100



**First Floor Plan**  
 Scale 1:100



**Roof Plan**  
 Scale 1:100



YMCA  
 Proposed New Development  
 YMCA, Diamond Terrace,  
 Pontypool,  
 Gwent

HOUSE TYPE C  
 PLANS

SCALE 1:100 / 1:200  
 DATE April 2013

REVISED PLAN  
 HOUSE TYPE C  
 PLANS

HUN CRAFTERS CONSULTING ARCHITECTS  
 14 ST JAMES'S RESIDENT, SPANISH WALK, LONDON  
 TEL: 0207 463 4634 FAX: 0207 463 4635  
 E-MAIL: info@huncrafters.com

CYNGOR CYMRUDD  
 CYFADRAN Y CENADRAN  
 10 HYD 2013  
 GWASIAETH C  
 D

**CYNLLUN DIWYGIEDIG**  
**REVISED PLAN**  
 Derbyniwyd/Received ..... 6.10.13  
 Llofnod/signature ..... C-15

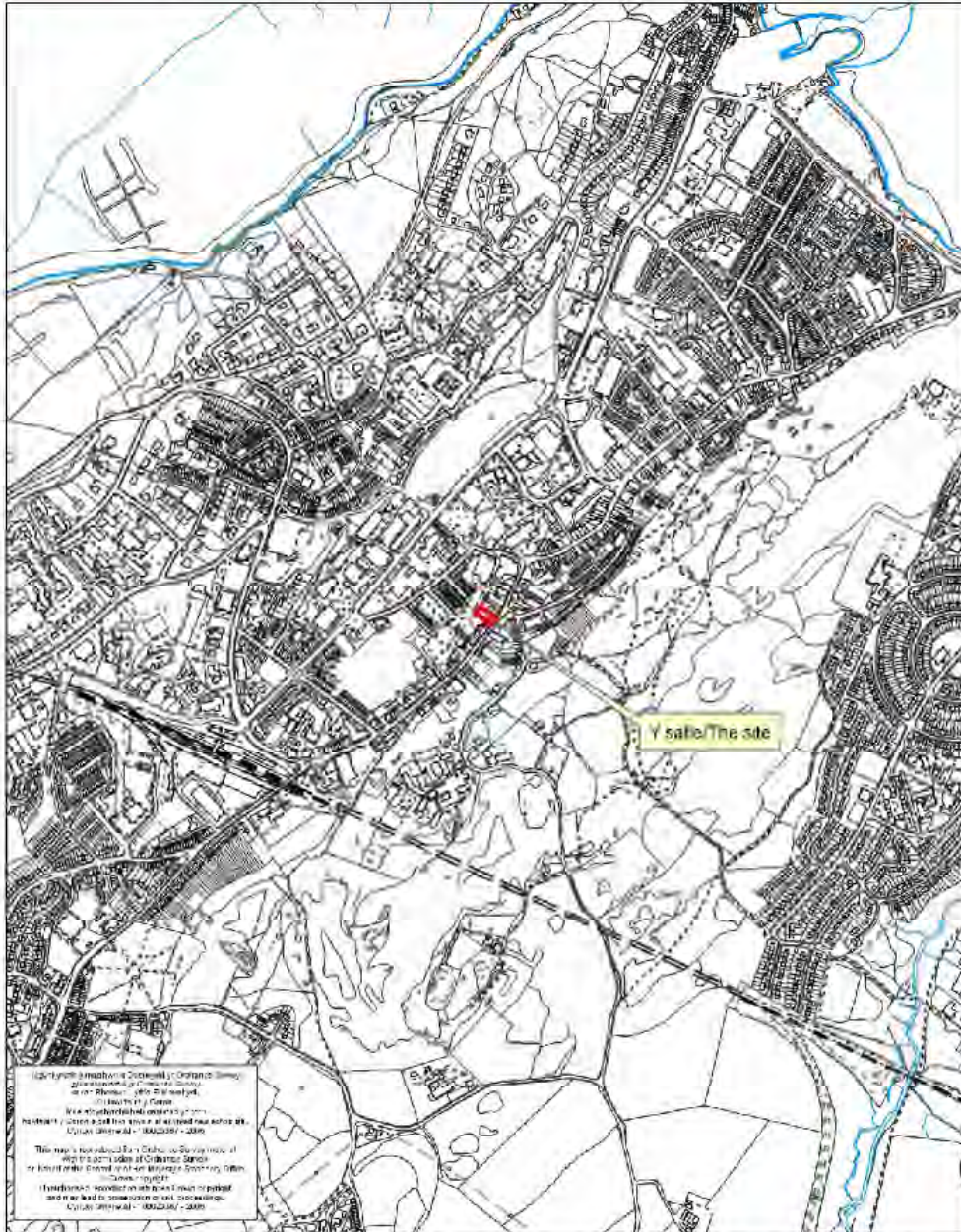


Number: 3



Rhif y Cais / Application Number : C13/0995/11/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



*(Yn dilyn ymethriad Cynghor Cwynedd, dim gofio o'r holl geiriau a'r rhifynau yn y map hon.)*  
*(Following the submission of the Council, no account is taken of the words and numbers in the map.)*  
*This map is reproduced by the Council as a guide only. It is not to be used as a basis for any application for planning permission. It is not to be used as a basis for any other purpose. It is not to be used as a basis for any other purpose. It is not to be used as a basis for any other purpose.*

Application Number: C13/0995/11/LL  
Date Registered: 14/01/2014  
Application Type: Full - Planning  
Community: Bangor  
Ward: Deiniol

Proposal: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF NEW BUILDING TO PROVIDE 2 RETAIL UNITS ON GROUND FLOOR AND 49 STUDENT BEDROOMS ABOVE WITH PARKING AREAS, BIN STORAGE AND LANDSCAPING.  
Location: 137, HIGH STREET, BANGOR, LL571NT

**Summary of the Recommendation:** To delegate the right to the Senior Planning Manager to approve the application subject to completing a 106 agreement.

## **1. Description:**

- 1.1 This is a full application for planning permission to demolish existing buildings and erect a new building varying from 3/4/5 storeys to replace them which would include two retail units on the ground floor and provide 49 living units for students above and to the rear together with the creation of parking spaces, bin storage and landscaping.
- 1.2 The proposed development site is located on the High Street in Bangor and within the city's development boundaries which has been designated as a sub-regional centre in the Gwynedd Unitary Development Plan (July 2009). It is within a town centre designation but outside the conservation area and the main shopping area.
- 1.3 The front of the existing building abuts directly with the street whilst there is parking space for 12 vehicles at the rear with an access path past the gable end of the building. Beyond the rear of the site, there is a road which is used as an exit to a nearby private car park and there is also a public car park.
- 1.4 The commercial unit on the ground floor of the building is empty while the upper floors are mainly empty apart from one section which is used as a tattoo studio.
- 1.5 The plans included with this report summarise the development by showing the scale of the building which varies from its front towards the rear in terms of its height and has a mixture of external finishes including a variety of coloured bricks as well as suspended slates partly on the front and side of the top floor. A standard shop front for the commercial units is shown while a separate access to the existing units is also included from the High Street.
- 1.6 In brief, the proposed development intends to:
  - Demolish the existing buildings
  - Construct the new building
  - Provide two commercial units on the ground floor
  - Provide 5 six bedroom flats, 3 five bedroom flats, 4 self-contained studios
  - Provide a bicycle storage area, bin storage and equipment room/storage on the lower ground floor
  - Create parking spaces for four vehicles (including one disabled parking space)
  - Landscaping

1.7 The proposed flats include individual bedrooms with their own bathroom facilities and a communal kitchen/lounge area while the studios are self-contained with their own bathroom and cooking facilities.

1.8 As part of the application, the following information was submitted:

- Design and Access Statement
- Linguistic and Community Impact Assessment
- BREEAM Assessment

## **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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

### **2.2 Gwynedd Unitary Development Plan 2009:**

Taking a precautionary approach - Strategic Policy 1 - Development proposals that would have an adverse or uncertain impact on the environment, the society, the economy or the Welsh language or the cultural character of communities in the area of the Plan will be refused unless it can be conclusively shown by an appropriate impact assessment that this can be negated or mitigated in a manner acceptable to the Planning Authority.

Design Standard – Strategic Policy 4 - Development will be expected to be of a good design in order to ensure that it makes a positive contribution, wherever possible, to the landscape, built environment and sustainable development.

Redeveloping and reusing previously used land - Strategic Policy 6 – High priority will be given to making appropriate and suitable use of previously developed land, which is suitable for development, or buildings that are vacant or not used to their full potential. A development should make the best and most effective use of land or buildings in terms of density, location and setting.

Accessibility - Strategic Policy 11 - Development proposals which are accessible to all through a variety of transport modes by virtue of their location, will be permitted provided the appropriate infrastructure, including highways, cycle routes and facilities and footways, is in place, or is to be provided; and provided they do not significantly harm the environment or the amenities of nearby residents.

**Policy A1 - Environmental or other impact assessments**

Ensure that sufficient information is provided with the planning application regarding any environmental impacts or other likely and substantial impacts in the form of an environmental or other impact assessment.

**Policy A2 – Protect the social, linguistic and cultural fabric of communities**

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

Policy A3 – Precautionary principle - Refuse proposals if there is any possibility of serious or irreversible damage to the environment or the community unless the relevant impact assessment can show beyond doubt ultimately that the impact can be avoided or alleviated.

Policy B7 - Sites of archaeological importance - Refuse proposals which will damage or destroy archaeological remains which are of national importance (whether they are scheduled or not) or their setting. Also refuse any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

Policy B22 – Building design - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

Policy B23 – Amenities - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

Policy B25 – Building materials - Safeguard the visual character by ensuring that the building materials are of a high standard and in keeping with the character and appearance of the local area.

Policy B26 – Shop fronts and commercial units in town centres - Ensure that proposals that are approved respect the scale, size, materials and architectural style of the building and the local vicinity.

Policy B27 - Landscaping schemes - Ensure that permitted proposals incorporate soft/hard landscaping of a high standard which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

Policy C1 – Locating new developments - Land within town and village boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

Policy C3 - Re-using previously developed sites - Proposals which give priority to the reuse of previously developed land or buildings that are located within or adjacent to development boundaries will be permitted if the site or the building and use are appropriate.

Policy C7 – Building in a sustainable manner - Proposals for new developments or for adapting and changing the use of land or buildings will be refused unless consideration is given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

Policy CH30 – Access for all – Refuse proposals for residential/business/commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

Policy CH33 – Safety on roads and streets - Development proposals will be approved if they comply with specific criteria involving the vehicular entrance, the quality of the existing roads network and traffic calming measures.

Policy CH36 - Private car parking facilities - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

Policy CH39 – Further and higher education development - Proposals for specific developments on a further or higher education site will be approved provided that specific criteria can be complied with relating to amenity and highway matters and in terms of the character of the area and the accessibility of the site for various modes of transport.

Policy D22 – New development within defined town centres - Approve proposals for new retail developments or extensions to existing ones within defined town centres subject to conforming to criteria relating to the attraction, viability and vitality of the centre, the balance between retail use and non-retail use, highways and traffic matters, servicing arrangements for the unit and facilities availability.

In addition to GUDP policies, full consideration is given to the Authority's adopted Supplementary Planning Guidance (SPG), which are material and relevant considerations. The following are relevant in this case:

- Planning for Sustainable Building
- Planning and the Welsh Language

Gwynedd Design Guidelines

## **2.4 National Policies:**

Planning Policy Wales (edition 6, 2014)

Chapter 3 – Determining planning decisions and enforcing them

Chapter 4 – Planning for sustainability

Chapter 8 - Transportation

Technical Advice Notes (TAN)

TAN12: Design

TAN12: Transport

TAN20: Planning and the Welsh Language

TAN22: Planning for sustainable buildings

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

- 3.1 The site has no relevant planning history, however, the following planning applications are noted due to their relevance to some aspects of this application and matters that arise and which are relevant are mentioned later in this report:

Application C12/1504/11/LL – 147-149 High Street, Bangor - application to partially demolish a building, together with the creation of two shops in lieu of a single shop, the creation of four living units above, and erection of extension for the creation of seven living units – approved 25.02.13



Application C10A/0123/11/LL – 110 – 114 High Street, Bangor - the erection of a new four-storey building to the front and six-storeys to the rear with mixed use including ground floor commercial units and 97 student bedrooms – approved on appeal 25.03.11

#### **4. Consultations:**

Community/Town Council:	Refuse, the design of the building facing the street is out of character with neighbouring buildings and similar appearances should be conveyed such as a slate ridge roof, the path past the gable end of the building has been established as a right of way because of its use over a number of years, the building's original name was the Vaynol Arms and it could contain archaeological features dating back to the 16 <sup>th</sup> or 17 <sup>th</sup> century, an archaeological survey of the site should be undertaken as a matter of urgency.
Transportation Unit:	Observations are provided on what is proposed, namely that three parking spaces in addition to what is shown are required in order to satisfy the requirements of current standards and the parking arrangements as shown need to be revised. However, there is a public and private car park nearby, therefore, the deficit in these numbers is unlikely to lead to parking problems on nearby streets. It is recommended that further discussions be held on the site's parking lay-out and to request a financial contribution to improve the facilities of the nearby car park instead of the spaces that should be included.
Natural Resources Wales:	It is recommended that the application be discussed with the Council's biodiversity unit.
Welsh Water:	Not received
Joint Planning Policy Unit:	See the observations of the Unit later in this report that specifically relate to the Linguistic assessment and relevant policies.
Rights of Way Unit:	The 'path' between 135 and 137 High Street, Bangor has not been registered on the Official Map as a public footpath nor as a highway on the Highways Register. It is possible that the public have used the 'path' in the past but no application was received to register it on the basis of it being used for 20 years. Neither has the owner made an application for it to be formally registered.
Public Protection Unit:	Prior to commencing the demolition work, a detailed plan must be provided to manage dust, noise and vibrations as a result of the demolition, there is also a need to include a condition to agree on any equipment such as ventilation, extraction units etc. which would be installed in relation to the commercial units.
Biodiversity Unit:	Following an inspection of the building, no evidence of use by bats was seen, however, it is suggested that a precautionary approach should be taken when commencing the work.

Gwynedd Archaeological  
Planning Service:

Initial observations regarding the application and the history of the building itself, reference is made to the lack of information in the application about the existing condition of the building and its historical interest, it is suggested that an archaeological assessment should be submitted prior to determining the application. Further observations were submitted following an inspection of the site, reference is made to a small number of original features but there is evidence of archaeological 'information'. It is suggested that the application should be refused because it is considered that it would be an unnecessary loss to the historical environment, but if it is decided to approve the application, a full programme of archaeological mitigation work should be undertaken.

Civic Society:

The application is objected as there is an intention to destroy a historic building within the city, reference is made to the background of the building and the lack of reference in the application itself to its historical background, therefore it is considered that the proposal is contrary to the requirements of the Council's adopted policies.

Senior Conservation Officer:

No specific observations are provided on the application as the proposal will not directly affect any listed buildings or conservation area, because there are some historical features within the building, it is suggested to create a full photographic record of the building prior to its demolition, it is suggested to include more traditional features to the new shop front in order to reflect the previous building.

Public Consultation:

A notice was placed in the local press and on the site and nearby residents were informed. The advertising period ended on 06.02.14 and three letters / correspondences were received objecting on the following grounds:

- Over-provision of student accommodation
- Loss of historic building
- Building is too high
- Loss of footpath

One letter / correspondence was received which supported the application / submitted observations on the grounds of:

- Support is given to this type of development based on the proposal and the plans submitted.

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

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

- 5.1.1 The site of the proposed development is located within the development boundaries of Bangor city, it is a site that forms part of the existing built form of the High Street, and therefore it is considered as a site that has already been developed. The principle of developing on sites such as these is acceptable in principle.
- 5.1.2 Paragraph 4.9.1 of Planning Policy Wales states that “preference should be given to previously developed land (or brownfield land), wherever possible, rather than greenfield sites...”
- 5.1.3 This is consistent with a number of general requirements of policies C1, C3 and strategic policy 6 of the UDP which encourages and supports proposals for developments within development boundaries and on previously developed sites.
- 5.1.4 Reports and relevant assessments were submitted as is required in accordance with existing regulations and the requirements of policies A1, A2 and A3 of the GUDP.
- 5.1.5 Based on the above, it is believed that the principle of the proposal is in accordance with the policies noted above and is acceptable, subject to consideration and full assessment of all relevant planning matters and compliance with the requirements of other relevant policies.
- 5.2 **Visual amenities**
- 5.2.1 This site is in a prominent location due to its immediate location on the High Street. The rear of the site is also visible as a road leads past the rear of the site from the nearby car park while an ample public car park is also close by.
- 5.2.2 There are various uses and appearances/design to buildings within the neighbouring area. The High Street extends considerably from top to bottom, and this part of the street is defined as the town centre rather than the main shopping area which is further up towards the city ‘centre’. However, commercial use is mainly seen here within the ground floor units.
- 5.2.3 A feature of the High Street in this part of the city is a mixture of building styles and scales and it can be seen from the submitted plans that the front of the proposed building would be a combination of 3 and 4 storeys. This means that it would be higher than 135 High Street to one side of the site but lower than 139 High Street which is adjacent to the other side. Although they appear to be two-storeys, the adjacent buildings vary in terms of height due to a variety of features and designs.
- 5.2.4 It is acknowledged that the design of the proposed building is quite different to what already exists but compared to adjacent buildings there is a similarity between the proposed building and the Neuadd Penrhyn building nearby and Willis Hall which is also relatively close to the site.
- 5.2.5 It is appropriate here to refer to an appeal decision made by a Planning Inspector in relation to the nearby development now known as Neuadd Penrhyn (or the former N&F site as it was previously known). The design and general appearances of this application for 137 High Street are in keeping and reflect what was approved by the Inspector on this nearby site. He was of the opinion that there was a variety and mixture of buildings in

this part of the High Street and that the proposed building, with four-storeys at the front and rising up to six-storeys at the rear, would complement the streetscene.

- 5.2.6 It is therefore considered that what is proposed here conveys what has already been approved on appeal, although the other development is on a substantially larger scale. This application not only conveys the appearances and design of the Neuadd Penrhyn building, but also its usage and the Inspector reiterated in the same report that the “proposed retail use of the ground floor would be in keeping with this side of the city centre location”.
- 5.2.7 It was also previously noted in this report that another application on an adjacent site (approximately 5 ‘doors’ down) was a relevant consideration, namely application C12/1504/11/LL. The relevant element between this application and what is proposed in the application for 137 High Street is the element that would mean erecting an extension at the rear of the building. The approved application has accepted that a four-storey extension at the rear is acceptable, it extends almost the entire length of the site with four parking spaces as it can also be seen in this case to a similar extent. Construction work has already commenced on the other site, and after it is completed a clear line will be seen in terms of structures at the rear, and what is proposed in the application for 137 High Street will very closely resemble the size of what has already been deemed acceptable. The backs of the High Street buildings vary considerably in terms of existing extensions’ appearances, size and form, it is not considered that the form of this building would be completely alien bearing in mind that permission has already been granted for a relatively similar extension approximately five ‘doors’ down from this site.
- 5.2.8 Considering the above, it is believed that the proposal is acceptable, the planning history of an adjacent site and the decision of the Planning Inspector steers the decision to a degree as he considered the merits of almost the same thing (although this application is substantially smaller) as what is considered in this case. Bearing this in mind, it is considered that the application satisfies the requirements of policies B22, B23, B25, B26, C1 and C3, as well as strategic policy 4.

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

- 5.3.1 Policy B23 relates to safeguarding the amenities of areas and neighbouring residents. The building is located within the development boundaries of Bangor city and within a mixed area in terms of the use made of buildings (shops, offices, public houses, restaurants etc.). It can be seen that the majority of upper floors of the nearby buildings are used as residential units.
- 5.3.2 It is not considered that creating additional living units (or that they are specifically for student residential use) is likely to create an excessive detrimental impact on the area or on any nearby properties in this case. It is considered that the size, location and form of the units are suitable and acceptable for prospective residents. It is therefore considered that the proposal complies with the requirements of policy B23 that relate to safeguarding the amenities of the local neighbourhood, and by undertaking landscaping work within the site it is considered that the requirements of policy B27 would also be met.
- 5.3.3 In the observations received, it is alleged that the space between the existing building and an adjacent building has been used as a public footpath for many years. It can be seen from the response of the rights of way unit that it has never been registered as a public

footpath, therefore, it is believed that informal and occasional use was made of this 'path' over the years and that it has no official status as it stands.

#### **5.4 Transportation and access matters**

- 5.4.1 At the time of writing this report, further discussions were to be held between the Transportation Unit and the developer. This is undertaken in order to ensure that the lay-out of parking spaces within the site is appropriate and that reversing out into the road past the rear could be avoided if practically possible.
- 5.4.2 The location of the site is in a central position in the city and within close proximity to existing parking facilities and established services. Guidance is not provided within current parking standards about private student accommodation, therefore, the proposal must be considered against the most relevant guidance namely for college accommodation or campus. It can be seen that these standards suggest including seven parking spaces. It has been agreed with the developer (as is done with other similar sites or situations) that a contribution of £1000 is made for each space that is not provided in order to improve the city's public car park facilities, and in doing this, it is assumed that the proposal is acceptable and that it satisfies the requirements of policy CH36.
- 5.4.3 Although the outcomes of the discussions regarding the lay-out of the proposed car park were unknown at the time of writing this report, it is not considered that there are grave concerns regarding this aspect and that no far-reaching changes would be required in order to satisfy this. By undertaking the changes to be agreed upon it is likely that the requirements of policies CH33 and CH30 can be completely satisfied.

#### **5.5 Archaeological Matters**

- 5.5.1 This application has created considerable interest from an archaeological/historical viewpoint as can be seen through observations received from bodies such as the Gwynedd Archaeological Planning Service (GAPS), the Civic Society and members of the public. It is acknowledged that this is an old building, however, it has no special features for it to have been deemed special enough to be formally listed.
- 5.5.2 A response was received from the authority's Conservation Officer to confirm that it had not been listed, that the proposed development would not affect any listed building and that the site is not within the conservation area. A suggestion is made to include a condition to create a photographic record of the building and the site, but no objection to demolish it was received.
- 5.5.3 Two observations were received from GAPS before and after they visited the site. They note that what is referred to as visual stratigraphy information is highlighted within the building which suggests that the development of the site dates back to the 17<sup>th</sup> century and that losing this building would be a loss to the historical environment.
- 5.5.4 Again, reference should be made to the Inspector's observations on the appeal referred to above, where he stated that the High Street's feature is the mixture of building styles and sizes. There is no reference to the historical and striking appearance of the adjacent area's buildings, therefore, although there are special features to some buildings, this is not conveyed in this building which is to be demolished.

5.5.5 It is considered that including appropriate conditions to create a photographic record and undertake an archaeological survey of the site in advance would be sufficient in this case, and in doing so, satisfy the requirements of policy B7.

## 5.6 Sustainability issues

5.6.1 A BREEAM assessment was submitted which is required for new buildings of this size and it is deemed that the new building will meet a 'very good' standard on completion. It is considered that this is acceptable and therefore satisfies the requirements of policy C7.

## 5.7 Community benefit/ 106 agreement issues

5.7.1 The Transportation Unit has confirmed that the location of the site is in a central position and within close proximity to existing services and parking facilities. However, a number of parking spaces that satisfy current standards need to be included. Unless the required number can be provided, it will be required to present a financial contribution for the difference in number in order to undertake improvements to the City's public car parks.

5.7.2 It can be seen that this has been accepted in the past and that there is also justification for a contribution to be presented in this case, namely £1000 for each space that should be provided which is a total of £3000. This will need to be secured by means of a 106 agreement.

## 5.8 Linguistic Matters

5.8.1 A Linguistic and Community Impact Assessment was submitted with this application summarising the current situation and explaining how the proposed development would affect (if at all) the status of the Welsh language within the application area itself. To summarise, it states that the development would not lead to a reduction in the number of Welsh speakers within the Deiniol ward itself by outward migration from the area or otherwise.

5.8.2 This information was considered in detail by the Joint Planning Policy Unit. To summarise the response, the following is noted:

- There is a low percentage of Welsh speakers in the Deiniol ward, there will be no increase in the local population as a result of the development that could have a detrimental impact on the Welsh language.
- Providing purpose-built accommodation like this can release houses currently used by students for local families.
- The development should improve the visual environment and make the area a more attractive place to live.

## 5.9 The need for student accommodation

5.9.1 This is obviously a contentious matter in the city and a matter where several people raise the question of whether or not there is a real need for this type of development again in Bangor. Other recent developments have seen planning permissions being issued for purpose-built student accommodation as it was considered that there was a need for it based on the lack of numbers currently available etc.

- 5.9.2 The Joint Planning Policy Unit has considered this matter in terms of the need for student accommodation in Bangor. It can be seen from these observations that the information submitted states that there is demand for the development and that it could provide accommodation for students who would otherwise reside in multiple-occupancy houses. After their first year, students usually have to look for accommodation that is not part of the university's formal campus and they more often than not reside in a house that has been converted or used as a multiple-occupancy dwelling.
- 5.9.3 A development such as this, although obviously a development by a private company rather than the university itself, contributes to satisfying the need and concentrates students in one site rather than dispersing them in houses within the city. According to their own Accommodation Strategy, the university expects the private sector to continue to fill the gap and provide accommodation in the form of residential halls such as these.
- 5.9.4 Since the decision of the Planning Inspector on a planning application to re-develop the former Jewson site in another part of the city, emphasis is now placed on the requirements of policy CH39. It is given consideration in terms of factors that are common between this development and what is referred to in the policy namely developments that support higher and further education establishments, and based on the requirements of the policy it is considered that the development is acceptable.

#### **5.10 Any other considerations**

- 5.10.1 Including commercial units on the ground floor of the building is in keeping with the area's existing mixed use, this part of the High Street is outside the city's main shopping area, however, it is expected that retail use is intended and this is ensured by means of a formal condition, it is therefore considered that the requirements of policy D22 are met.

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

- 5.11.1 Full consideration was given to the observations received in response to the public consultation and the matters raised are relevant and material to planning. After considering all relevant matters including the relevant planning history of an adjacent site, the Inspector's observations and the requirements of local and national policies and guidance, it is considered that this application is acceptable.

### **6. Conclusions:**

- 6.1 This site is located within Bangor city's development boundaries, and is considered as a site that has already been developed. The requirements of relevant local and national policies encourage developments on such sites rather than using greenfield sites. Therefore, it is believed that the development is fully acceptable in principle.
- 6.2 Despite the observations received regarding the historical and archaeological value of the building and the site, there is no status and designation to the building or site. It is considered that making a formal record of the building inside and outside and undertaking an archaeological survey of the site is sufficient in this case.
- 6.3 Full consideration must be given to the decision of the appeal on an adjacent site and the Planning Inspector's observations in terms of the design and appearance of the building that was the subject of that application. An attempt has been made here to convey a

similar form and finishes to what was approved on appeal. That development was substantially greater than what is proposed here, therefore, it must also be considered that this building, based on what the Inspector said, is also acceptable.

- 6.4 Creating purpose-built buildings like these for students within the high street adds to the vitality of the street and maintains its attraction by providing two new commercial units on the ground floor. By providing this type of accommodation, together with developments made by the University itself, it is hoped that houses currently used as multiple-occupancy houses will be returned to usual residential use.
- 6.5 Bearing the above in mind and having given full consideration to all relevant planning matters including letters of objection and the response to the public consultation, it is considered that this proposal is acceptable and that it complies with the requirements of the relevant policies noted.

## **7. Recommendation:**

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to completing a 106 agreement and to relevant conditions relating to:

### Conditions

1. Time
2. Comply with plans
3. Materials
4. Sustainable building matters
5. Landscaping
6. Restrict use of the commercial units
7. Details of ventilation systems
8. To submit a Construction Method Statement to include relevant regulations
9. Archaeological Record
10. Parking
11. Work/construction time



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Location Plan for identification purposes only. Not to scale.



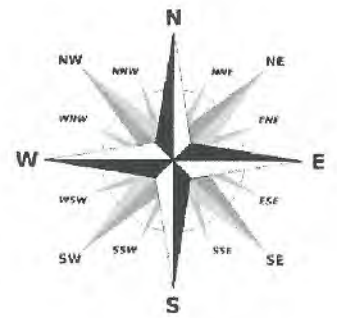
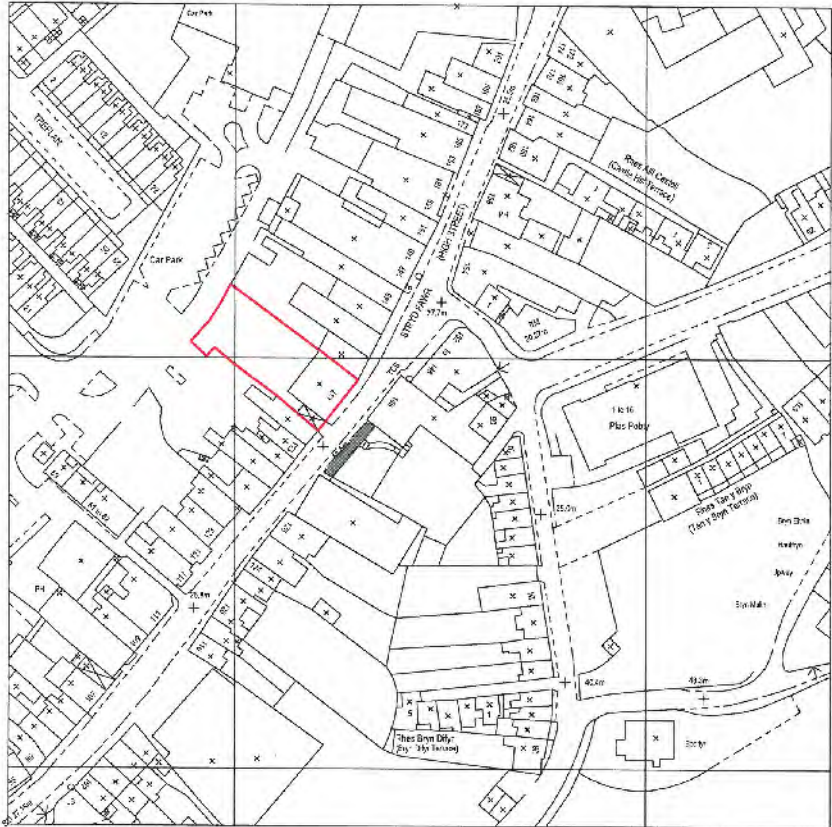
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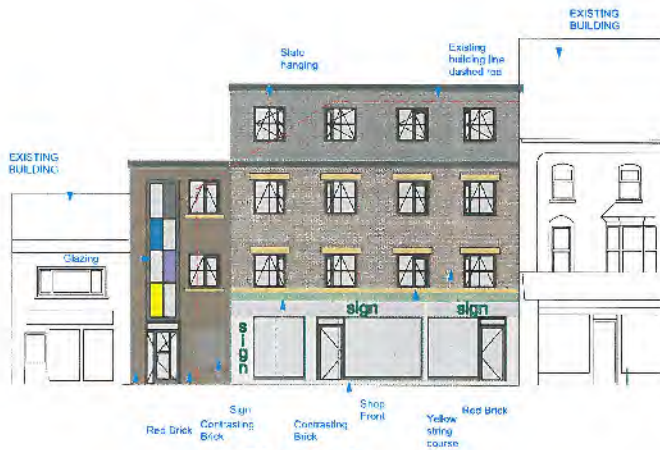
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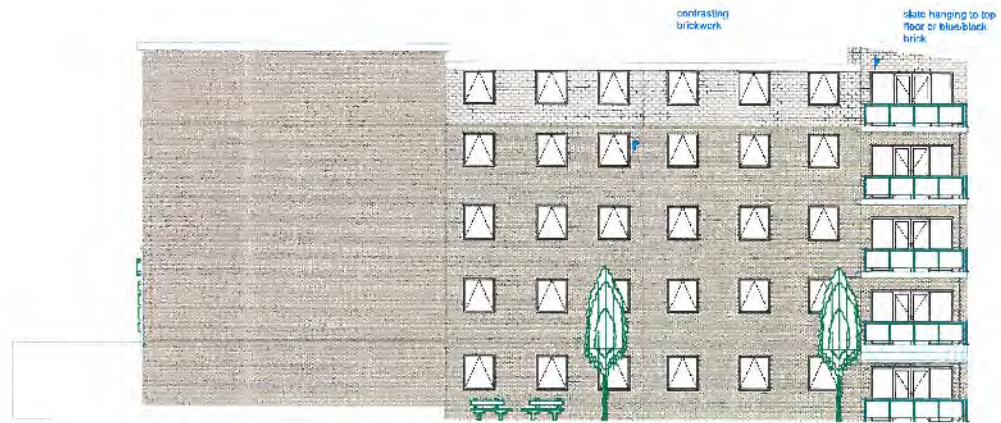


Revision	By	Date	No
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<b>Location Plan</b>			
Landmark Industrial Estate Bangor (Overbank) L157 4PH Tel: 01248 362516 Fax: 01248 356850			
Scale	Date	Drawn / Checked / Updated By	Rev
1:1250 @ A3	July 2013		4-195_01 P1

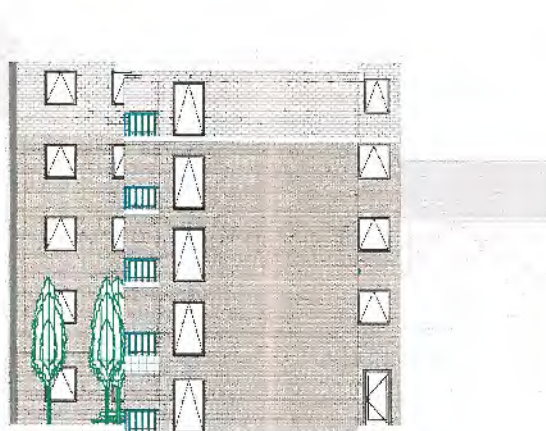




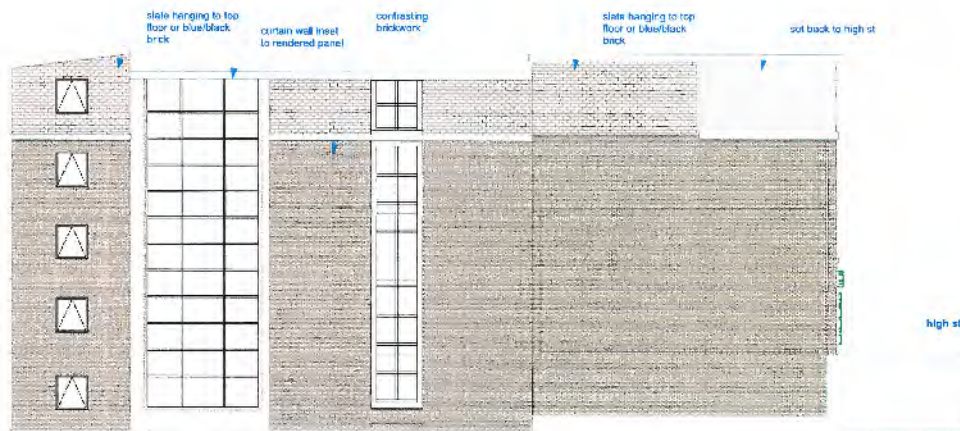
Elev A\_A



Elev B\_B



Elev C\_C



Elev D\_D

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  2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.
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Issued for approval: [ ] Date: [ ]  
 Drawn by: [ ] Date: [ ]

Project:  
**Retail/Student Accommodation**  
 137 High Street, Bangor

14  
**Elevations**  
 option 2

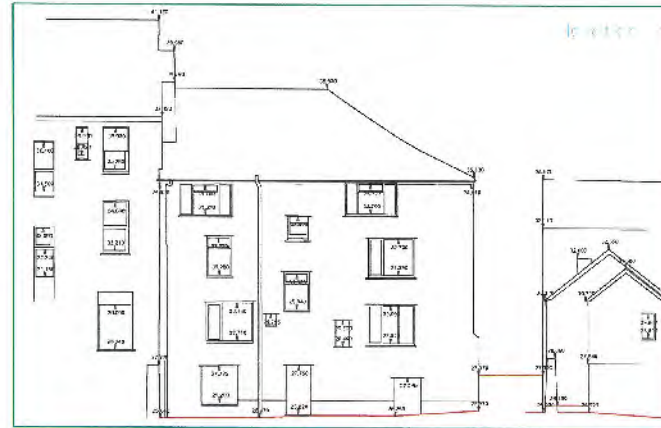
**WATKIN JONES**  
 CONSTRUCTION  
 10th Floor, Industrial Estate  
 2, Long, The Mall  
 Bangor, Co. Down  
 BT21 4YU  
 Tel: 01274 525250  
 Fax: 01274 525250

1:100  
 137 High Street, Bangor  
 4195/06 P1

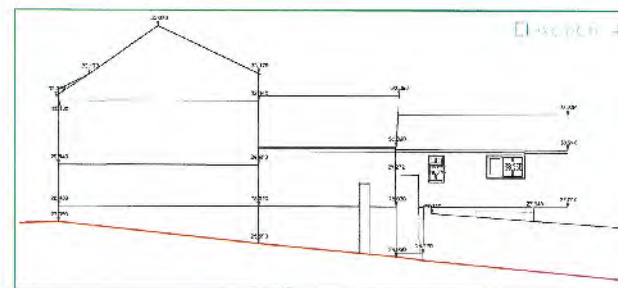
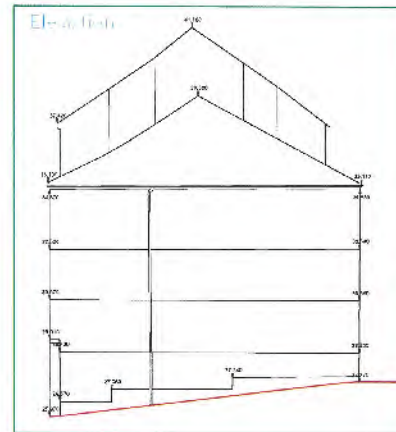
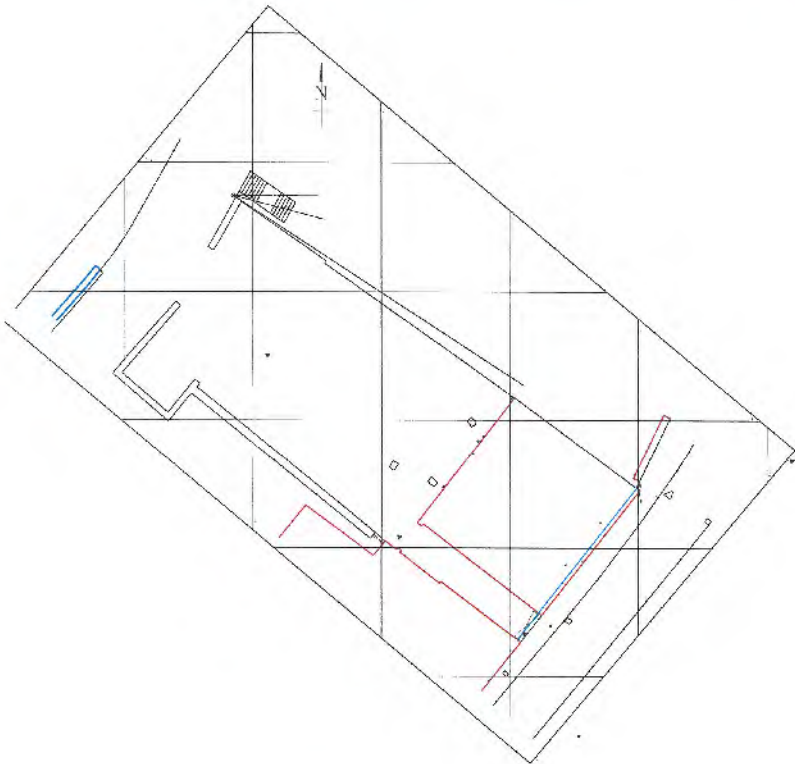




C13/0995/11/LL



- Notes**
1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE LOCAL AUTHORITY REQUIREMENTS FOR THE PROVISION OF A SAFE AND SOUND BUILDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
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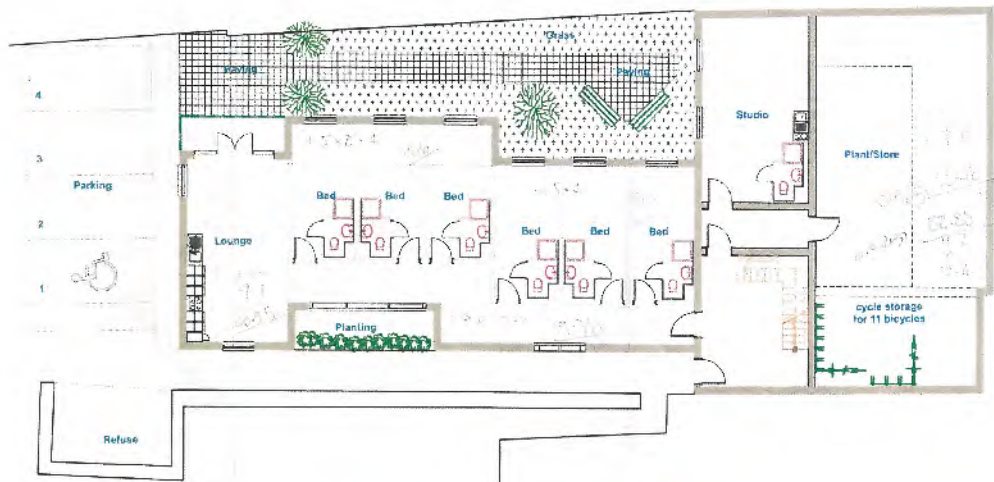


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<b>Retail/Student Accommodation 137 High Street, Bangor</b>	
<b>Survey</b>	
11/02/2020 July 13 4195/02 P1	

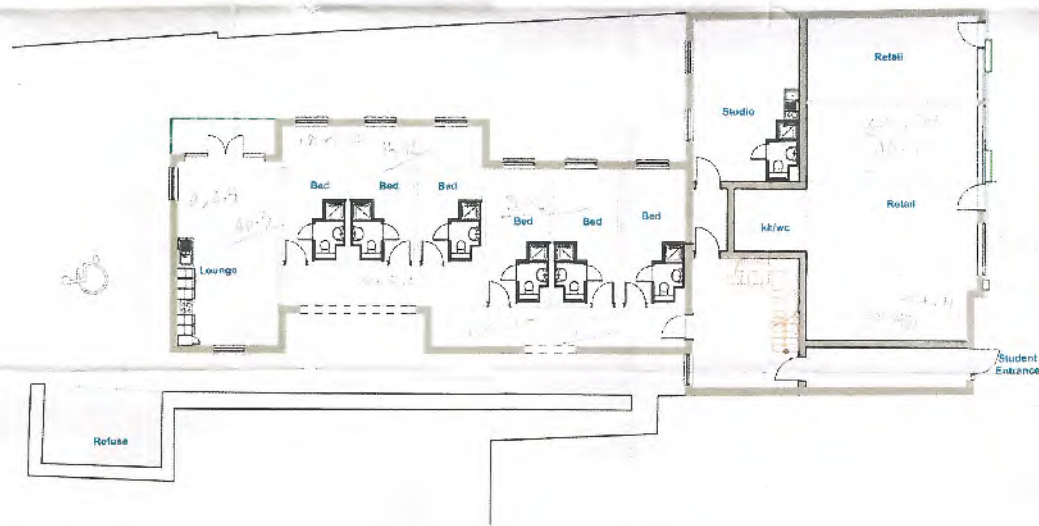




- Notes**
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**Basement Level**



**Ground floor level**

Notes added	14/10/13 P2
Issue for approval	17/10/13 P1
Revised	By Date

Client:  
**Retail/Student Accommodation  
137 High Street, Bangor**

File:  
**Basement and Ground Floor Plan**

**WATKIN JONES**  
CONSTRUCTION  
Bangor City Centre  
137 High Street  
Bangor, Co. Down  
Tel: 02868 24211  
Fax: 02868 20044

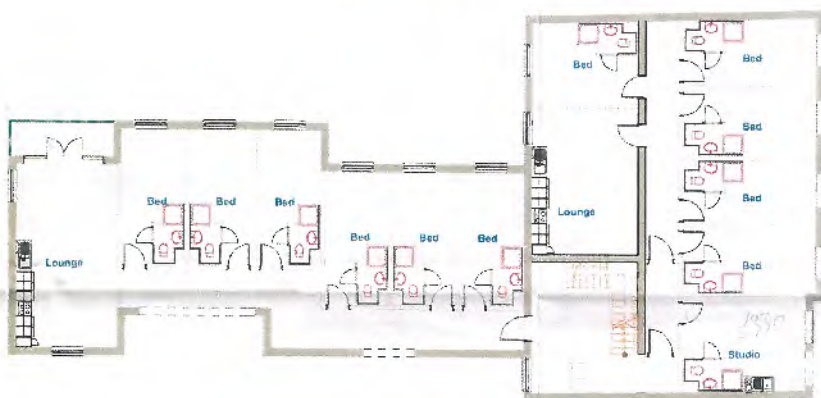
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1:100 @ A1	Sept 13	TWJ		4196/04	P2



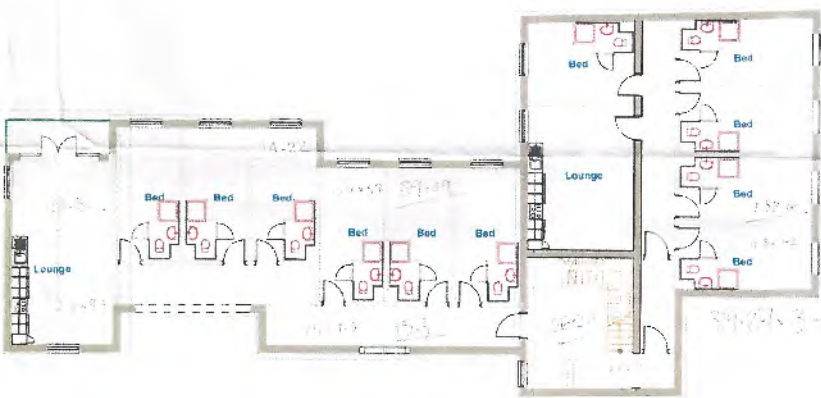
137 High Street Bangor



First floor plan



Second floor plan



Third floor plan

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Notes and instructions issued  
 based for approval  
 14/10/15 P2  
 17/06/15 P1  
 20/01/15

Client  
**Retail/Student Accommodation**  
 137 High Street, Bangor

Use  
**First, Second & Third floor plans**

**WATKIN JONES**  
 CONSTRUCTION  
 Watkin Jones Construction Ltd  
 Bangor, Co. Down, UK  
 1157 474  
 01562 46251  
 Fax: 01562 32280

Scale	Date	Drawn	Checked	Approved	Rev.
1:100	Sept 13	TRM		4195/05	P2

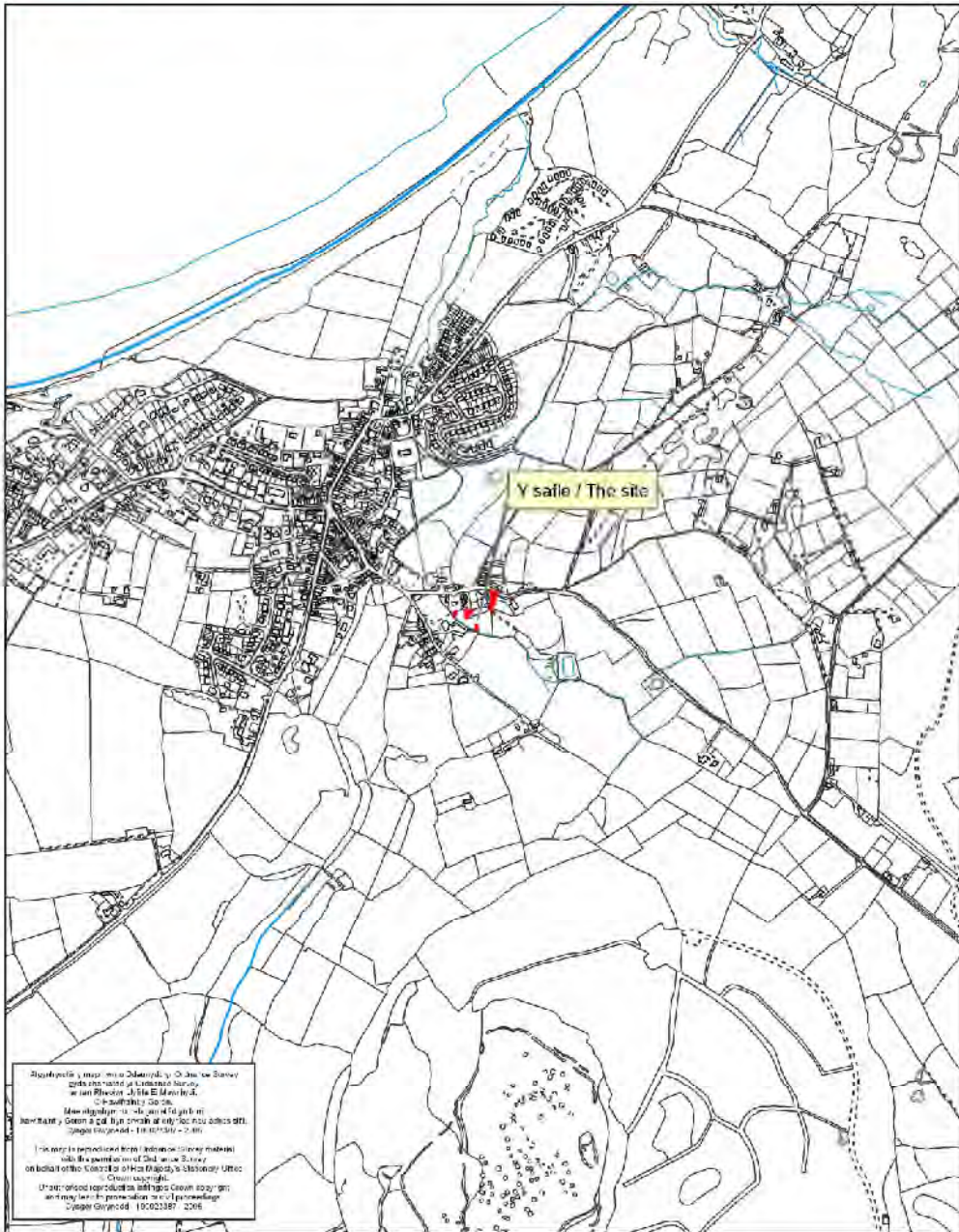






Rhif y Cais / Application Number : C13/1137/42/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Map of the area showing the location of the site. The map includes contour lines, roads, and a river. A yellow box highlights the site location, and a red arrow points to it from the text 'Y safle / The site'.

Application Number: C13/1137/42/LL  
Date Registered: 13/02/2014  
Application Type: Full - Planning  
Community: Nefyn  
Ward: Nefyn

Proposal: CONVERT OUTBUILDING TO A RESIDENTIAL DWELLING TOGETHER WITH CONSTRUCTION OF DOUBLE GARAGE, CREATE NEW ACCESS AND SITING OF TEMPORARY CARAVAN

Location: CLANNAD, Y FRON, NEFYN, PWLLHELI, GWYNEDD, LL536HU

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

## **1. Description:**

- 1.1 This is an application to convert an outbuilding into a (four bedroom) residential dwelling together with the construction of a double garage, creating a new vehicular access and siting a static caravan on the land on a temporary basis. The outbuilding is an L-shaped traditional stone building with a slate roof. It was once part of the tenure of Y Dderwen property. The building's northern and eastern gable ends are close to the boundary of the gardens and sheds of the Bryn Glas road residential dwellings. The double garage would be located on a level area to the west of the building and the front elevation would be faced with stone and a slate roof. There is an agricultural field to the south-east of the building that slopes upwards to higher ground and here it is proposed to provide an access track down to the property and a curtilage area. It is intended to form a vehicular access to serve the property from the existing access of Y Rhiw property, located on the slope of Bryn Glas, providing a relatively steep road down to the building. A static caravan is already sited on the field and it is intended to retain the caravan on a temporary basis to be used during the construction work.
- 1.2 The building lies behind the residential dwellings in the Bryn Glas area and behind the Y Fron area on the outskirts of Nefyn. The building and the proposed curtilage is located within the development boundary of Nefyn as indicated on the Gwynedd Unitary Development Plan proposals maps. The proposed access to the site will be located off the Bryn Glas unclassified road. At present, an existing informal agricultural access is used to the building, which is located below the access of Y Rhiw and runs parallel with the boundary walls of 1 and 2 Trem y Don. The designation of Area of Outstanding Natural Beauty is approximately 300m to the east of the site.
- 1.3 A Design and Access Statement, Structural Report and an Ecological Report were submitted as part of the application.
- 1.4 The amended plan dated 13 February 2014 is the one discussed here as they were asked to change some of the details in relation to the design, reduce the size of the curtilage and gain better clarity in relation to the access.
- 1.5 The proposal is submitted to Committee at the Local Member's request.

## **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 in accordance with the Development Plan, unless material planning considerations

indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

## **2.2 Gwynedd Unitary Development Plan 2009:**

**POLICY B8 – THE LLŶN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB)** - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site.

**POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT** – Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

**POLICY B22 – BUILDING DESIGN** – Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

**POLICY B23 – AMENITIES** - Safeguard the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

**POLICY B25 – BUILDING MATERIALS** - Safeguard the visual character by ensuring that the building materials are of high standard and in keeping with the character and appearance of the local area.

**POLICY B27 – LANDSCAPING SCHEMES** Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

**Policy C3 – RE-USING PREVIOUSLY DEVELOPED SITES** - Proposals which give priority to reusing previously developed land or buildings and are located within or adjacent to development boundaries will be permitted if the site or the building and use are appropriate.

**Policy C4 – ADAPTING BUILDINGS FOR RE-USE** – Proposals to adapt buildings for re-use rather than demolish them will be approved provided they conform to specific criteria regarding the aptness of the building, visual considerations, design and the effect on the vitality of neighbouring towns and villages.

**POLICY CH11 – CONVERSION OF BUILDINGS WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES FOR RESIDENTIAL USE** - Proposals to convert buildings for residential use within the development boundaries of villages and local centres will be approved provided they conform to criteria relating to local need, impact on holiday accommodation and community services and occupancy of the dwelling.

**POLICY CH33 – SAFETY ON ROADS AND STREETS** - Development proposals will be approved if they can conform to specific criteria regarding the vehicular access, standard of the existing road network and traffic calming measures.

**POLICY CH36 – PRIVATE CAR PARKING FACILITIES** - Proposals for new developments, extensions to existing developments or change of use will be refused

unless off-street parking is provided in accordance with the Council's current parking guidelines. Consideration will be given to the accessibility of public transport services, the possibility of walking or cycling from the site and the proximity of the site to a public car park. In circumstances where there is an assessed need for off-street parking and where the developer does not offer parking facilities on the site, or where it is not possible to take advantage of the existing parking provisions, proposals will be approved provided the developer contributes to the cost of improving the accessibility of the site or providing the number of necessary parking spaces on another site nearby.

### **2.3 National Policies:**

Planning Policy Wales (Edition 6, February 2013)

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

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

3.1 Y13/001754 - A pre-application enquiry regarding the design of the conversion.

### **4. Consultations:**

Community/Town Council: Not received.

Transportation Unit: No objection to the proposal to convert a building and construct a garage but I am concerned about the intention to use the access as indicated in the amended plans. This access serves another property located on ground that is much higher than the application site. Therefore a new access road must be provided from the access, down a steep slope and across another access road to reach the site. It would be much easier to provide an access along the existing road that serves the water reservoir (with the owner's consent of course) or provide direct access from Y Dderwen.

Biodiversity Unit: The Ecologist has found that bats use the existing building. As part of the mitigation measures he has proposed to include a bat roost above the new garage. Happy with the plans proposed and offer relevant conditions.

Natural Resources Wales: NRW has no objection to the proposal. They are happy that a bat survey has been undertaken to an acceptable standard and the proposed recommendations should be adhered to, ensuring that any planning permission includes the mitigation measures proposed in the report. A permit from NRW will also be required.

Welsh Water: Suggest standard Water conditions.

## Public Consultation

A notice was placed on the site and nearby residents were informed of the original plan. One letter was received, containing the names of three neighbouring residents stating that they do not object to converting the building, but that they object as it would increase the use of the site's informal access track near two of the Trem y Don properties. It later became apparent that there had been a misunderstanding in relation to the location of the access.

An amended plan was received, dated 13 February 2014 outlining the access more clearly and the neighbours and complainants were reconsulted. The consultation period came to an end on 3 March 2014. One letter was received from one of the previous complainants who was happy that the access from Y Rhiw was safer with no further observations.

One letter was received from one of the original objectors who continued to be concerned on the grounds of:

- The existing informal track has already caused a lot of trouble in terms of water flowing into their gardens and boundary walls are bulging due to the heavy traffic.
- A static caravan is already on the site and is often used.
- Difficult to obtain safe visibility from the access as several vehicles park on the side of the Bryn Glas road.
- The original access to the building was through Y Dderwen, the side of Y Fron, there is no formal permission for the existing track only rights of way by three houses and the Water Board.

## 5. Assessment of the material planning considerations:

### Principle of the development

- 5.1 Relevant to the principle of the development are policies C3 'Re-using Previously Developed Sites', C4 'Adapting Buildings for Re-use' and CH11 'Conversion of buildings within the development boundaries of local centres and villages for residential use'.
- 5.2 The site in question is located to the rear of residential dwellings in the Bryn Glas area of Nefyn within the development boundary of the local centre, as indicated on the Gwynedd Unitary Development Plan proposals maps. Policy C3 of the GUDP gives priority, where possible, to re-using previously developed land or buildings, provided that the site or building and the proposed use is suitable and is in keeping with the objectives of the Plan's development strategy. As the application is located near a residential area, it is considered that the use as a residential dwelling would be appropriate on the site.
- 5.3 Policy C4 of the GUDP states that proposals to adapt buildings for re-use rather than for demolition will be approved provided that relevant criteria can be complied with. The buildings must be suitable for the use and design, including any necessary changes/adaptations, and respect the structure, form and character of the original

building. Traditional architectural features should be retained and no associated external works should cause significant harm to the visual quality and character of the surrounding area. In the case of the application, it is considered that the building's architectural features are retained on the whole, using existing door and window openings. Due to the nature of the building's location, behind houses with higher land to the rear, the proposal would not stand out substantially neither would it have a visual impact on the neighbouring area.

5.4 Proposals to convert buildings for residential use within development boundaries will be approved under policy CH11 of the GUDP, if they comply with three criterions. The policy requests that a percentage of the units converted within the boundary are affordable units, but as there is only one unit here, this is not a requirement. It is a dormant outbuilding, not holiday accommodation or a community service building, therefore, criterions two and three are not relevant. Therefore, the existing proposal meets the requirements of policy CH11, conversion of buildings for residential use within a development boundary. The policy states that in appropriate cases general permitted development rights on conversions should be removed in order to ensure complete planning control over developments that involve the building in questions and the surrounding curtilage. In this case, it is considered that such a condition could be justified, in order to protect the building's traditional features and prevent overdevelopment of the curtilage.

5.5 Therefore, the proposal meets the requirements of the main policies, namely C3, C4 and CH11 of the GUDP that deal with the principle of converting buildings into residential units.

#### **Design, Materials and Visual amenities**

5.6 Consideration is given to the design, finish and visual impact of the proposal under policies B22 and B25 of the GUDP.

5.7 The design of the conversion was amended slightly from the original proposal as it was considered that some details on the main front elevation required minor changes. Therefore, the plan dated 13 February 2014 is the one discussed here. It is proposed to demolish the building's existing northern gable end that is close to the boundary and re-erect it approximately 90cm inwards, in order to enable the applicant to have a narrow path around the rear of the building to undertake maintenance work. As a result of the demolition work, one window opening on the front will be lost. The remainder of the front openings will remain as they are, and two cat slide dormer windows will be added along with two roof lights and a porch. A lean-to with a slate roof is located to the east of the main building that was used as a storage space and is open on one side. It is proposed to construct a lounge and a bedroom on the site of this lean-to with French doors and a Juliette balcony which will be sheltered and hidden to all intents and purposes due to its proximity to the boundary and the higher ground.

5.8 A Structural Report was submitted as part of the application, stating that the majority of the building was structurally sound and was to be retained and converted, but that sections needed to be demolished and re-erected. Although demolition work in relation to conversions is not encouraged, it must be borne in mind that the site is within the town's development boundary where new housing developments can be considered. It could be argued that retaining and protecting the use of an existing traditional building is an improvement and retains the historical character of the area. It is considered that the design of the conversion retains the character and features of



the original building and is acceptable in the context of policies involving design and materials, B22 and B25 of the GUDP.

- 5.9 The agent was asked to reduce the size of the curtilage for the development as it was considered that it encroached too far into the field, therefore, an amended plan was submitted, dated 13 February 2014. This plan shows a static caravan that is already sited on the land and it is proposed to retain the caravan on a temporary basis during the conversion and construction work. The size of the curtilage is now more reasonable and abuts the proposed access track. The plan also indicates an intention to undertake landscaping work, with hedges and trees along the western boundary that would improve the appearance of the area. The site is not within any land designations, but an Area of Outstanding Natural Beauty is located approximately 300m away on Nefyn Mountain to the east of the site. Given the distance, it is not considered that the conversion or the associated work would have any detrimental visual impact on the vicinity or the landscape of the AONB in the distance.
- 5.10 The proposal also includes constructing a double garage in the north-western corner of the site, with a slate roof and the front elevation finished with stone. This will also provide a roost for bats. It is considered that the size, scale and location of the garage is acceptable and the design and materials are in keeping with the building that is to be converted and therefore complies with policies B22 and B25 of the GUDP.

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

- 5.11 The development's main window and door openings are compiled on the building's front elevation and the southern elevation, and there will be no overlooking implications due to the angle of the building's setting. There will only be roof lights on the rear of the building, therefore, there is no substantial concern about significant overlooking from such windows. It is not considered that the development is an overdevelopment of the site, neither is it likely to have a significant impact on the general and residential amenities of the residents of the neighbouring houses. It is therefore considered that the proposal is acceptable in terms of the requirements of Policy B23 of the GUDP.

#### **Biodiversity**

- 5.12 An Ecological Report was submitted as part of the application that confirms that bats are present in the building. The survey notes a number of recommendations that should be implemented in order to make the development acceptable in relation to bats. It is noted that a licence is needed to undertake the work and a special bat roost should be provided in the garage's roof space. The Council's Biodiversity Officer is happy with the report and added that measures should be taken to undertake landscaping work as shown later in the amended plan dated 13 February 2014. The officer also recommends conditions, in accordance with the recommendations of the bat survey. It is considered that with the appropriate mitigation measures that are controlled with planning conditions, the proposal is acceptable in the context of Policy B20 of the GUDP.

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

- 5.13 It is proposed to provide access to the proposed development from the existing access of Y Rhiw, located on the Bryn Glas unclassified county steep road. This existing access is within a 30mph speed restriction zone and is relatively open. There is a bend in the road just above the access and below the access near the Trem y Don property

and Penbrynglas terrace. It will be required to form a relatively steep road, from the land of Y Rhiw down to the field towards the building.

- 5.14 Originally, there would have been access to the building in question through one of the two accesses to Y Dderwen which previously owned the building. As the building was no longer under the same ownership and had been and sold, the applicants wished to have an independent access to the building.
- 5.15 There was some confusion when the application was originally submitted and consulted upon as the local neighbours were under the impression that the existing agricultural track, that runs parallel with the boundary wall of 1 and 2 Trem y Don would be used to gain access to the site. It is understood that this was originally an informal track to the field and water works site and some houses had rights of way. A letter of objection was submitted, with three names expressing dissatisfaction to using this track as an access as it was considered to be too narrow and unsuitable on a hill near a bend in the road. Residents tend to park along the road below and adjacent to the track and one of the residents has experienced damage to their property in the past as lorries tried to turn in and out of the road. The objectors state that work to widen the track and access was undertaken without permission in 2007 and the enforcement unit was informed. Widening an access to an unclassified road would not require planning permission, therefore enforcement action was not necessary.
- 5.16 Another consultation was held regarding the amended plan dated 13 February 2014, showing the proposed access more clearly. One letter was received from one of the previous objectors, stating that they were happy with the access from Y Rhiw. A letter was received from another of the previous objectors, who continued to be concerned about the new access in terms of water flowing down the road to the houses and the objector also questioned if there was a real need for the access given that there were existing accesses from Y Dderwen.
- 5.17 It is noted that the Transportation Officer does not object to the conversion but he does express some concern about using the access of another property on land that is much higher than the application site and the need for a steep access road to it. He states that it would be easier to provide an access from the existing track below or from Y Dderwen. The agent has confirmed that using the accesses of Y Dderwen is not an option as the building is not under the same ownership. In terms of the existing track, visibility up the hill is acceptable but visibility is obstructed significantly to the direction of the village. The high boundary wall of 1 Trem y Don and the services cabinet obstructs the visibility entirely and the situation is made worse by cars parking on both sides of the road. As the applicant does not own the wall, he has no control over it. It is noted that objectors are also very concerned about using this track.
- 5.18 It is considered that the visibility from the existing access of Y Rhiw is much more acceptable as it is located on the inside of the bend and on higher ground and the visibility splays are more open on both sides. An access gate has been set back and it is possible to turn in from the road safely. Although the visibility is not ideal, it is considered to be satisfactory for the low level of traffic that is produced by one house. It is believed that vehicles travelling at 30mph along the road would be much more likely to see cars using the proposed access, as opposed to the access track that is concealed below the slope and behind a wall. The use of the existing sub-standard agricultural access would continue if the application was refused. When comparing both accesses, it is considered that the proposed access, that already serves one property, would be much more suitable and safer in terms of road safety and would be acceptable for the traffic level of one house. It would be possible to impose a

condition to agree on the surface materials of the track to ensure that it blends in with the landscape and to reduce the impact of surface water. Therefore, it is believed that the proposed access is acceptable for one house in terms of road safety and is in accordance with Policy CH33 of the GUDP.

## **6. Conclusions:**

- 6.1 The proposal complies with the principles of the Council's main policies regarding re-using and converting buildings within the development boundaries of centres. It is considered that the proposal has been designed in a way that respects the building's features without substantial changes visually. The garage element is acceptable in terms of its scale, form and is reasonable in terms of its size. The proposal is unlikely to have any significant impact on the amenities of neighbouring residents or on the area's visual amenities. Adequate measures have been taken to ensure that protected species are safeguarded and this could be controlled with relevant conditions. Whilst concerns regarding the access and the need to provide an access road to the building are appreciated it is not considered that an independent access is unreasonable. It is believed that the proposed access is suitable, relatively open and provides satisfactory visibility splays in both directions, compared with the option of the existing track. Although not ideal, it is not considered bad enough to refuse the application given that it would be an access for one house and that it is within a 30mph speed restriction zone and on a hill. Having assessed the application against the policies noted above, it is considered that the proposal to convert an outbuilding, construct a garage and create an access is acceptable and complies with the policies discussed above.

## **7. Recommendation:**

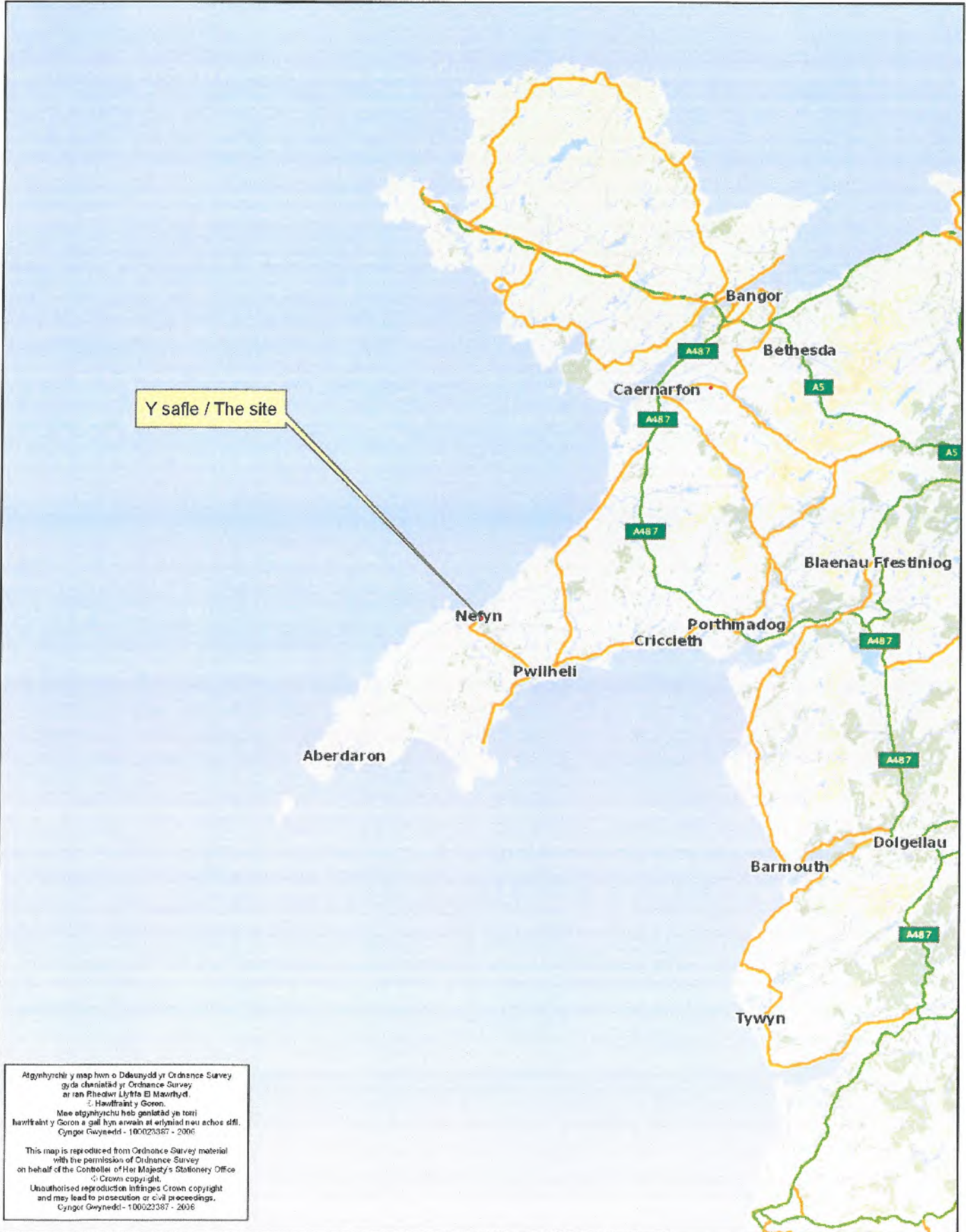
- 7.1 To approve – conditions

1. Time
2. Comply with the plans dated 12 November 2014 and the amended plans dated 13 February 2014
3. Slates to be agreed
4. The materials for the garage to be agreed
5. Conservation roof lights
6. Withdrawal of permitted development rights
7. Landscaping as noted in the plan dated 13 February 2014
8. Agree on the materials of the road
9. Welsh Water conditions
10. Caravan on temporary basis only
11. Implement the recommendations of the Bat Survey / provide a bat roost prior to commencing the work.



Rhif y Cais / Application Number : C13/1137/42/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.

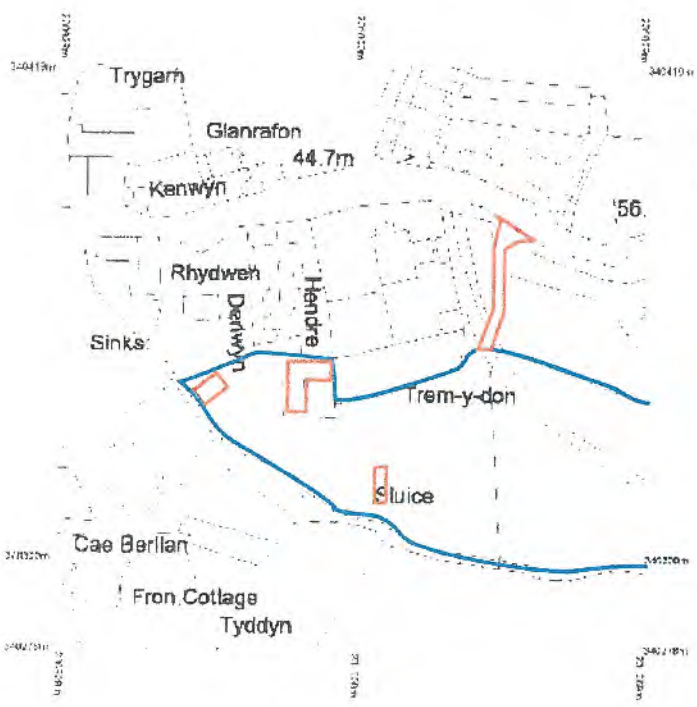


Atgynhyrchir y map hwn o Ddauydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfr Eidd Mawrhyd.  
© Hawffraint y Goron.  
Nae atgynhyrchu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlysiad neu achos ddipl.  
Cynkor Gwynedd - 100023387 - 2006

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**CYNLLUN DIWYGIEDIG**  
**REVISED PLAN**  
 Derbyniwyd/Received 13/2/14  
 Llofnod/signature MEX



natural hedging along stream boundary between bat roost and existing hedging tree's composing of hawthorn, holly, crab apple, field maple 4 plants per meter in 2 rows 600mm apart and staggered.

**NOTE:**  
 All plants to be locally sourced cell grown stock unless otherwise stated wind protection to be provided for the first 18 months after planting.

**Ty - Newydd**  
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1153/ 07  
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 11-02-14

**CLANNAD, Y Fron, Nefyn**  
 SITE & LOCATION PLAN

CLANNAD, Y FFRON, NEFYN

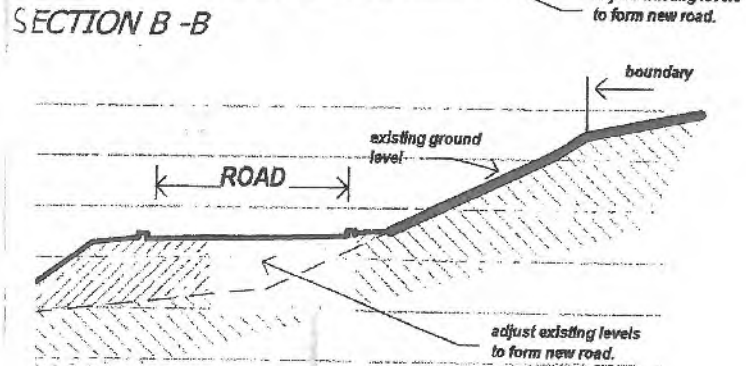
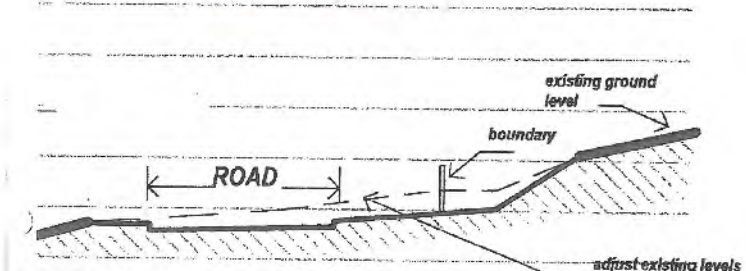
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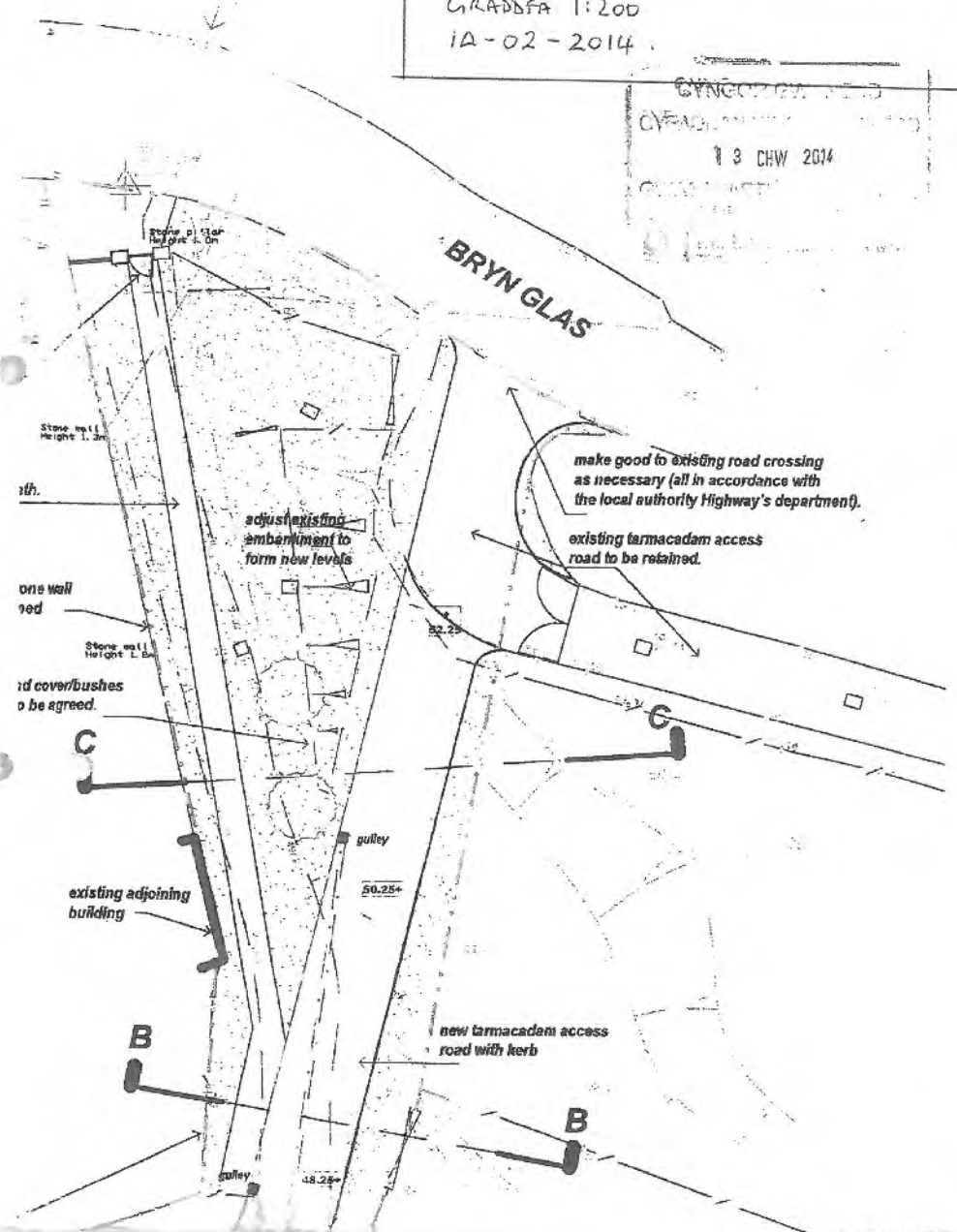
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**ADDITIONAL INFORMATION**

Derbynwyd/Received 13/2/14  
 Llofnod/signature MEO

CYNGOR GWYBODAETH  
 CYFRANGLYD  
 13 CHW 2014

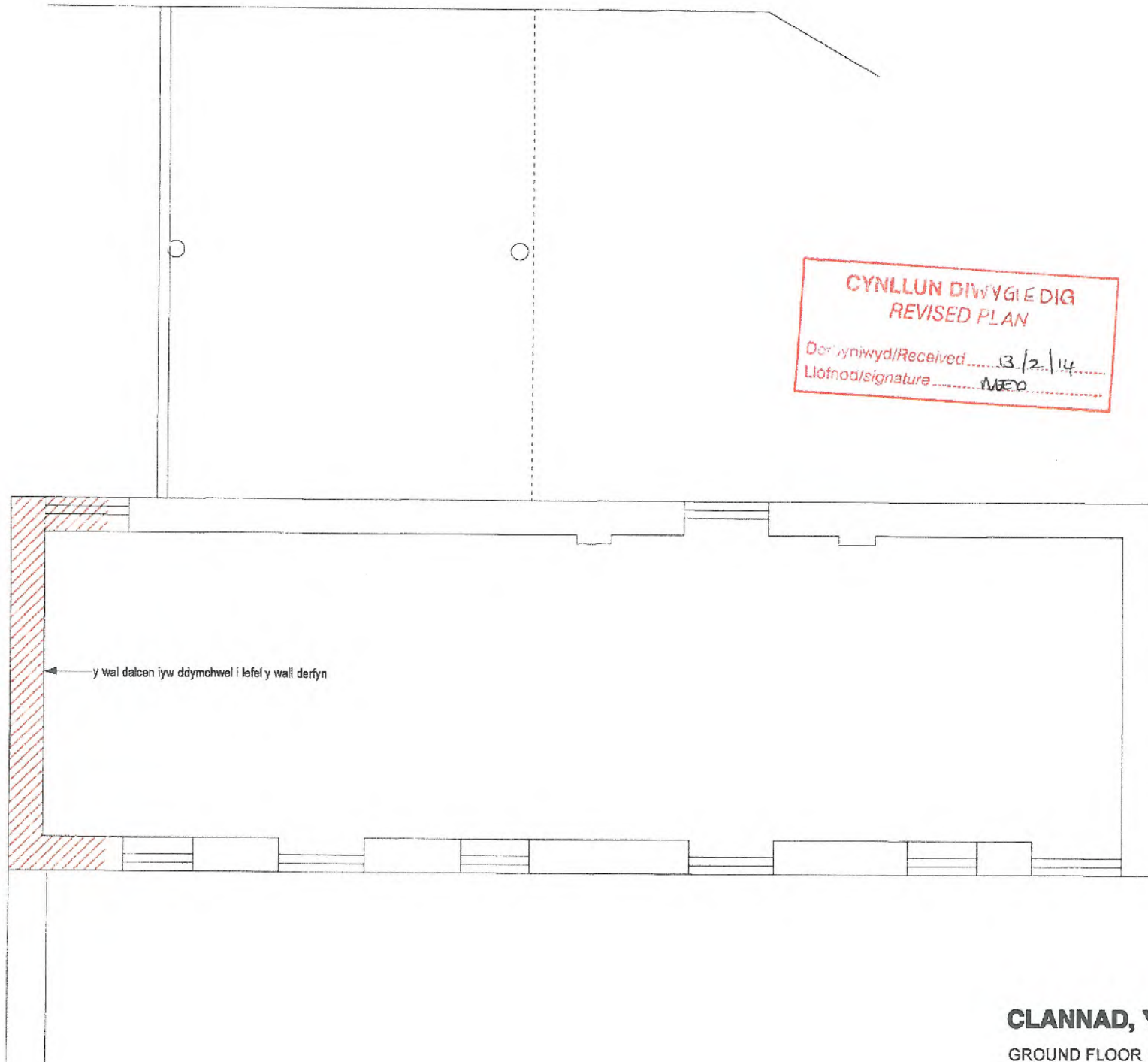


remove existing  
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 fit new pedestr.



(F)





**CYNLLUN DIWYGLIEDIG  
REVISED PLAN**  
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 Llofnod/signature ..... MEO .....

CYMRU  
 CYMRU  
 10-10-2014

← y wal dalcan iyw ddymchwel i lefel y wali derfyn

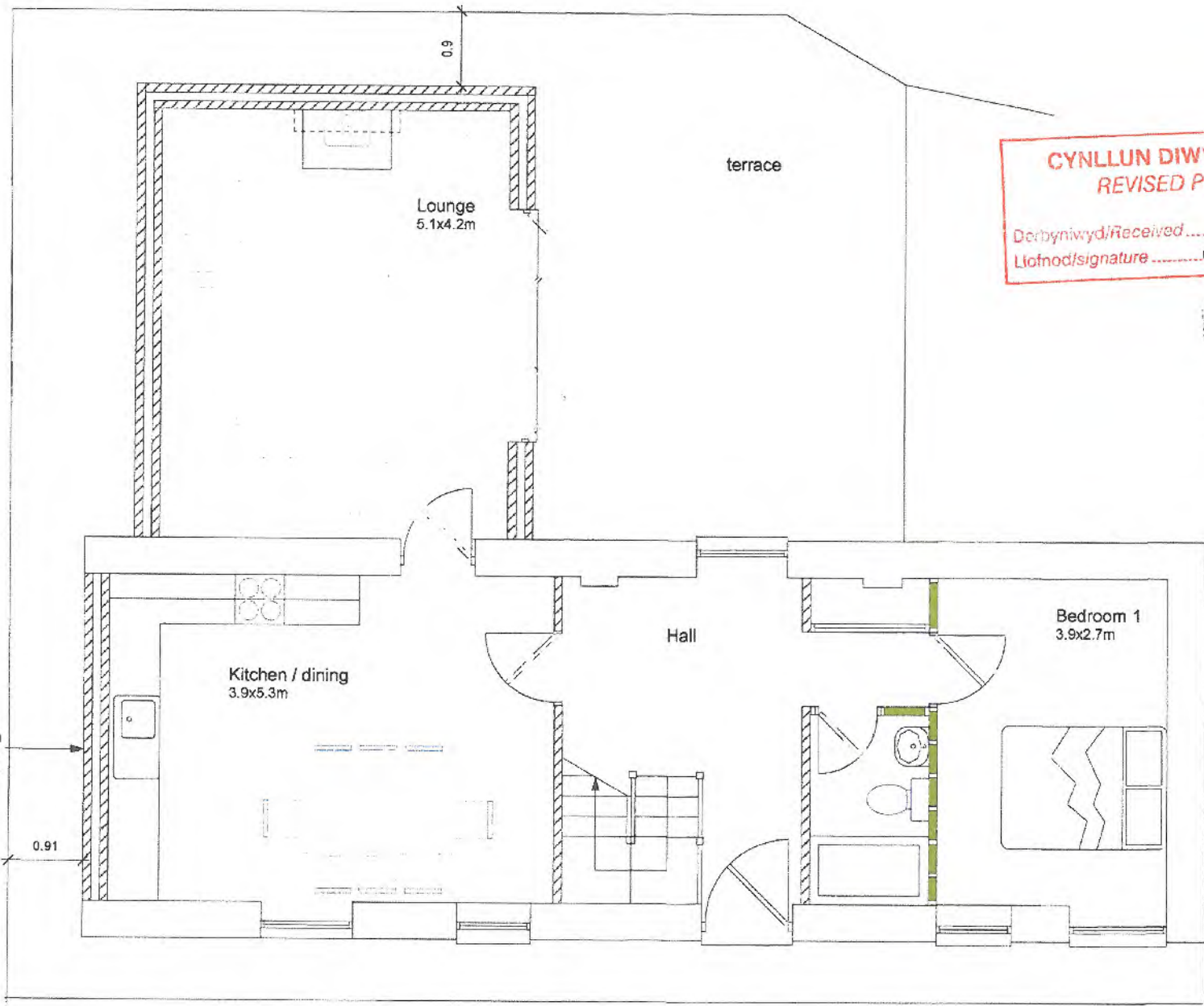
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**CLANNAD, Y Fron, Nefyn**  
 GROUND FLOOR (as existing)

1153/ 01  
 1:50  
 24-03-2013





wal dalcen newydd o waith bloc 900mm o'r wal deryn er mwyn cadw llwybrau'r o amgylch yr etldo.

**CYNLLUN DIWYBODAIG**  
**REVISED PLAN**  
 Derbyniwyd/Received 13/2/14  
 Llofnod/signature MEX

*[Faint official stamp]*  
 CYMRU  
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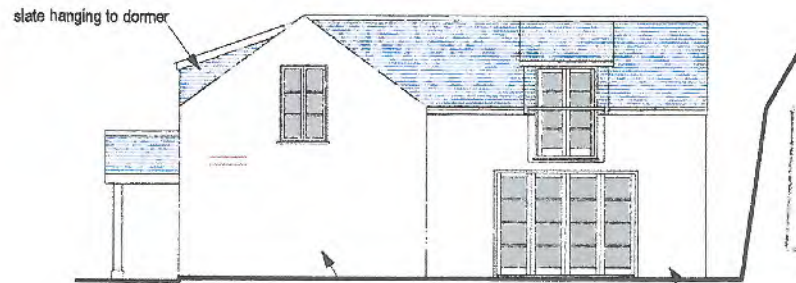
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west



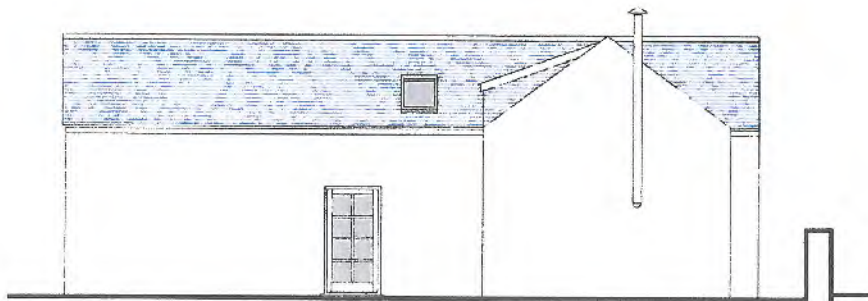
south

pointed stonework

painted render

CYNLLUN DIWYGIEDIG  
 13/2/14  
 MEO

**CYNLLUN DIWYGIEDIG**  
**REVISED PLAN**  
 Derbyniwyd/Received ..... 13/2/14 .....  
 Llofnod/signature ..... MEO .....



east



North

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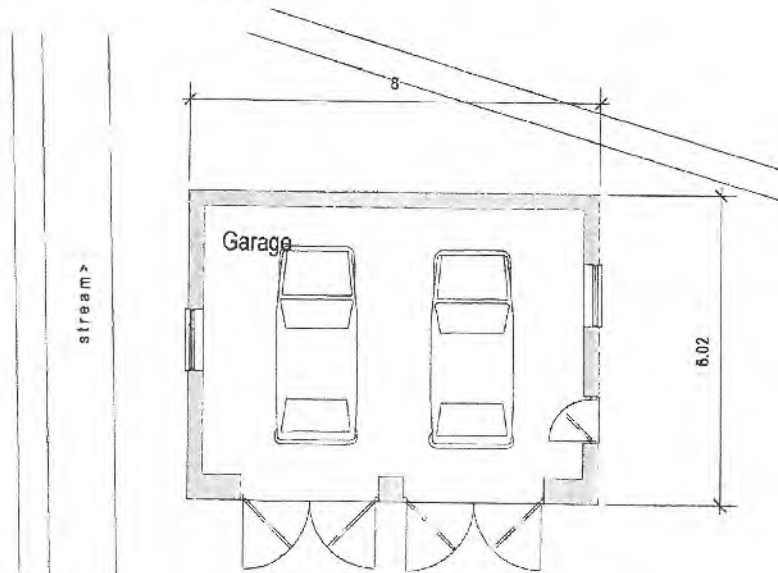
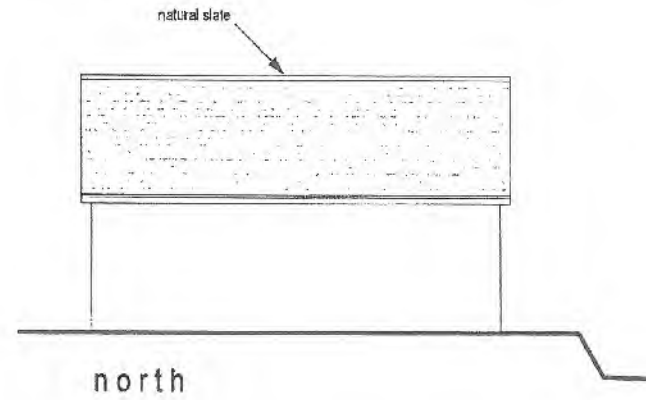
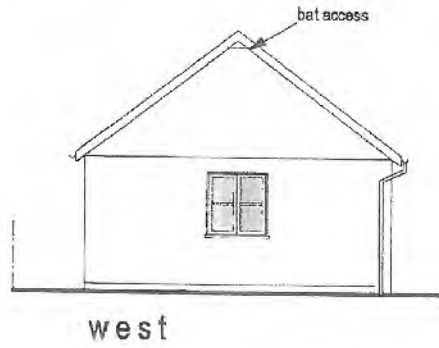
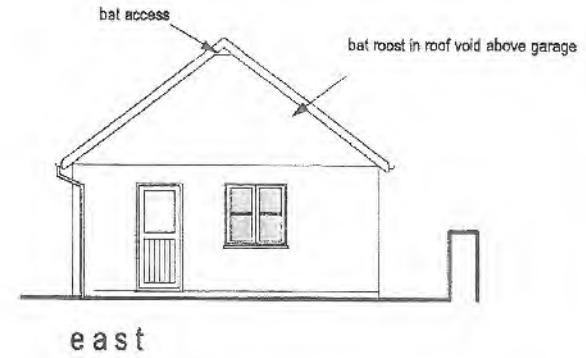
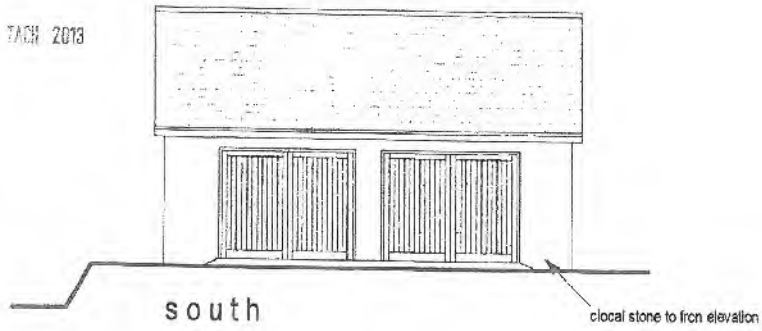
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**CLANNAD, Y Fron, Nefyn**  
 ELEVATIONS (proposed)

1153/ 05  
 1:100  
 11-02-14



12 TACH 2013



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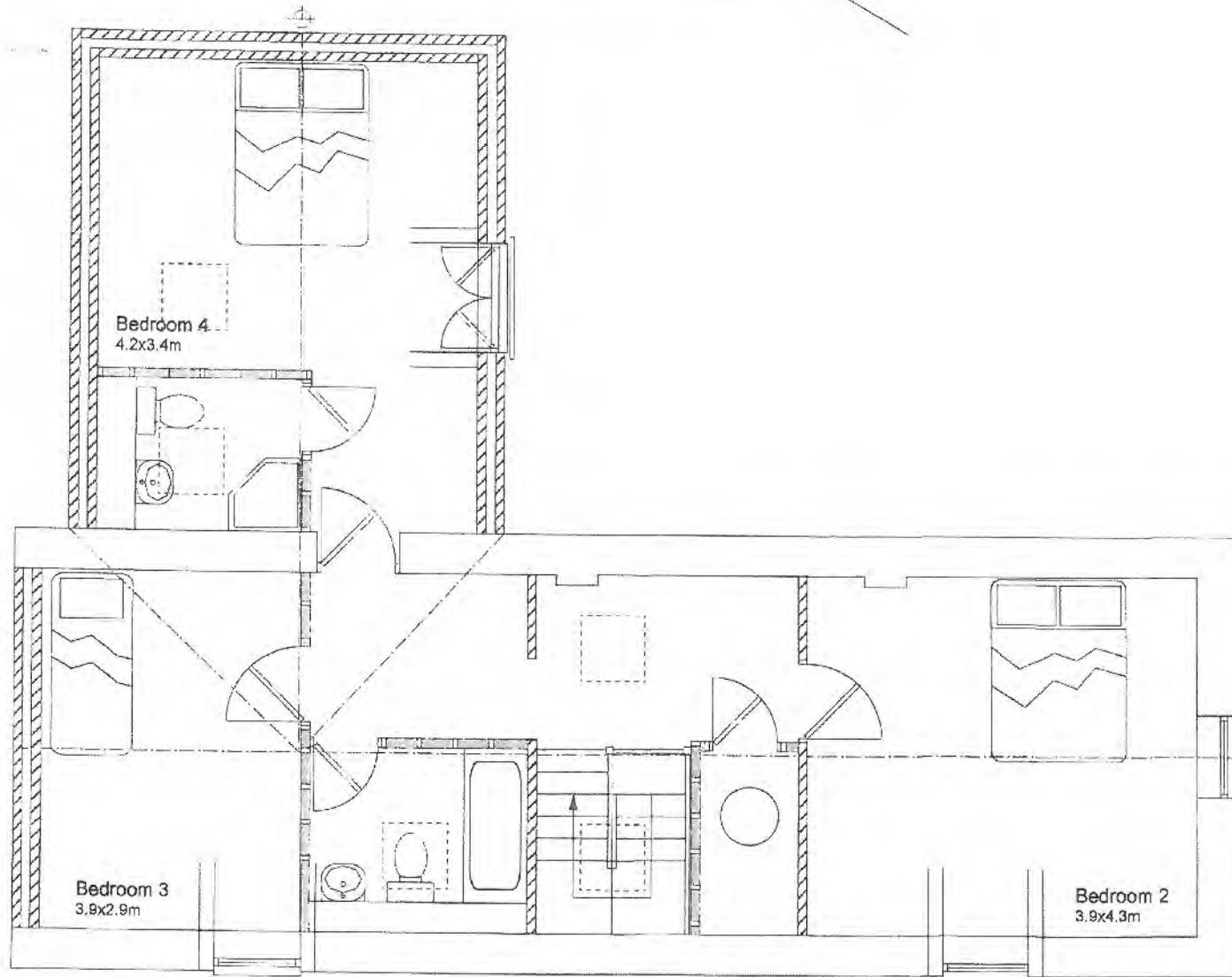
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12 TACH 2013



**CLANNAD, Y Fron, Nefyn**  
FIRST FLOOR (proposed)

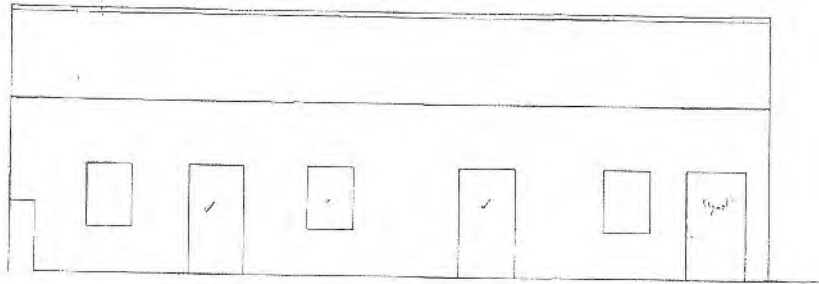
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Dylunio a rheolaeth project  
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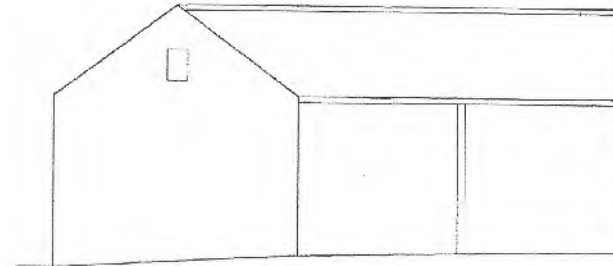
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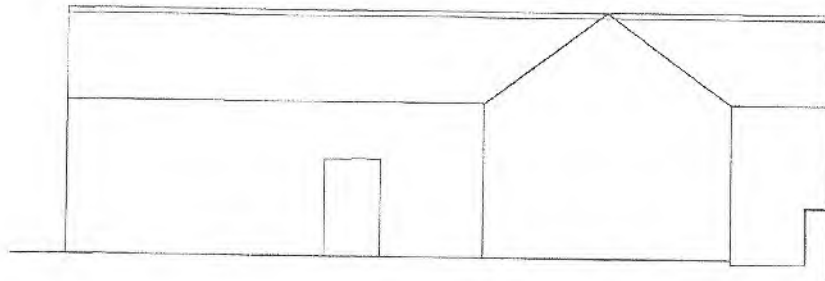
12 MAR 2013



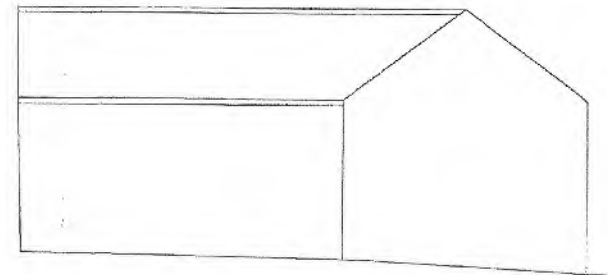
west



south



east



North

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**Ty - Newydd**  
Dylunio a rheolaeth project  
Design & project manager

**CLANNAD, Y Fron, Nefyn**  
ELEVATIONS (as existing)

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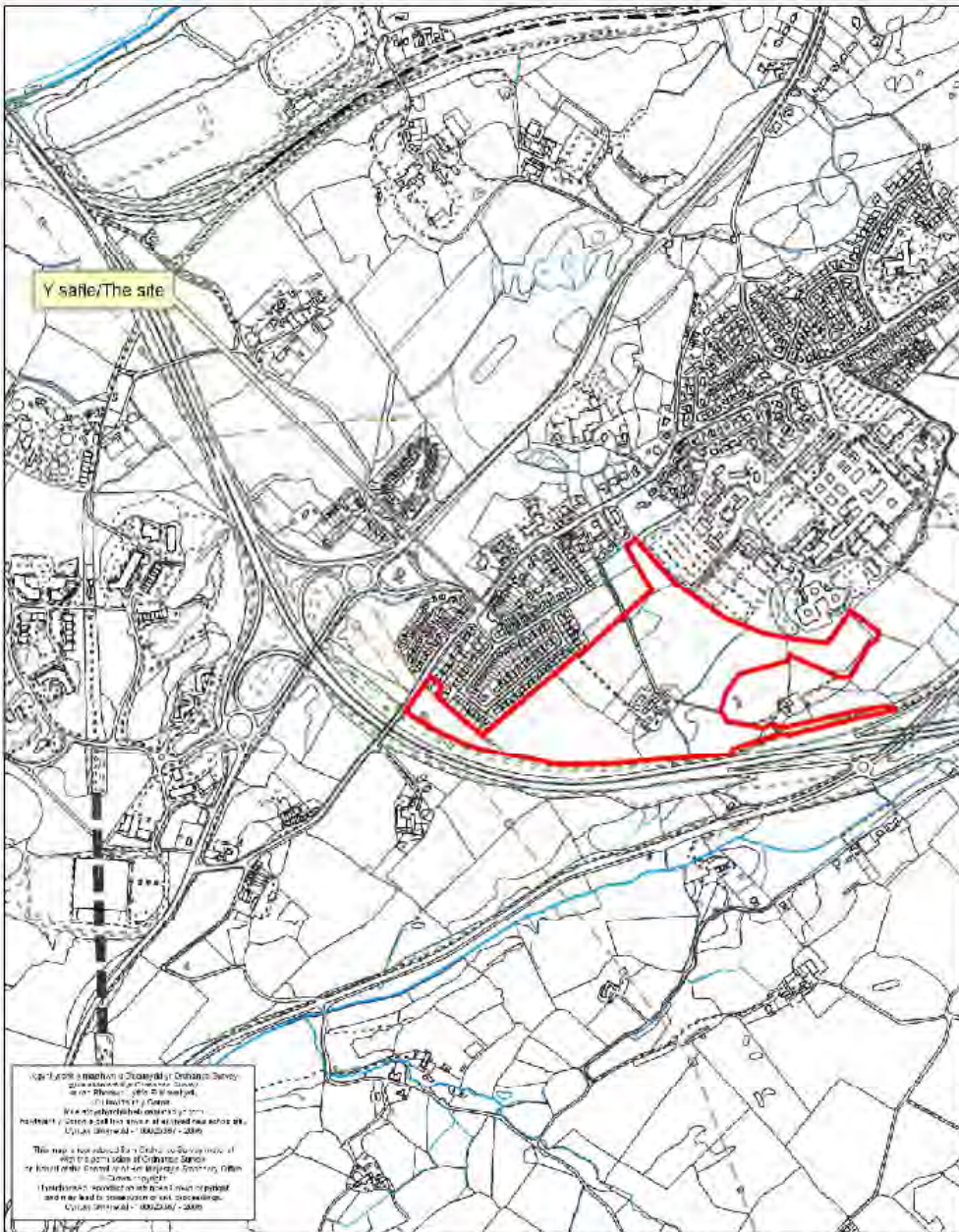


Number: 5



Rhif y Cais / Application Number : C13/1279/25/HY

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Application Number: C13/1279/25/HY  
Date Registered: 10/01/2014  
Application Type: Advertisement  
Community: Pentir  
Ward: Pentir

Proposal: PROVISION OF ADVERTISEMENT BOARDS IN A V-SHAPE TOGETHER WITH  
FLAGPOLES AND FLAGS

Location: LAND NEAR FFORDD PENRHOS, PENRHOSGARNEDD, BANGOR, GWYNEDD LL57  
2NT

**Summary of the  
Recommendation:**

TO APPROVE SUBJECT TO CONDITIONS

**1. Description:**

- 1.1 This is an application to install signs in the form of a V-shape together with flagpoles for flags.
- 1.2 The site is located on the outskirts of Penrhosgarnedd on a development site which has already received planning permission for 245 residential houses under reference number C12/1347/25/LL.
- 1.3 The proposal means providing signs in the form of three V-shaped boards and associated flagpoles along with 10 separate flagpoles near the entrance or within the development site. The V-shaped signs measure 7m high and 5.2m wide on each side of the V-shape. The flagpoles measure 6m high with the flag itself measuring 1.8m by 0.9m. The signs advertise the development which has been approved and which is in the process of being developed. They are non-illuminated signs. The applicant is requesting permission for the signs until 01.12.2017.
- 1.4 Following an objection, an amended plan was received moving one flagpole away from a residential property.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

**2.2 Gwynedd Unitary Development Plan 2009:**

B23 – AMENITIES – Safeguard the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

CH21 – SIGNS - Proposals for signs will be approved if they conform to a series of criteria regarding visual, cultural, linguistic, amenity and road safety matters.

CH33 – SAFETY ON ROADS AND STREETS – Development proposals will be approved if they comply with specific criteria relating to the vehicular access, the standard of the existing roads network and traffic calming measures.

### **2.3 National Policies:**

Planning Policy Wales (6<sup>th</sup> Edition) February 2014  
TAN 7: Outdoor advertisement control.

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

C12/1347/25/LL - Construct 245 living units comprising detached and semi-detached houses, flats (including 86 affordable units), parking spaces and gardens, associated works, erection of pumping station and demolition of single-storey outbuilding – Approved 02.09.2013.

### **4. Consultations:**

Community/Town Council: Object.

Transportation Unit: No recommendation as it is assumed that the proposed development would not have a detrimental impact on any road or proposed road.

Public Consultation Although there is no duty on the Local Planning Authority to undertake a public consultation on applications to display advertisements, in this case a notice was placed on the site and neighbouring residents were informed. The latest advertisement period ended on 12.03.2014 and correspondence was received from four individuals which included the following points:

- One of the flagpoles interferes with the light in a residential garden and it is an eyesore.
- It appears that the access road into the development site is more elevated than what was approved and, therefore, the flagpole is higher still.
- Although the flagpole has been moved further away from the property, its size is still the same and, therefore, it continues to have a detrimental effect on light to the garden.
- The flags will distract drivers.
- The flagpoles are excessive – the V-shaped signs are more than sufficient.

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

#### **Principle of the development**

- 5.1 Section 3.5 of Planning Policy Wales deals with making planning decisions and enforcing them from the perspective of outdoor advertisement control. Paragraph 3.5.1 states that the statutory provision enables the local planning authorities to control the display of outdoor advertisements where that can be justified in the interest of amenities and public safety. The planning authority cannot regulate the content of any advertisement. The test for assessing the impact of the advertisement on public safety is: would the advertisement itself or the exact place where it is proposed to display it, be likely to draw attention or cause confusion which would create a risk or danger to people in the vicinity who take reasonable care of their personal safety and that of others?
- 5.2 Paragraph 3.5.2 also states that the test when considering the impact of an advertisement on an amenity is whether it would be detrimental to the appearance of the building or the nearby vicinity where it is proposed for it to be displayed. It also states that local planning authorities should consider local features of the vicinity, including its views, historical, architectural or cultural features. It is important for the authority to be consistent when assessing the visual impact in neighbourhoods or similar surroundings.
- 5.3 Paragraph 6 of Technical Advice Note 7: Outdoor advertisement control, confirms the criteria for dealing with applications for advertisements. It states that only in the interest of amenities and public safety can the display of outdoor advertisements be controlled.
- 5.4 Policy CH21 of the Gwynedd Unitary Development Plan endorses this and supports applications for signs subject to criteria involving safeguarding the area from significant harm in terms of its location, impact on amenities and cultural and linguistic character and safeguarding against any significant impact on road safety.

### **Visual and General Amenities**

- 5.5 The proposed signs are located near the entrance to, and within a substantial development site which has already received planning permission. It is proposed to install the signs for a period which will end on 01/12/2017. The site is located off Penrhos Road in Penrhosgarnedd and the A55 runs past the side and to the rear of the site. It is considered that the signs are suitable in terms of their size, location, number, design and scale. These types of signs are typical of a development site of this type and size and several similar signs have been approved on similar sites within the boundaries of residential areas of the city of Bangor and it is not considered that they have a detrimental effect on the appearance of this locality.
- 5.6 The content of the signs are bilingual and, therefore, it is not considered that the signs will cause any detrimental impact on the cultural or linguistic character of the area in this case.
- 5.7 Following an objection on the grounds of the location of one of the flagpoles, new plans were received, moving that particular flagpole to the other side of the access road to the site and, therefore, away from the nearby houses. This flagpole is now located exactly near a substantial pylon. Although the objectors have confirmed that they continue to object on the grounds of loss of light, it is not considered that a flagpole 6 metres in height which is located 35 metres away from their curtilage is likely to cause loss of light or have a detrimental effect on their residential amenities in any way. Therefore, it is not considered that the signs would have a detrimental effect on the amenities of the area or

the public and that the proposal complies with all the requirements of policy B23 of the GUDP involving amenities.

- 5.8 To this end, the proposal complies with the relevant criteria of policy CH21 of the GUDP involving installing signs, along with the requirements of Planning Policy Wales and Technical Advice Note 7: Outdoor advertisement control, which has been mentioned above.

### **Transport and access matters**

- 5.9 The access to the site is off Penrhos Road and one V-shaped sign and two flagpoles will be installed here. The A55 runs to the side and to the rear of the site and a V-shaped sign, along with several flagpoles, have been installed facing this highway.
- 5.10 The Transportation Unit has no objection to the proposal on the grounds of road safety and it is not considered that the proposal is likely to have a substantial detrimental effect on safety on roads and streets. Therefore, the proposal complies with the requirements of policy CH33 and the relevant criteria of policy CH21 of the GUDP which deals with the safety of roads and streets along with the requirements of Planning Policy Wales and Technical Advice Note 7: Outdoor advertisement control, which has been mentioned above.

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

- 5.11 Full consideration has been given to the objections received as part of the abovementioned assessment.
- 5.12 In the context of the allegation regarding ground levels, the Enforcement Unit is investigating a case involving the levels of the access road to the site which was approved under reference number C12/1161/25/LL and, therefore, this matter is separate from the application that is now before the committee. The signs which are the subject of the application have been assessed on the site and it is not considered that any changes to the existing ground levels will be likely to have an impact on the signs in the context of any neighbouring properties.

### **6. Conclusions:**

- 6.1 It is not considered that the proposal is contrary to any of the relevant policies above or the national advice noted. The proposal is unlikely to have a detrimental effect on the amenities of the local area or any nearby properties and the development is unlikely to have a detrimental effect on road safety.

### **7. Recommendation:**

#### **To approve – conditions**

1. The development to be completed in accordance with the submitted plans.
2. HY04 – any advertisement must be maintained and be in a safe, clean and tidy condition to the satisfaction of the local planning authority.



Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Atgynhychu y map hwn o Ddauwydd yr Ordnance Survey gyda chaniellad yr Ordnance Survey ar ran "Rincodur Llyfrau El Mawrhydi." © Hawlfraint y Goron.  
Mae atgynhychu heb ganiellad yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil.  
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21 06 26

CYMRUN DDIFFERENC  
CYNISED PLAN  
Dyddiad: 21 06 26  
Lleoliad: Bangor



Indicative V-stack Signage  
Scale 1:60  
3pc V-stack Across the Site



Indicative Redrow Flag Pole  
Scale 1:50  
18pc Across Site

Indicative Redrow Flag Pole  
Scale 1:50  
18pc Across Site



Indicative V-stack Signage  
Scale 1:60  
3pc V-stack Across the Site


# PENRHOSGARNEDD, BANGOR

**REDROW**  
Penrhosgarnedd, Bangor  
Tel: 01248 209 092  
0174 62 82 826  
01248 209 092  
01248 209 092  
01248 209 092

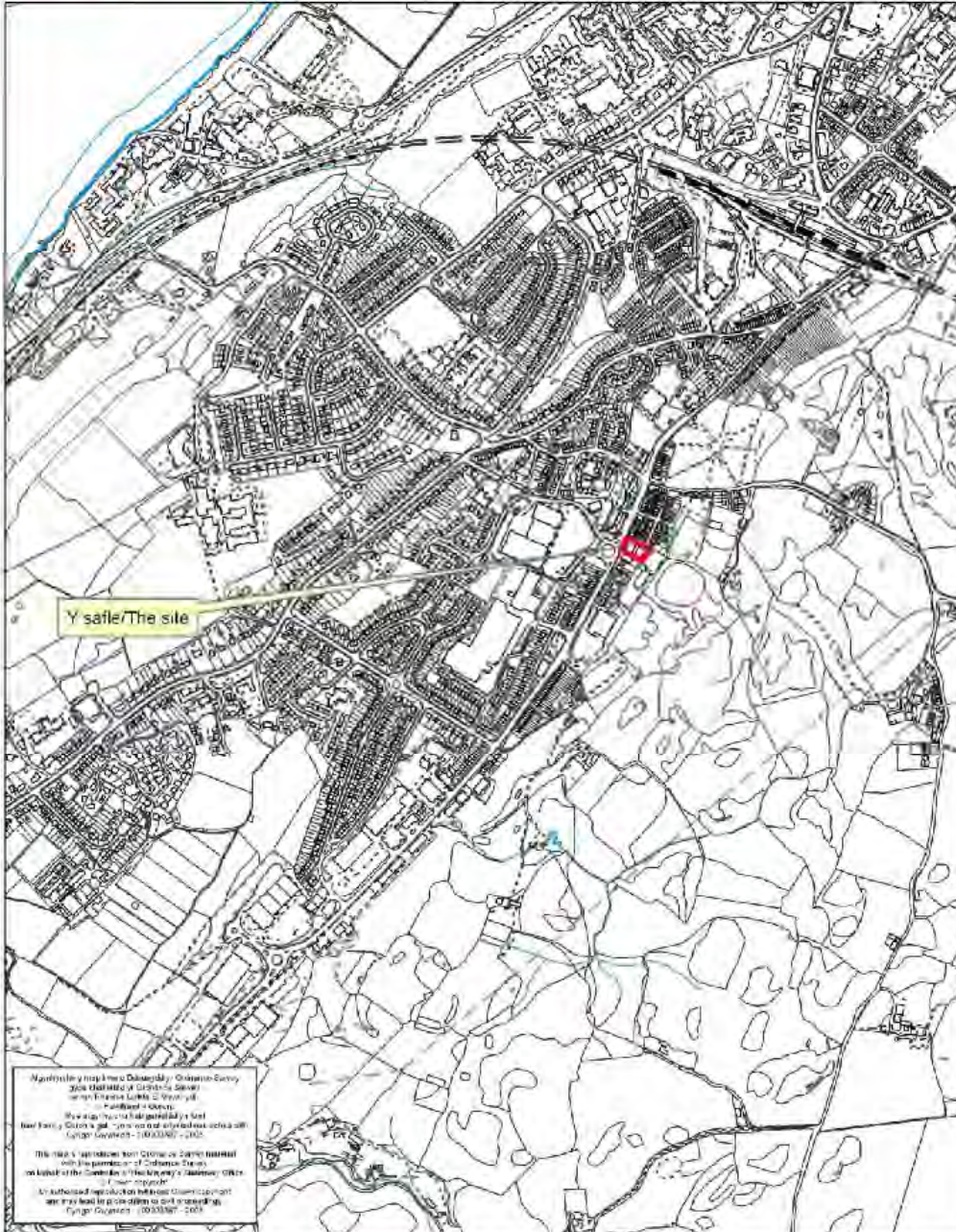
**REDROW**  
Penrhosgarnedd, Bangor  
Tel: 01248 209 092  
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01248 209 092  
01248 209 092  
01248 209 092





 Rhif y Cais / Application Number : C14/0041/11/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Application Number: C14/0041/11/LL  
Date Registered: 22/01/2014  
Application Type: Full - Planning  
Community: Bangor  
Ward: Dewi

Proposal: ERECTION OF TWO BLOCKS OF FLATS CONTAINING TOTAL OF EIGHT LIVING UNITS  
Location: FORMER YSGOL GLANADDA, CAERNARFON ROAD, BANGOR, GWYNEDD, LL574SG

**Summary of the Recommendation:**

TO APPROVE SUBJECT TO CONDITIONS

**1. Description:**

- 1.1 The application was deferred once more at the Committee meeting held on 24.03.14 in order to investigate the possibility of sharing the access to the application site with the hairdressers located next door ("TH1"). The applicant has responded to this latest request (which is in addition to what is referred to in paragraph 5.5 below) by contacting the owner of the hairdressers and the owner has stated that he would not be happy to share any access with the site of the planning application on grounds of the safety of the shop's clients as they enter and exit the shop's current car park, the loss of two parking spaces, legal matters relating to sharing the same access, the safety of the site and a possible reduction in the value of the commercial property. Therefore, it will not be possible to service the site of the planning application from Caernarfon Road below.
- 1.2 To remind the Members, the flats will be divided into 2 two-storey blocks set out so that one block (Block 2) runs parallel with the nearby main road (Caernarfon Road) and the other block (Block 1) will be located adjacent to the southern boundary of the site, running upwards and next door to the rear of the nearby hairdressers. Both blocks will be located on the site in an "L-shape". A disabled parking space will be located between both blocks along with a section of landscaped land and a recycling and refuse bin point screened by a timber fence measuring 1.8m high. Also, a similar recycling and refuse bin point will be located between the northern gable end of Block 2 and the northern boundary of the site and again screened by a 1.8m high fence.
- 1.3 Externally, the construction would have natural slate roofs, walls in a mixture of red facing brick, mixture of light and dark grey fibre cement cladding together with UPVC windows and doors in dark grey, timber fasciae painted dark grey and galvanised rainwater goods.
- 1.4 The height of Block 2 will vary from 7.6m-8.3m above ground level with Block 1 measuring 7.4m-8.6m above ground level by following the lay of the land. The land falls approximately 1m from the rear to the front of the site and is located 1m above the level of the nearby main road.
- 1.5 The elevations of the proposed construction would be of a design and scale of nearby domestic residential units and non-residential units with the elevations broken up by using different materials and by using various architectural features and numerous openings.
- 1.6 A concrete footpath will surround the construction which links the parking spaces to the flats themselves. The parking facility will be located adjacent to the northern boundary of the site with the footpath (The School Path) connecting Ysgol Glanadda and Tan y Graig with the main road located beneath. There will be a total of nine parking spaces divided by the

existing entrance into the site. The access that will serve the flats will be located in the exact location of the existing access but it will be widened to include a pedestrian access that will run adjacent to the existing driveway for vehicles. This arrangement means that two new retaining walls will need to be erected along either side of the access as the driveway is in the form of a ramp that connects the site with Tan y Graig due to the difference in land levels.

- 1.7 To the north of the site there are traditional terraced two-storey residential dwellings (excluding the property known as Moranedd that faces the site and which is located between Caernarfon Road and Tan y Graig); to the east is the Ysgol Glanadda site; to the south there is a plot of open land located behind a commercial use (of the former chapel) in the form of a hairdressing salon and to the west is the Caernarfon Road main road with a roundabout leading to the North Wales Housing Association flats and shopping park located on the opposite side of the main road. The site is located within the development boundary of Bangor as noted in the GUDP.
- 1.8 In accordance with TAN 12 on “Design” (June 2009), a design and access statement was submitted with the application, and its contents reflects the scale and nature of the proposal. Also a pre-assessment for the code for sustainable homes was submitted which states an aim of achieving code level 3 including at least 1 credit. In addition, details regarding the design of the site’s drainage system were submitted. In accordance with the requirements of the Supplementary Planning Guidance: Planning and the Welsh Language (November 2009), a community and linguistic statement was submitted (as the proposal offers more than five living units).

## **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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

### **2.2 Gwynedd Unitary Development Plan 2009:**

#### **POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES**

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

#### **POLICY A3 – PRECAUTIONARY PRINCIPLE**

Refuse proposals if there is any possibility of serious or irreversible damage to the environment or the community unless it can be shown conclusively at the end of an appropriate impact assessment that the impact can be negated or mitigated.

#### **POLICY B22 – BUILDING DESIGN**

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

#### **POLICY B23 – AMENITIES**

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

#### **POLICY B25 – BUILDING MATERIALS**

Safeguard the visual character of the Plan area by ensuring that only natural Welsh slates or slates that are similar in terms of appearance, colour and weathering properties are permitted, other than in circumstances in which the type of building or its particular setting, or the sustainability benefits, are

such that another material would be appropriate. In respect of other parts of the building, developments will be required to use high quality building materials that complement the character and appearance of the local area. Proposals that introduce substandard or intrusive materials will be refused.

#### **POLICY B27 – LANDSCAPING SCHEMES**

Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate to the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

#### **POLICY C1 – LOCATING NEW DEVELOPMENT**

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in open countryside will be refused with the exception of a development which is permitted under another policy within the Plan.

#### **POLICY C3 – RE-USING PREVIOUSLY DEVELOPED SITES**

Proposals that give priority to re-using previously developed land or buildings that are located within or near development boundaries will be permitted provided the site or building and the proposed use are appropriate.

#### **POLICY C7 – BUILDING IN A SUSTAINABLE MANNER**

Proposals for new developments or for the adaptation and change of use of land or buildings will be refused where consideration has not been given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

#### **POLICY CH3 – NEW HOUSES ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND URBAN CENTRES**

Approve the construction of houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and the Urban Centres.

#### **POLICY CH6 – AFFORDABLE HOUSING ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON UNALLOCATED SITES THAT BECOME AVAILABLE WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES**

Approve proposals for housing developments on sites allocated for housing or on random sites for five or more units within the development boundaries of the sub-regional centre and the urban centres, which provide an appropriate element of affordable housing.

#### **POLICY CH30 – ACCESS FOR ALL**

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

#### **POLICY CH33 – SAFETY ON ROADS AND STREETS**

Development proposals will be approved provided they conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

#### **POLICY CH36 – PRIVATE CAR PARKING FACILITIES**

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.



Supplementary Planning Guidance (SPG): Affordable Housing, (November 2009).

SPG: Planning and the Welsh Language, (November 2009).

SPG: Planning for Sustainable Building, (November 2009).  
Gwynedd Design Guidelines, (April 2003).

### **2.3 National Policies:**

Planning Policy Wales (Fifth edition, November 2012).

Technical Advice Note (TAN 2) - 'Planning and Affordable Homes', (2006).

TAN 12 – Design, (2009).

TAN 20 - Planning and the Welsh Language, (2000).

TAN 22 – Sustainable Buildings, (2010).

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

- 3.1 Application number C13/0017/11/R3 – prior notice from the Council's Consultancy Service for the demolition of a building that has been damaged by fire – approved in March 2013.

### **4. Consultations:**

Community/Town Council:	No objection in principle to a residential development on the site despite concerns regarding the conflict between the road leading to the site and the ramp that crosses the main pedestrian right of way to Ysgol Glanadda. It is believed that the design should be amended to take these concerns into consideration.
Transportation Unit:	No objection but propose conditions relating to the creation of parking spaces, safeguarding the nearby main road from surface water and a note regarding informing the applicant that there is a need to contact the Council's Street Care Manager. Plans have been amended at the request of the Unit to ensure that there are no collisions between pedestrians and vehicles adjacent to the access to the site itself.
Natural Resources Wales:	No objection to the development and has noted that the applicant has already been in discussions with Welsh Water regarding the drainage of surface water from the site.
Welsh Water:	Not received.
Public Protection Unit:	Not received.

Public Consultation:

A notice was posted on the site and nearby residents were informed. The consultation period ended on 17.02.14 and two letters were received objecting to the application on the following grounds:

- The proposal is tantamount to an overdevelopment of the site, bearing in mind that there is a large block of flats across the road.
- Object gaining access to the site from the direction of Tan y Graig as the street itself is too narrow with cars parked on either side and school pupils walking to Ysgol Glanadda nearby.
- It is believed that there is an insufficient number of parking spaces within the application site and cars will have to park in Tan y Graig.
- Access could be gained to the site from the nearby main road where a part of the road has been closed off near the roundabout.

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

### **Principle of the development**

- 5.1 The principle of developing houses on unallocated sites within development boundaries is established by Policy CH3 which states that proposals to construct houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and Urban Centres will be approved and if the proposal includes the construction of more than five houses, it will be expected to comply with Policy CH6 of the GUDP. Policy CH6 states that proposals for having developments on random sites will be refused unless a percentage of the units provided meet the need for affordable housing. Policy C1 states that land within town and village development boundaries will be the main focus for new developments. Policy C3 notes that proposals will be approved if they give priority, wherever possible, to re-using previously developed land or buildings that are located within or near development boundaries, rather than utilising greenfield sites, provided that the site or building and the proposed use are suitable and conform to the Plan's objectives and development strategy. Therefore, it is believed that the development is acceptable in principle.

### **Visual amenities**

- 5.2 The site is located in a prominent position in the adjacent streetscene and on the main road that serves the city. It is located in an area of mixed use (residential dwellings, school and shops), which also includes an eclectic mix in terms of the form (modern and traditional) and the external materials of local structures which includes natural slate, roof tiles, facing brickwork, coloured steel cladding, painted render and natural stone. The design and scale of the proposed dwellings have been influenced by the local structures and by using similar materials it is believed that the proposal will create consistency in the context of its setting in the townscape. The design of the front of Block 2 will reflect the appearance of the former school before it was damaged by fire by creating a gable end facing the main road and a traditional pitched slate roof. The proposed construction will be located on the site in a form that ensures that it will not dominate the street scene. A landscaping plan forms part of the development and includes grassy areas along with sections of low hedging located around the two blocks and parking spaces. Given the above, it is not believed that the proposal will have a substantial impact on the character of the townscape in this part of the city, thus, it complies with the requirements of Policy B22, B23, B25 and B27 of the GUDP.

## **General and residential amenities**

- 5.3 As referred to above, residential dwellings have been located adjacent to the application site. Cartrefi Cymunedol Gwynedd flats are situated 21m north-west of the site, there are house gable-ends along Caernarfon Road 6.5m north of Block 2, a residential dwelling faces the site and is situated 11.5m away from Block 2 with the gable-ends of Tan y Graig dwellings located between 24.5m and 25.5m north of Block 1. To the east of the site is Ysgol Glanadda situated on higher ground, and directly south there is a building containing a hairdressers which is located 6.8m from Block 2 and 5m from Block 1. Along the northern boundary of the site there are parking and turning areas for residents and visitors. On the basis of over-looking and loss of privacy we believe that the proposals will not have a detrimental impact on the residential amenities of the nearby dwellings because of the design of the proposed construction work and its setting in relation to the existing houses. We are also of the view that some community over-looking already exists between the existing houses along Caernarfon Road and along Tan y Graig as they face each other. It is referred to above that the building situated immediately to the south of the site is used for commercial use and although there is approximately 7m between the rear of Block 1 and the rear of the shop, the view is that residential amenities will not be compromised here given that the building is used for commercial purposes. To this end the view is that the proposal will not have a significant or unacceptable impact on the general and residential amenities of the houses and the nearby commercial use. It is therefore believed that the proposal is acceptable in terms of the requirements of Policy B23 of the GUDP.

## **Transport and access matters**

- 5.4 The applicant has submitted further details following discussions with the Highways Unit that indicate measures to avoid collisions between pedestrians (including school children and their parents) and vehicles that visit or leave the application site. These measures include painting the surface of the tarmac area in front of the entrance red, installing safety rails on the footpath (The School Path) that links Caernarfon Road and Ysgol Glanadda (although it has not been adopted by the Transportation Unit), reducing the height of the boundary wall near the access in order to improve visibility along the footpath together with installing a verge to the front of the ramp that serves the site.
- 5.5 However, following concerns by the Local Member for Hendre Ward (that abuts the site's northern boundary) in relation to the location of the proposed access and the possibility of opening a new access from Caernarfon Road, the applicant has responded by referring to the following points:-
- (i) Prior to submitting the application it was confirmed that the option of using the existing access from Tan y Graig was the option that would most likely be approved by the Transportation Unit.
  - (ii) Two other options were considered in order to gain access to the site and the first option involved using and sharing the existing access to the hairdressers shop next door and the second option involved creating a new direct access to the site by demolishing part of the boundary wall.
  - (iii) The option of sharing the access with the hairdressers shop was not practical based on the fact that the business' consent would have to be obtained to cross the land, the business would lose parking spaces and they would have to be paid substantial compensation to compensate for the loss of parking spaces and it would be difficult for the residents of the proposed flats to gain access to the highway due to the sharp angle of the access.

- (iv) The option of creating a new access was not practical either based on the fact that the Highways Unit would not allow this (opposite a roundabout) from a technical and road safety perspective, there would be a need to redesign the layout of the flats and the parking spaces leaving only four flats on the site, and losing 50% of the proposed units would mean that the plan would no longer be financially viable.
- (v) The existing access has been adapted in accordance with the requirements of the Transportation Unit and these changes were appropriate to support road safety.

5.6 Having considered the points noted above along with obtaining confirmation from the Transportation Unit that the nearby roads that serve the site and the number of parking spaces within the site are acceptable, it is not considered that there would be a substantial detrimental impact on road and street safety if the application is approved. To this end it is believed that the proposal is acceptable based on the requirements of Policy CH30, CH33 and CH36 of the GUDP.

### **Sustainability matters**

5.7 As was referred to already in the assessment of this application, a pre-assessment code level 3 for sustainable housing was submitted and the statement has concluded that it is possible to attain the minimum target of code level 3 for all the residential units. Therefore the view is that the proposal is acceptable in terms of the requirements of Policy C7 of the GUDP.

### **Infrastructure matters**

5.8 Natural Resources Wales have no objection to the application as they are not aware that this specific site has any history of flooding, however, they have stated that it will be necessary to conform to the requirements of Welsh Water regarding surface water drainage and connection to the public sewer. The applicant has conducted a detailed drainage assessment of the site prepared by engineering experts prior to the submission of the application to ensure that the development of the site will not impair the nearby public sewer system by any means. To this end it is believed that the proposal is acceptable based on the requirements of Policy A3 of the GUDP.

### **Affordable housing /Section 106 issues**

5.9 Policy CH3 states that housing will be permitted on appropriate unallocated sites within the development boundaries of the Sub-regional Centre (Bangor) and the Urban Centres on condition that a percentage of housing is affordable as supported in Policy CH6. However, taking into consideration that the applicant (Tai Eryri) is preparing new rented social housing for local residents under their statutory responsibilities the view in this particular case is that the planning application can be dealt with as an exception to these policies. In addition, affordability of the residential units is controlled and reflected by the size of the units themselves.

### **Linguistic matters**

5.10 In accordance with the requirements of the Supplementary Planning Guidance: Planning and the Welsh Language (November 2009), a community and linguistic statement was submitted (as the proposal offers more than five living units). The statement's conclusion is that there is a clear and increasing need for affordable community residential units in Bangor for the local population (small 1-2 bedroom units); it satisfies the local needs of the community; it will support community facilities (e.g. local school); it may negate outward-migration from the area and the applicant hopes to develop other possible sites on a small scale in Bangor and other areas in Gwynedd for social housing. The Joint Planning Policy and Performance

Unit was consulted in order to receive their views on the statement itself. Their response was received and the following was confirmed:-

- (i) It is not believed that the scale of the proposal is likely to cause significant growth in the population that would have a detrimental impact on the Welsh language.
- (ii) The proposal ensures that every affordable unit is beneficial in terms of keeping the current population in their communities and encouraging Welsh people to return to their area.
- (iii) The development is located in a convenient area in Bangor.
- (iv) The development is not likely to have a detrimental impact on the local primary school.
- (v) The development should improve the visual environment and make the area a more attractive place to live.

5.11 As a result of receiving the observations noted above it is believed that the proposal is acceptable in terms of Policy A2, SPG: Planning and the Welsh Language (2009) and TAN 20 on Planning and the Welsh Language (2000).

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

5.12 It is considered that the objections and concerns of the local community in relation to this application have been considered in full in the assessment of this application and there is no matter that outweighs the relevant policy considerations.

#### **6. Conclusions:**

6.1 Having considered the abovementioned assessment, it is believed that the proposal as submitted is acceptable on grounds of location, scale, materials, design, road safety, visual amenities and residential amenities as it complies with relevant local and national planning policies and guidance.

#### **7. Recommendation:**

7.1 To approve – conditions:-

1. Five years
2. In accordance with the plans
3. Natural slate
4. Highways
5. Welsh Water
6. Level 3 Code conditions
7. External materials
8. Landscaping





Rhif y Cais / Application Number : C14/0041/11/LL

6

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Location Plan for identification purposes only. Not to scale.

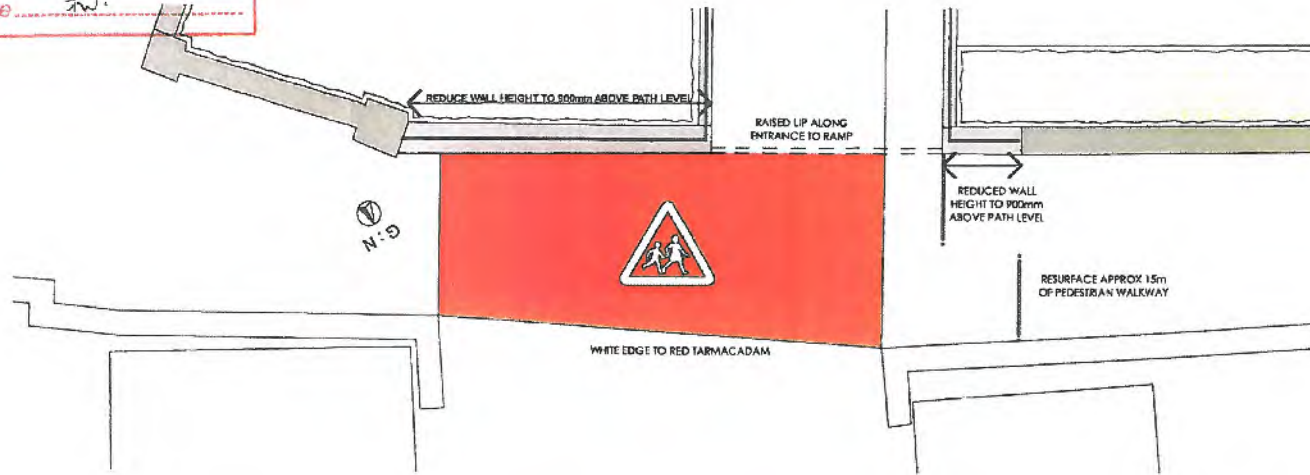


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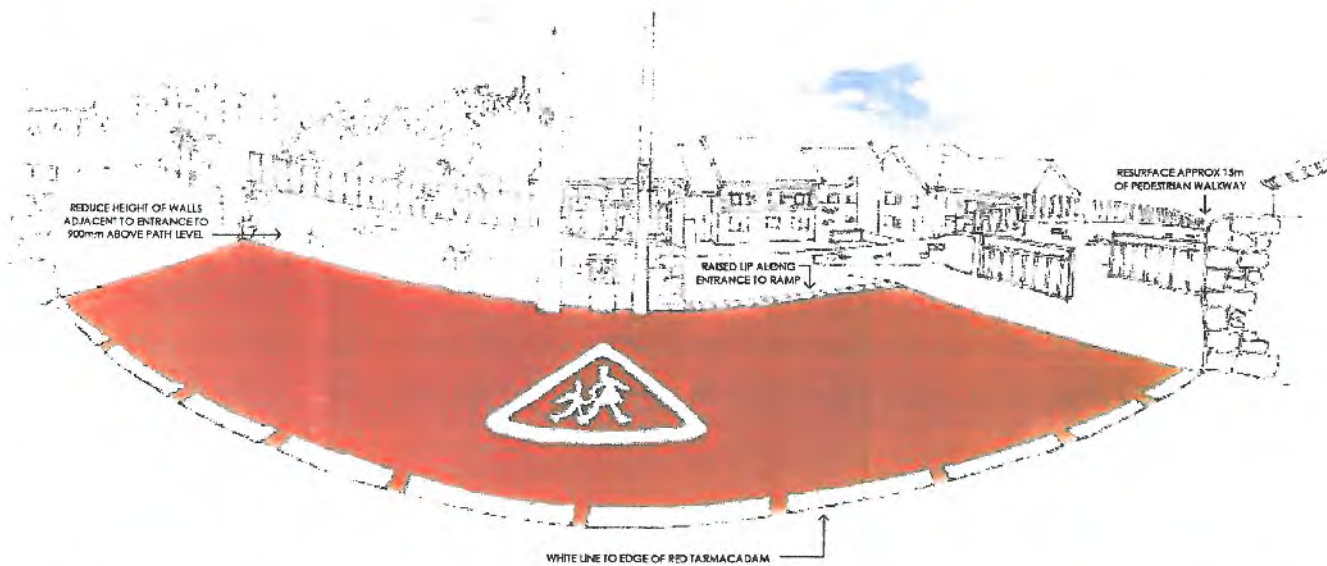
**GWYBODAETH YCHWANEGOL**  
**ADDITIONAL INFORMATION**

Derbynwyd/Received 31.01.14  
 Llofnod/signature TW



Traffic Calming

1:100



3D Panoramic

NTS

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Rev Date Details Initial

**DESIGN  
 ARCHITECTURE**

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 e office@wmdesign.co.uk  
 www.wmgn.co.uk

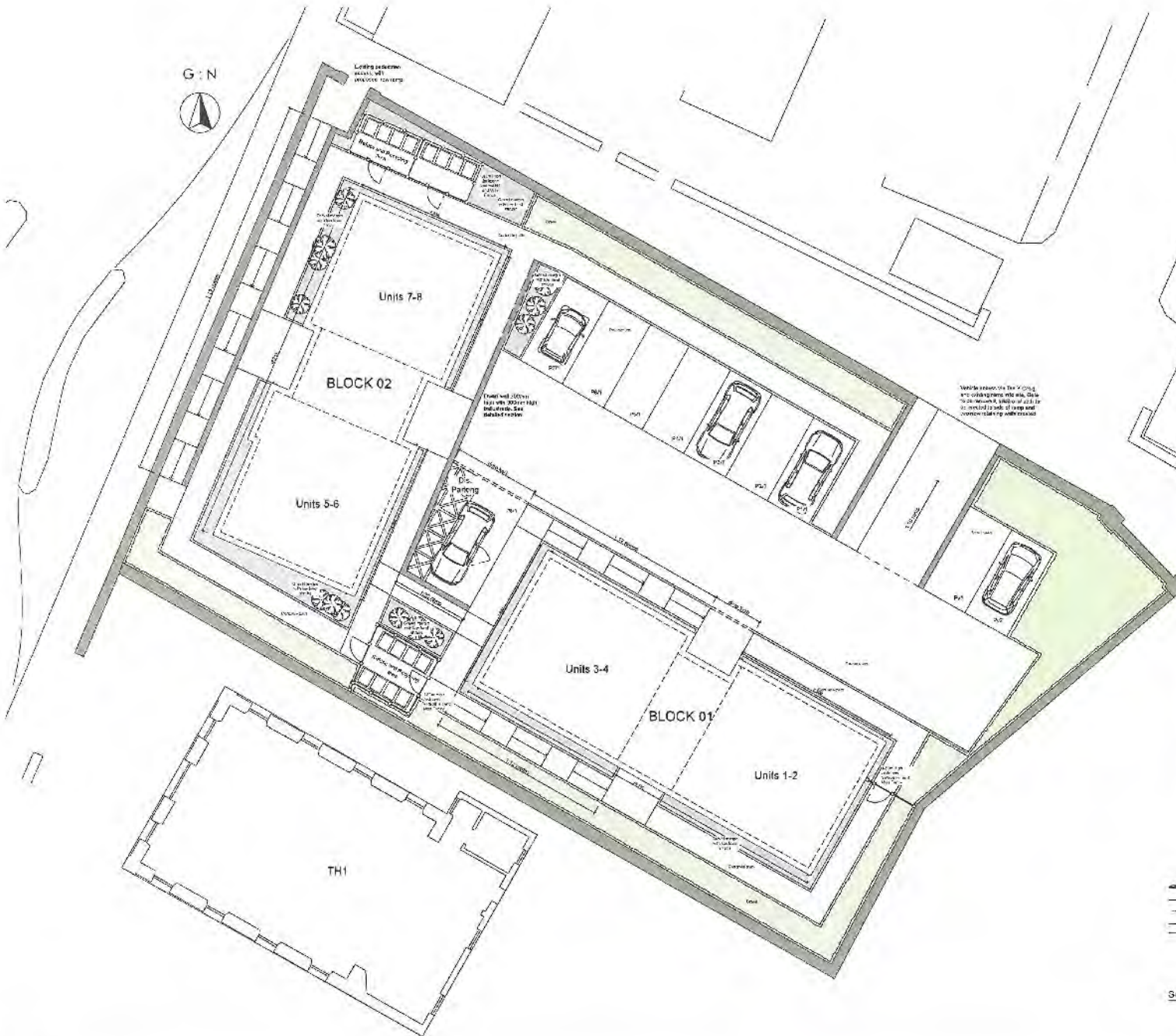
**Project Title** Site Layout Proposals  
**Location** Old Glanadde School Site Bangor  
**Client** Cymdeithas Tai Eryri  
**Drawing Title** TRAFFIC CALMING

**Scale** 1:100  
**Paper Size** A3  
**Date** 31/01/2014  
**Issue Type** PLANNING  
**Drawn By** KC

**Drawing Details** Job No, 9H1322 Drawing No, A,04 Revisions







FOR THE SUPPLEMENTARY INFORMATION TO THE DRAWINGS AND DETAILS

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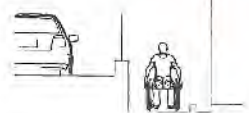
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Section Through Dwarf Wall 1/50

DESIGN  
ARCHITECTURE

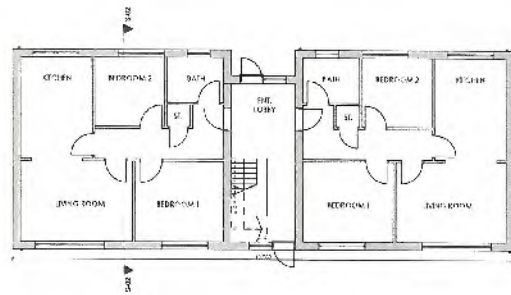
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Paper Size	A1
Date	10/10/2017
Block Type	1-100-112100
Drawn By	100
Drawing Details	100
Drawing No.	100
Revisions	100



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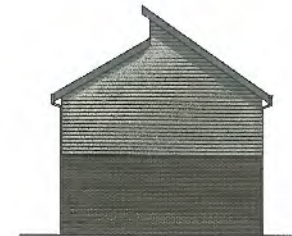
Ground Floor

1:100



South Facing Elevation (TH1)

1:100

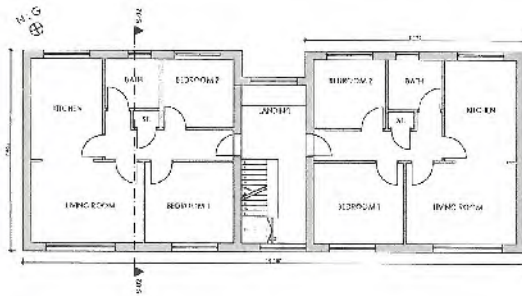


West Facing Elevation (Coemarton Rd)

1:100

**MATERIALS**

- Roof: Pitched Gable
- Ground Floor: Brick, External Wall
- First Floor Walls: Modern Hardwood Cladding (to be ordered in Beccles City)
- Materials: Modern Hardwood Cladding (to be ordered in Beccles City)
- Windows: High Quality Aluminium (to be ordered in Beccles City)
- Floors: Modern Hardwood Cladding (to be ordered in Beccles City)



First Floor

1:100



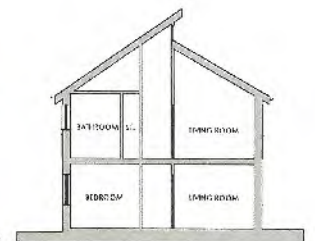
North Facing Elevation (Tan Y Graig)

1:100



East Facing Elevation

1:100



Building Section

1:100



3D View



3D View



Project Title: Site Layout Phasexob  
 Location: On: 21/11/2014  
 Client: Open House '11 Ely  
 Drawing Title: BLOCK 01

Scale: 1:100  
 Paper Size: A1

Date: 11/27/2014  
 Draw Type: Plan/Section

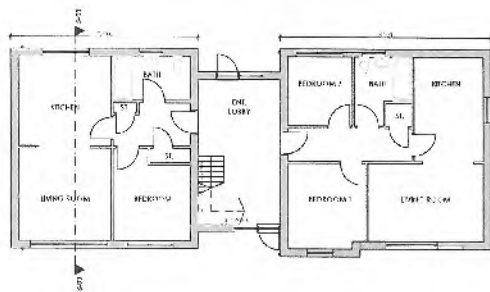
Drawn By: KC  
 Drawing Details: Job No: 01/122

Drawing No: A1/121  
 Revision:





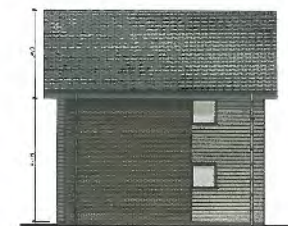
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Ground floor 1:100

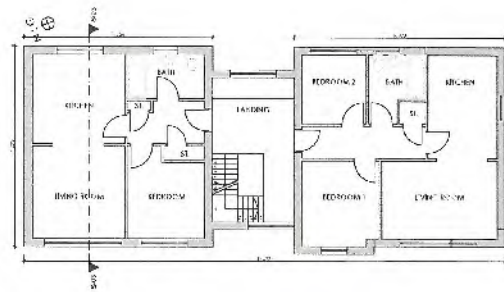


West Facing Elevation (Coernarfon Rd) 1:100



South Facing Elevation (TH1) 1:100

**MATERIALS**  
 Brick - Welsh Slate  
 General Floor Walls - Facing Bricks  
 Front Floor Walls - Facing Bricks  
 Windows - White - (Event C) - 300mm x 1500mm  
 Windows - White - (Event D) - 300mm x 1500mm  
 Windows - White - (Event E) - 300mm x 1500mm  
 Windows - White - (Event F) - 300mm x 1500mm  
 Windows - White - (Event G) - 300mm x 1500mm  
 Windows - White - (Event H) - 300mm x 1500mm  
 Windows - White - (Event I) - 300mm x 1500mm  
 Windows - White - (Event J) - 300mm x 1500mm  
 Windows - White - (Event K) - 300mm x 1500mm  
 Windows - White - (Event L) - 300mm x 1500mm  
 Windows - White - (Event M) - 300mm x 1500mm  
 Windows - White - (Event N) - 300mm x 1500mm  
 Windows - White - (Event O) - 300mm x 1500mm  
 Windows - White - (Event P) - 300mm x 1500mm  
 Windows - White - (Event Q) - 300mm x 1500mm  
 Windows - White - (Event R) - 300mm x 1500mm  
 Windows - White - (Event S) - 300mm x 1500mm  
 Windows - White - (Event T) - 300mm x 1500mm  
 Windows - White - (Event U) - 300mm x 1500mm  
 Windows - White - (Event V) - 300mm x 1500mm  
 Windows - White - (Event W) - 300mm x 1500mm  
 Windows - White - (Event X) - 300mm x 1500mm  
 Windows - White - (Event Y) - 300mm x 1500mm  
 Windows - White - (Event Z) - 300mm x 1500mm



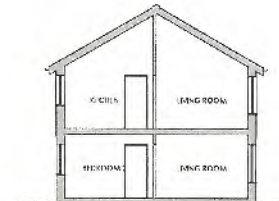
First floor 1:100



East Facing Elevation 1:100



North facing Elevation 1:100



Building Section 1:100



3D View



3D View



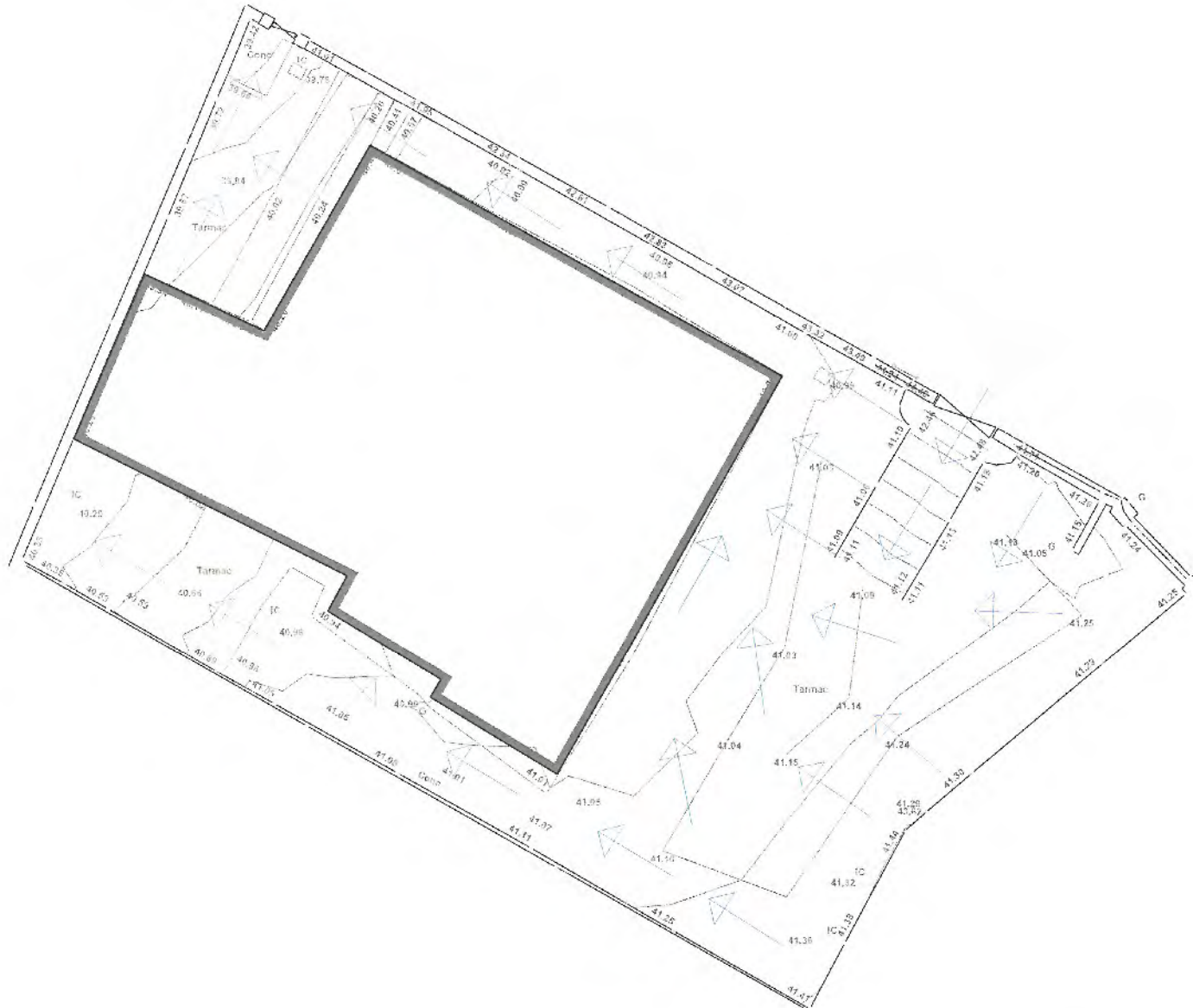
**DESIGN ARCHITECTURE**  
 01492 500 1111  
 01492 500 1112  
 info@designarch.co.uk  
 www.designarch.co.uk

**Project Title:** EIC Layout Proposal  
**Location:** Dal Gwynedd School Site, Stryker  
**Client:** Dyfed Health Trust  
**Drawing Title:** BLOCK 02


**Scale:** 1:100  
**Paper Size:** A1  
**Date:** 12/01/2014  
**Issue Type:** PLANNING  
**Drawn By:** RG  
**Drawing Date:** Job No. 011122 Drawing No. AL-100  
**Revisions:**







**NOTES**  
 THE EXISTING SURFACE WATER FLOW ACROSS THE DEVELOPMENT SITE IS DEMONSTRATED VIA A SERIES OF BLUE ARROWS DETERMINED BY AN ON-SITE SURVEY.

**KEY:**  
 BLUE ARROWS DENOTE SURFACE WATER FLOW ACROSS SITE

REV	DATE	DESCRIPTION	BY	CHK	APP

Cymdeithas Tai Eryri

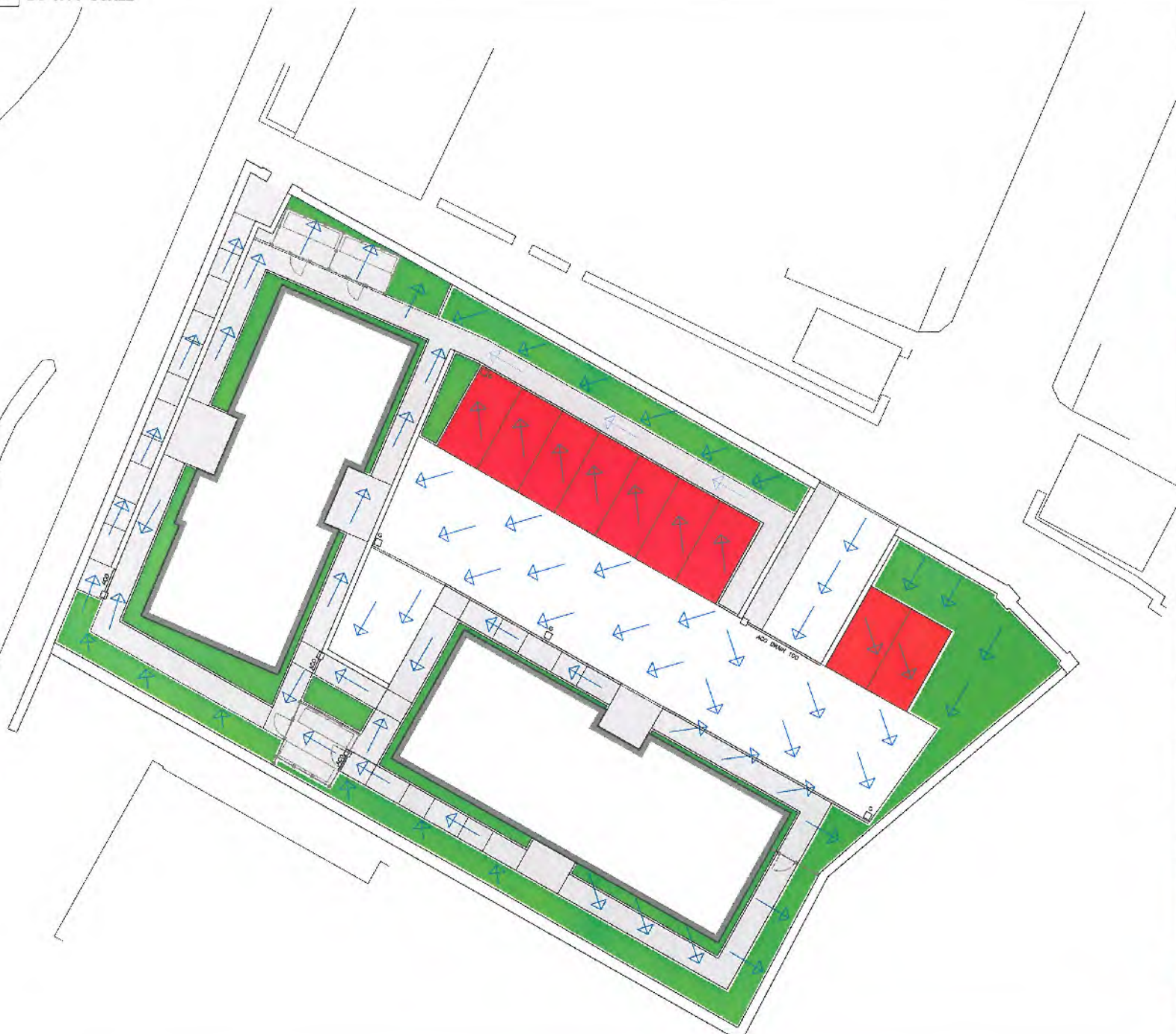
Glanadda (Hen Ysgol), Bangor

Existing Above Ground Flood Routing



DESIGN: GJ	CHECKED: GJ	ISSUED: AD
DATE: 17.12.13	CLIENT'S REF:	
SCALE: AT A1 1:100	ALTERNAT REF: 13314/5006	
DRAWING NO: 13314/5006		REVISION:





NOTES

- KEY:
- BLUE ARROWS DENOTE SURFACE WATER FLOW ACROSS SITE
  - DENOTES PROPOSED GRASSED OR CURBED AREAS
  - DENOTES PROPOSED FOOTWAY AREAS
  - DENOTES PROPOSED POROUS PAVING AREAS
  - DENOTES PROPOSED GULLY

REV	DATE	DESCRIPTION	BY	CHK	APP
NEW/0-0					

Cymdeithas Tai Eryri

**FOR APPROVAL**

Glanadda (Hen Ysgol), Bangor

Proposed Above Ground Flood Routing

**DTRY'S**  
CONSULTANTS

DRAWN: CJ	CHECKED: CJ	INVEST: JR
DATE: 17.12.13	CLIENT'S REF:	
SCALE AT A1: 1:100	PROJECT REF.: 13314/5007	
DRAWING NO.: 13314/5007		







PWYLLGOR CYNLLUNIO	DYDDIAD: 28/04/2014
ADRODDIAD PENNAETH ADRAN RHEOLEIDDIO (CYNLLUNIO, TRAFNIDIAETH A GWARCHOD Y CYHOEDD)	PWLLHELI

Application Number: C14/0055/25/LL  
Date Registered: 24/01/2014  
Application Type: Full - Planning  
Community: Pentir  
Ward: Pentir

Proposal: RENEWAL OF TEMPORARY USE OF TWO MOBILE DENTAL UNITS TO THE REAR OF THE PROPERTY

Location: MOUNTAIN VIEW, PENRHOSGARNEDD, BANGOR, LL572NA

**Summary of the Recommendation:**

TO APPROVE SUBJECT TO CONDITIONS

**1. Description:**

- 1.1 An application to renew a temporary planning permission to locate two mobile units on land for use as a dental surgery. Retrospective planning permission was granted to site the units on the land for a temporary period of a year on 3 January, 2013, following an investigation by the Enforcement Unit of the Planning Service. There is a ramp and access steps along with a handrail leading to the units. The current application seeks to renew the temporary permission for an additional year.
- 1.2 The largest unit measures 7.2 metres long, 3.6 metres wide and 2.4 metres in height above ground level and the other unit measures 7 metres long and 2.2 metres wide and extends to 2.9 metres in height. The two units are located at the rear of the site near the southern boundary and they are constructed of light grey steel.
- 1.3 The existing building on the premises is used by Betsi Cadwaladr University Health Board occupational therapists and the space to the front and to the side of the building is used as a car park for patients.
- 1.4 The site lies in a residential area and a third class road runs along the northern boundary of the site. The site has not been designated for any particular use in the Gwynedd Unitary Development Plan 2009 (GUDP) but the site is located within the development boundary of the city of Bangor. The site is not located within a Conservation Area and there are no listed buildings nearby.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

**2.2 Gwynedd Unitary Development Plan 2009**

Policy B23 – Amenities – Safeguard the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.



PWYLLGOR CYNLLUNIO	DYDDIAD: 28/04/2014
ADRODDIAD PENNAETH ADRAN RHEOLEIDDIO (CYNLLUNIO, TRAFNIDIAETH A GWARCHOD Y CYHOEDD)	PWLLHELI

Policy B25 – Building Materials - Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

Policy C1 - Locating new Developments – Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

Policy CH30 – Access for All - Refuse proposals for residential/business/commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

Policy CH32 – Increasing Accessibility by Public Transport - Proposals that are likely to lead to a substantial increase in the number of journeys by private motor vehicles will be refused unless there is an adequate public transport service in place as an alternative, or unless the development will be effectively served by public transport in the future and that consideration has been given to promoting the use of public transport services in the planning and design of the development.

Policy CH33 – Safety on Roads and Streets - Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

Policy CH37 – Education, Health and Community Facilities – Proposals for new educational, health and community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on a defined town centre.

### 2.3 National Policies:

Planning Policy Wales 2012 (Fifth edition, November 2012)

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

### 3. Relevant Planning History:

C12/1450/25/LL – A retrospective planning application to locate two mobile units on land for use as a dental surgery. Mountain View, Penrhosgarnedd. Temporary permission granted on 3 January 2013.

### 4. Consultations:

Community Council: No objection.

Transportation Unit: No objection to the development; confirm that the parking provision as shown is acceptable.

Environment Agency: No consultation.

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Welsh Water: No consultation.

Public Consultation A notice was placed on the site and neighbouring residents were informed. The advertising period ended on 27 February 2014 and three letters/items of correspondence and one petition were received objecting to the application on the following grounds:

- An increase in traffic and parking problems as a result of the use;
- Previous conditions were not complied with – parking spaces were not marked out as noted on the plan.
- Overlooking into next door's property;
- Nobody had complained about the traffic problems in the original application because the application was for a temporary period of a year only; and
- The 'No parking, staff only' sign on the site.

## 5. Assessment of the material planning considerations:

- 5.1 In accordance with the requirements of the Town and Country Planning Order (General Development Procedure) (Wales) 2009, a Design and Access Statement is required. Technical Advice Note 12 – Design is very clear in its advice. The Design and Access Statement is a material consideration which must be considered by whoever determines the application. The applicant has shown in the statement that consideration has been given to the character, movements, environmental sustainability, community safety, access together with justification to extend the time for an additional year.
- 5.2 It is understood that Betsi Cadwaladr University Health Board are considering three options for the provision of service in the Bangor area, namely:-
- a) Keep the mobile unit in Mountain View;
  - b) Establish the Bangor Centre of Excellence multicentre surgery. This centre would include a provision for a therapist, training facilities and three surgeries; or
  - c) Provide facilities in accordance with option 2 on the site at Ysbyty Gwynedd.
- 5.3 It is understood that options b) and c) are being considered as the most viable choices to develop a service in the area. However, because the current financial climate prevents the direct development of the project and applying for funding approval from the Welsh Government, a temporary extension for a further 12 months is requested so that the service can continue to be offered in Mountain View.
- 5.4 Due weight and consideration has been given to the content of the Design and Access Statement when considering this application.

### Principle of the development

- 5.5 Policy C1 notes that sites within development boundaries in the GUDP should be the main focus for new developments. This site is located within the development

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ADRODDIAD PENNAETH ADRAN RHEOLEIDDIO (CYNLLUNIO, TRAFNIDIAETH A GWARCHOD Y CYHOEDD)	PWLLHELI

boundary of the city of Bangor and, therefore, complies with Policy C1 of the GUDP.

- 5.6 The main policy to consider in relation to this application is policy CH37 of the GUDP which involves the provision of educational, health and community facilities. The proposal complies with the first criterion of this policy because it is located within the development boundary of the city. The site is very accessible to various modes of public transport, including a bus service which runs regularly along the nearby highway, and a railway station is located fairly close in the city of Bangor. Discussions were held with officers of the Transportation Service prior to submitting the original planning application and no concerns were expressed regarding the parking provision, the access to the site or the impact of the development on traffic flow on the adjoining road. The Transportation Unit have no objection to the current application.
- 5.7 Objections to the application were received from local residents, expressing concern regarding the breach of a planning condition in respect of the lay-out of the parking spaces. This condition had been included in the previous application for the benefit of road safety, rather than to ensure an orderly development within the site. Although it is appreciated that the reason for the condition is not correct in the previous permission, no complaints had been received regarding the informal parking arrangements and it is not considered that this is crucial to the decision of the application for renewal. However, it is considered that a condition to lay out the car park formally should be repeated if the Committee wishes to approve this application to ensure an orderly development of the site. It should be ensured that this is done within one month of the date of any permission.

#### **Visual amenities**

- 5.8 The units are located to the rear of the site and they are not visible from the nearby road and they are screened by a hedge and high fences which form the boundary of the site. In addition, they are finished in an acceptable colour which blends into the background. Also, the buildings in question here are temporary and, therefore, there would be no presumed impact on the visual amenities of the area in the long term. Therefore, it is considered that the proposal complies with the criteria in policies B23 and B25 of the GUDP.

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

- 5.9 The units are located on a site which is already used as a clinic and it is also located within a residential area. It is considered that such a use is acceptable in a residential area and there are no unacceptable detrimental effects on the amenities of nearby residents. Therefore, the application complies with the criteria of policy B23 of the GUDP.

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

- 5.10 Three letters were received objecting to the current application, along with a petition with 23 signatories, objecting on the grounds that the development has caused traffic and parking problems, however, neighbouring residents did not express concerns over the past year as the proposal was only to be a short term arrangement. Also, the original sign on the property stating 'No Parking' continued to be displayed and led visitors to park on the streets rather than the parking spaces within the site. There had been a discussion on the site with officers from the Council's Transportation Unit

<b>PWYLLGOR CYNLLUNIO</b>	<b>DYDDIAD: 28/04/2014</b>
<b>ADRODDIAD PENNAETH ADRAN RHEOLEIDDIO (CYNLLUNIO, TRAFNIDIAETH A GWARCHOD Y CYHOEDD)</b>	<b>PWLLHELI</b>

regarding the original application and no concerns were expressed regarding parking, the access to the site or the impact of the development on traffic flow on the nearby highway. The Transportation Service did not have any objections to the original application and this is also reflected in its response to the current application. Therefore, it is considered that the proposal complies with policy CH33 of the GUDP.

- 5.11 The site is level and an access ramp and handrail have been provided for visitors to the two units. In addition, it is proposed to provide a designated disabled parking space on the site. Therefore, it is considered that the proposal complies with policy CH30 of the GUDP.

### **Public safety and crime prevention**

- 5.12 The site is located in a residential area which has a busy highway passing nearby. In addition, the site is illuminated by street lights to the front and, therefore, it is believed that as a result there is natural surveillance of the site which avoids any concerns regarding antisocial behaviour or criminal behaviour. In addition, the subject of the application is a temporary permission for an additional period of a year and, therefore, it will be possible to reconsider this aspect further should problems arise in the future as a result of the development. It is not considered that there will be problems regarding public safety as a consequence of approving the current application.

## **6 Conclusions:**

- 6.1 Every relevant material consideration has been taken into account when making the recommendation on this application. It is considered that the proposal complies with national and local planning policies and the current application is suitable to be approved subject to including the conditions noted below.

## **7 Recommendation:**

### **7.1 To approve – conditions**

- 1) The mobile units are located on the site for a temporary period of 12 months from the date of this permission only. At the end of the period approved here, the units must be completely removed from the site and the land must be restored to its previous condition in accordance with a plan to be approved beforehand by the Local Planning Authority;
- 2) Within one month of the date of this permission, it must be ensured that the parking spaces noted on the reference plan SIT 01 (which was submitted with the application), are set out and marked clearly on the site and maintained at all times thereafter to the complete satisfaction of the Local Planning Authority, until the mobile units are removed from the land.
- 3) Within one month of the date of this permission it must be ensured that the 'No Parking' sign at the entrance to the site is removed.



Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
 Location Plan for identification purposes only. Not to scale.



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 gyda caniatâd yr Ordnance Survey  
 ar ran Rheolwr Llyfrfa E. Mawlydd.  
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 hawlfraidi y Goron a gall hyn arwain at erlyniad neu serio eidd.  
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**General Notes**

1. Contractor to verify all dimensions and check level datums on site
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4. Do not scale off drawings
5. All dimensions shall be checked on site before commencement of shop drawings, manufacture and all discrepancies must be reported to TACP Architects Ltd

**Revisions**

Rev	Date	Description	By	Check

**Client**

Betsi Cadwaladr University Health Board

**Project Title**

Mountain View Clinic, Penrhos Garnedd, Bangor

**Drawing Title**

Location Plan

Scale	Date	Drawn By	Checked By	Office
1:1250@A4	Nov 12	ST	ST	Wrexham

Job Number	Drawing Number	Revision
12033	LOC01	

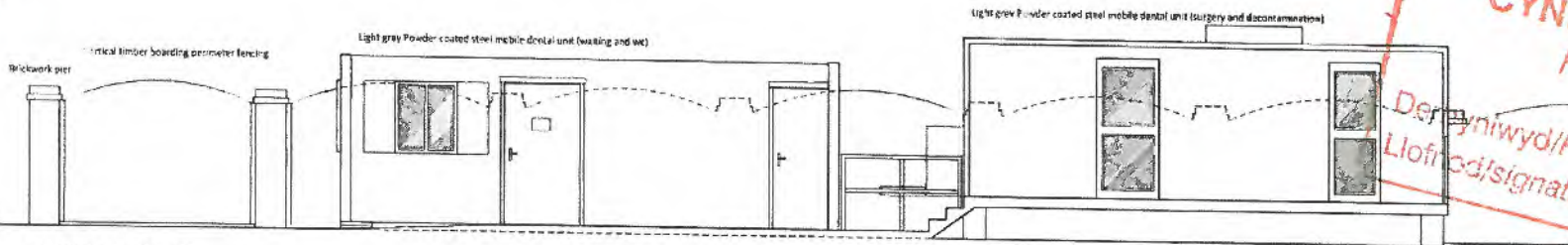
TACP Architects Ltd  
 27/29 Grosvenor Road  
 Wrexham  
 LL11 1DH  
 T. 01978 291161  
 F. 01978 351735  
 E. admin@tacparchitects.co.uk

www.tacparchitects.co.uk

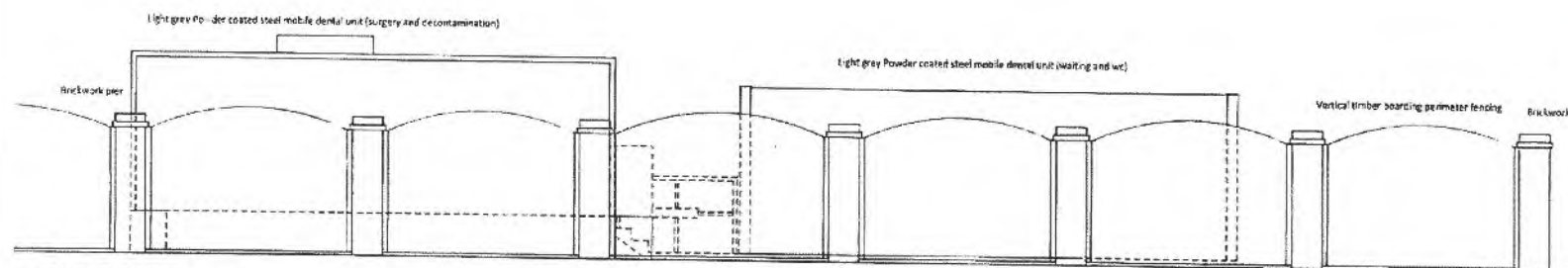


Architecture • Interior Design • Healthcare Planning • Conservation • Masterplanning • Sustainable Design

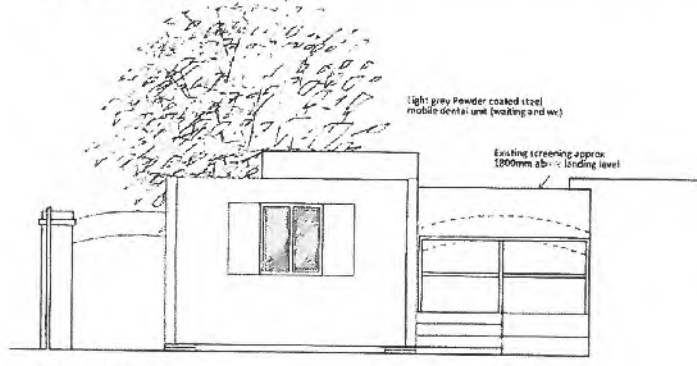




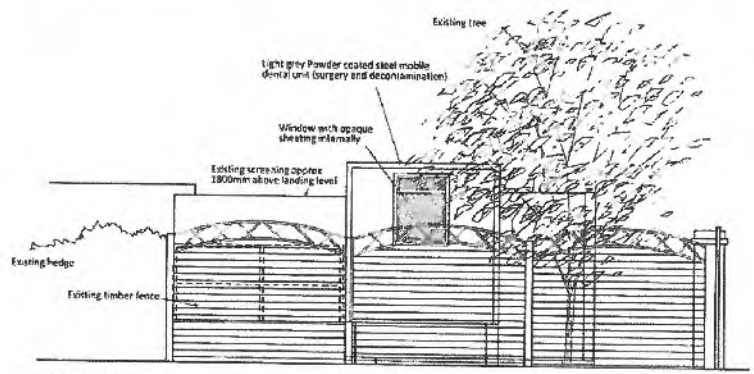
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

CYNLLUN DIWYGIEDIG  
 REVISED PLAN  
 Derfyniwyd/Received 18/3/14  
 Llofnod/signature

- General Notes
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Revisions

Rev	Date	Description	By	Check
A	11-03-14	Further information added to the West Elevation	ST	ST

Consultants

Client

Betsi Cadwaladr University Health Board

Project Title  
Mobile dental units, Mountain View Clinic

Drawing Title  
Elevations of mobile dental units

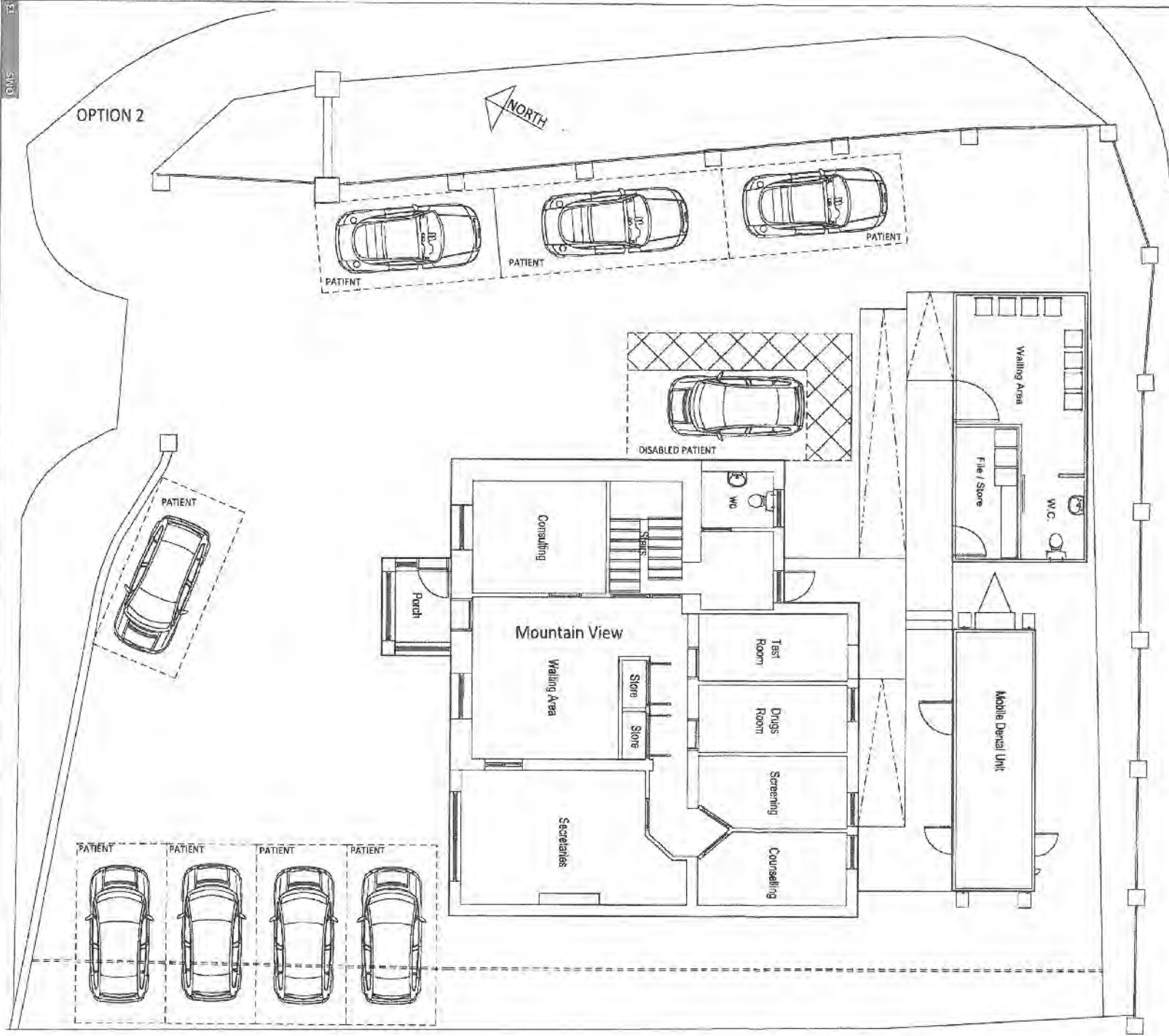
Scale	Date	Drawn by	Checked by	Client
1:50@A2	Nov 12	ST	ST	Wrexham

Job Number	Drawing Number	Revision
12033	EL-D1	A

TACP Architects Ltd  
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5. All dimensions shall be checked on site before commencement of shop drawings, manufacture and all discrepancies must be reported to TACP Architects Ltd

Car parking spaces 2400x4800mm

**Risk Assessments**

**Revisions**

Rev	Date	Description	By	Check
Rev A	31-10-12	Car Parking revised following comments from Highways Staff to park within the Gwynedd Hospital site.	ST	ST

**Consultants**

CYNGOR GWYNEDD  
 GWYNEDD IANGYLCHEDD  
 24 ION 2014  
 GWYNEDD IANGYLCHEDD  
 GWYNEDD IANGYLCHEDD

**Client**

Betsi Cadwaladr University Health Board

**Project Title**

Mountain View Clinic

**Drawing Title**

Site Plan as Proposed

Scale	Date	Drawn By	Checked By	Office
1:100@A3	Oct '12	MJ	ST	Wrexham

Job Number	Drawing Number	Revision
12033	SIT 01	A

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 www.taccparehitects.co.uk





Number: 8



Rhif y Cais / Application Number : C14/0100/23/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



Application Number: C14/0100/23/LL  
Date Registered: 07/02/2014  
Application Type: Full - Planning  
Community: Llanrug  
Ward: Llanrug

Proposal: ERECTION OF NEW DWELLING AND PARKING ACCOMODATION  
Location: 7 MINFFORDD ESTATE, LLANRUG, CAERNARFON

**Summary  
of the Recommendation:**

TO APPROVE SUBJECT TO CONDITIONS

**1. Description:**

- 1.1 This is a full application for the erection of a two-storey house on a plot of land adjacent to a class III county road (Ffordd Glanmoelyn) and Minffordd Estate and which lies within the development boundaries of Llanrug as included in the Gwynedd Unitary Development Plan (GUDP). On the ground floor, there is a living room, kitchen, small storage room and toilet and on the first floor there are two bedrooms, a bathroom and a landing. Externally, the house will have a natural slate roof (and will include solar panels), aluminium windows (colour to be agreed), oak doors with the lowest part of the walls with facing brick and the highest part in coloured render (these again to be agreed with the Local Planning Authority).
- 1.2 The design of the proposed house is a striking and modern design that uses a variety of different materials and modern windows (in terms of material and design) and has a flat roof above the main windows. The design and form of the proposed house, to some extent, has been determined by the relatively narrow shape of the application site which has a vertical emphasis. An element of the rear of the house will be set into the land, whilst the front of the house will be raised approximately 1m above the existing land level.
- 1.3 It is intended to provide a parking space to the rear of the site for a car and access can be gained to it along the unclassified Minffordd Estate road. In order to create the access to the site, there will be a need to demolish approximately 3m of a brick wall with a timber fence along its top, along with 2m of a low brick wall and any vehicle will need to drive over the existing pavement in order to enter or exit the site itself. It is proposed to erect a 900mm and 5m long brick wall at the rear of the house in order to create a prominent boundary between the application site and the adjacent footpath.
- 1.4 In line with the requirements of Technical Advice Note 12 "Design" (2009), a Design and Access Statement was submitted with its contents reflecting the nature and scale of the proposal by referring to the five statutory headings. In addition to this statement, a pre-assessment statement for level 3 of the sustainable homes code was submitted which clearly states that this target can be reached in accordance with the requirements of the Welsh Government.

**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 in accordance with

the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

## **2.2 Gwynedd Unitary Development Plan 2009:**

### **POLICY B22 – BUILDING DESIGN**

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

### **POLICY B23 – AMENITIES**

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

### **POLICY B22 – BUILDING DESIGN**

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

### **POLICY B25 – BUILDING MATERIALS**

Safeguard the visual character of the Plan area by ensuring that only natural Welsh slates or slates that are similar in terms of appearance, colour and weathering properties are permitted, other than in circumstances in which the type of building or its particular setting, or the sustainability benefits, are such that another material would be appropriate. In respect of other parts of the building, developments will be required to use high quality building materials that complement the character and appearance of the local area. Proposals that introduce substandard or intrusive materials will be refused.

### **POLICY C1 – LOCATING NEW DEVELOPMENT**

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

### **POLICY C7 – BUILDING IN A SUSTAINABLE MANNER**

Proposals for new developments or for the adaptation and change of use of land or buildings will be refused where consideration has not been given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

### **POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES**

Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

### **POLICY CH33 – SAFETY ON ROADS AND STREETS**

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

### **POLICY CH36 – PRIVATE CAR PARKING FACILITIES**

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

Gwynedd Design Guidelines, (April 2003).

### **2.3 National Policies:**

Technical Advice Note 12 "Design" (June 2009).

Planning Policy Wales, Sixth Edition (February 2014).

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

3.1 Application number C13/0392/23/LL – erection of a new house and parking space refused in June 2013 on the grounds of design, visual amenities and road safety.

3.2 Application number C13/0892/23/LL – erection of a new house and parking spaces withdrawn by the applicant on the grounds of uncertainty regarding land ownership.

### **4. Consultations:**

Community/Town Council: No response.

Transportation Unit: No objection, but with conditions.

Natural Resources Wales: Low risk to the environment.

Welsh Water: No response.

The Council's Biodiversity Unit: No response

Public Protection Unit: No response.



## Public Consultation

A notice was posted on the site and nearby residents were informed. The advertising period ended on 06.03.14 and three letters / correspondences were received objecting on the following grounds:

- Erecting this house would darken the ground floor rooms of no. 24 Minffordd Estate.
- Concern regarding the access and parking space adjacent to the footpath that is often used by school children. The proposal would involve driving over the footpath to the detriment of road safety. Approving the proposal would make it difficult for the occupiers of no. 24 to park within their curtilage.
- The ancient drains that run under Ffordd Glanmoelyn cannot cope with additional residential developments and the implications of flooding that has occurred in the past should be considered.
- The proposal would increase traffic flow to the site along Ffordd Glanmoelyn.
- Insufficient parking spaces for the proposal within the site.
- There is evidence of bats flying around the site; therefore, a permit will be required to undertake work on the site itself.

In addition to the objections noted above, objections were received that were not valid planning objections which included:

- Concern regarding raising the foundations of the proposed house and the impact (on the grounds of vibration), this would have on no. 24 Minffordd Estate and nearby houses.

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

### **Principle of the development**

- 5.1 The principle of developing within development boundaries as defined in the GUDP has already been accepted in Policy C1 where it is confirmed that land within the development boundaries of towns and villages and the built form of rural villages will be the main focus for new developments. Policy CH4 of the GUDP states that proposals to erect new houses on unallocated sites within the development boundaries of local centres and villages will be approved provided that guidelines regarding having a percentage of units on each site (which will vary from site to site), as affordable units can be complied with, that the size and design of the houses is equivalent to affordable housing and that arrangements are in place to ensure that the occupancy of any affordable house on the site is restricted initially and in perpetuity. However, in this particular case and taking into account that only a single two bedroom house is proposed here, it will not have to be affordable.

- 5.2 Policy B22 of the GUDP states that proposals for new buildings will be refused unless a series of criteria, including that any proposal respects the site and its surroundings in terms of size, scale, form, density, location, plan, symmetry, quality, materials, aspect and land use/building density and the empty spaces around the buildings, are complied with and that it does not have a detrimental impact on the form and character of the surrounding landscape or townscape.
- 5.3 Policy B23 states that proposals will be refused if they cause significant harm to the amenities of the local community and Policy B25 states that the visual character of the Plan area will be protected by ensuring that only natural Welsh slate or similar slate in terms of appearance, colour and weathering properties will be used. Gwynedd Design Guidance conveys the importance of considering the context of a site on the basis of location, scale and views, along with the design of new buildings.
- 5.4 Taking into account the abovementioned policy context, and the assessment below, it is believed that the principle of the development is acceptable.

### **Visual amenities**

- 5.5 The site is located in the centre of an established residential area and within a development boundary with a vast mix of residential dwellings surrounding the site, including traditional cottages, two-storey houses and single-storey houses/bungalows with dormer windows/roof lights. The external materials vary from natural slate for the roofs, facing brickwork, coloured render and pebble dash. Currently, the site is a plot covered in thick vegetation and some fly-tipping has occurred there in the past. The site is an infill site and is prominent in the street scene.
- 5.6 This latest plan is a smaller plan in terms of size and scale compared to the plan for a three-storey house that was refused in June 2013. Its scale and size is more similar to the two-storey dwellings surrounding it, although an element of vertical emphasis continues in the form of this latest design. By creating a smaller dwelling on the site, this allows other parts of the site to be used for residential facilities, including a parking space, along with a private amenity area for the occupiers of the proposed house and it is believed that the plan for the proposal site is acceptable in terms of density and that it is not tantamount to an overdevelopment of the site. The surface area of the site (approximately 208m<sup>2</sup>), is tantamount to the surface area of some of the similar houses (e.g. the surface area of the curtilage of properties in Minffordd Estate facing Ffordd Glanmoelyn varies from 161m<sup>2</sup> to 214m<sup>2</sup>).
- 5.7 Although the external appearance and design of the proposed house is striking, it is believed that it will not create an incompatible structure in the streetscape, considering the variety of different dwellings (based on size, form, design and materials), which already exists in the area and indeed, it is believed that this latest proposal will contribute to this eclectic mix of dwellings. The design and form of the proposed house is relatively simple with symmetric architectural features which creates an interesting and pleasant structure in terms of its appearance. To that end, it is believed that the proposal is acceptable based on the requirements of Policy B22, B23 and B25 of the GUDP, along with the advice included in the Gwynedd Design Guidelines (2003).

## **General and residential amenities**

- 5.8 As referred to above, the site can be described as an infill site within an established residential area with residential dwellings to the east (the gable end of no. 24 Minffordd Estate), established dwellings at the rear of the site (1 and 2 Bryn Tirion) and established dwellings on the opposite side of Ffordd Glanffynnon located below the application site approximately 48m from window to window. The design and location of the windows of the proposed house means that there will be no unacceptable or substantial overlooking into gardens and nearby dwellings and from this perspective, it is not believed that there will be a detrimental impact on the amenities of nearby residents based on loss of privacy or overlooking. The gable end of no. 24 Minffordd Estate (including three windows, a door and sun lounge in the front and on the ground floor), is located 4.5m away from the gable end of the proposed house. A timber fence has been erected along the length of the boundary of no. 24 with the nearby footpath. Taking into account the location of the proposed house compared to the location of no. 24, it is not believed that erecting a new house 4.5m to the north will have a substantial impact on the grounds of loss of light into the main windows of the property. To reduce any possibility of darkening the rooms in no. 24, a condition can be imposed on any permission to ensure that the applicant renders the southern gable end in coloured render, in a colour that will reflect light. To this end it is believed that the proposal is acceptable based on the requirements of Policy B23 of the GUDP.

## **Transport and access matters**

- 5.9 The proposal involves creating a parking space for one car to the rear of the site with access gained into it off Minffordd Estate. This will involve demolishing part of the existing brick wall that defines the application site and driving over part of the footpath in order to park a car within the curtilage of the proposed house and this is not uncommon in a housing estate. As referred to above, a public footpath runs along the southern boundary of the site. It is believed that the parking provision for a two-storey dwelling of this type is acceptable on the grounds of highway requirements and although it is not an ideal situation as there will be a need to reverse into the site or reverse to exit the site, such manoeuvres are not different to the customs that already exist on the estate and in other similar estates. The Transportation Unit does not have any objection to the proposal, subject to including conditions/notes on any permission. To this end it is believed that the proposal is acceptable based on the requirements of Policy CH33 and CH36 of the GUDP.

## **Sustainability matters**

- 5.10 The information included in the pre-assessment statement for level 3 of the sustainable homes code states that the aim of achieving the code, as imposed by the Welsh Government, can be achieved; therefore, the proposal is in accordance with Policy C7 of the Unitary Development Plan.

## **Response to the public consultation**

- 5.11 It is considered that the objections and concerns of the local community in relation to this application have been considered in full in the assessment of this application and that no matters outweigh the relevant policy considerations.

**6. Conclusions:**

- 6.1 Having considered the above assessment, it is believed that the proposal as submitted on this particular site is acceptable based on its location, scale, design, materials, road safety, visual amenities and residential amenities as it complies with relevant local and national planning policies and guidance.

**7. Recommendation:**

- 7.1 To approve - conditions: -

1. Five years
2. In accordance with the plans
3. Natural slate
4. External materials
5. Withdrawal of permitted development rights
6. Sustainable homes conditions
7. Road safety conditions
8. Welsh Water standard conditions





Rhif y Cais / Application Number : C14/0100/23/LL



Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



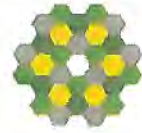
Argynhyrchi y map hon o Ddeunydd y Ordnance Survey  
gyda chaniell y Ordnance Survey  
ar ran Rheolwr Llyfrfa E Mewrhyd.  
© Hawlfraint y Goron.  
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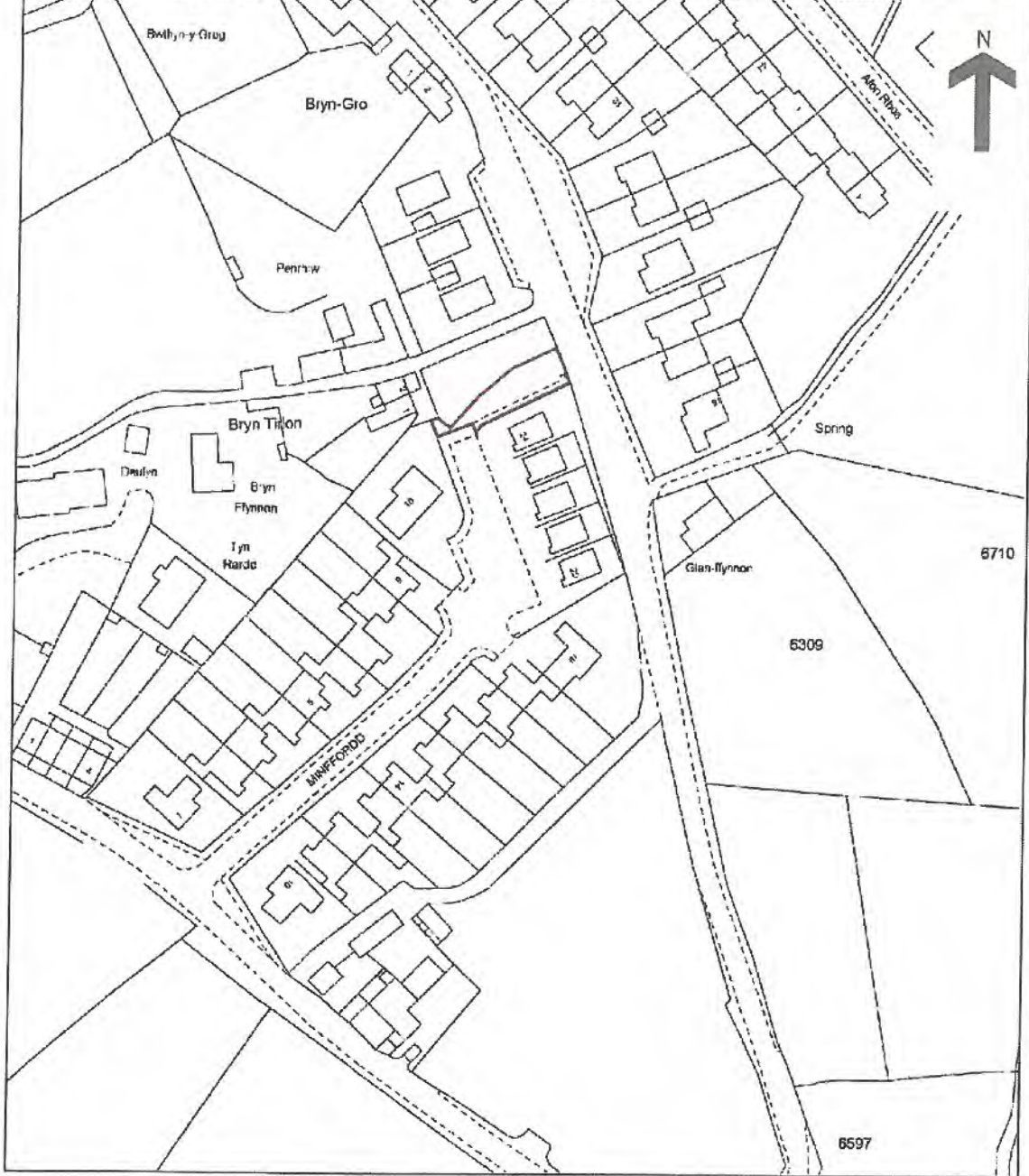
Land Registry  
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Title number CYM131368  
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Administrative area Gwynedd



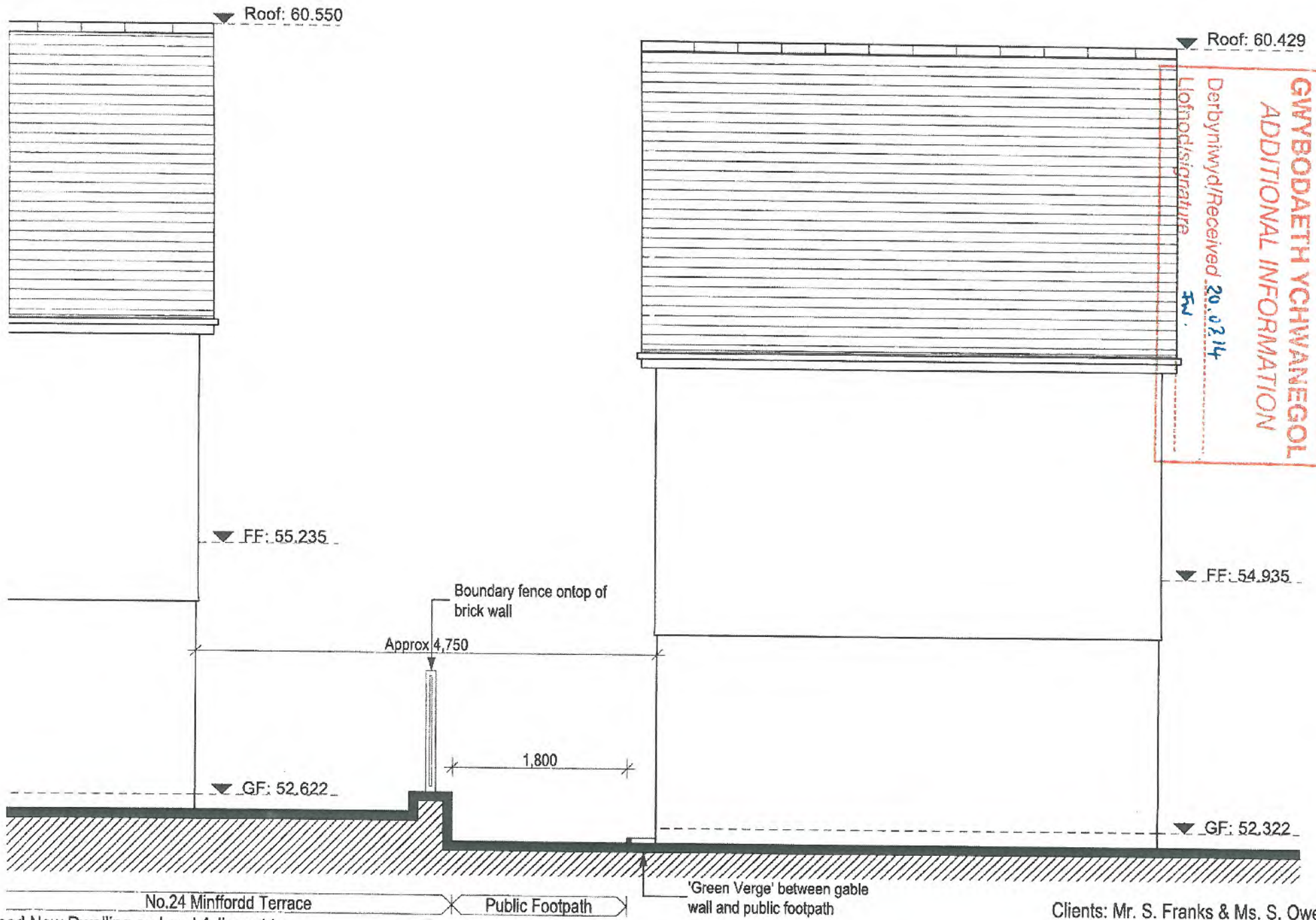
8

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CYMRU  
CYMRU  
07 CHW 2014  
GWYBODAETH  
THY...

This copy of the title plan is incomplete without the preceding notes page.  
Mae'r copi hwn o'r cynllun teitl yn anghyflawn heb y dudalen flaenorol o nodiadau.



GWYBODAETH YCHWANEGOL  
 ADDITIONAL INFORMATION  
 Derbyniwyd/Received 20.03.14  
 Llofnod/signature

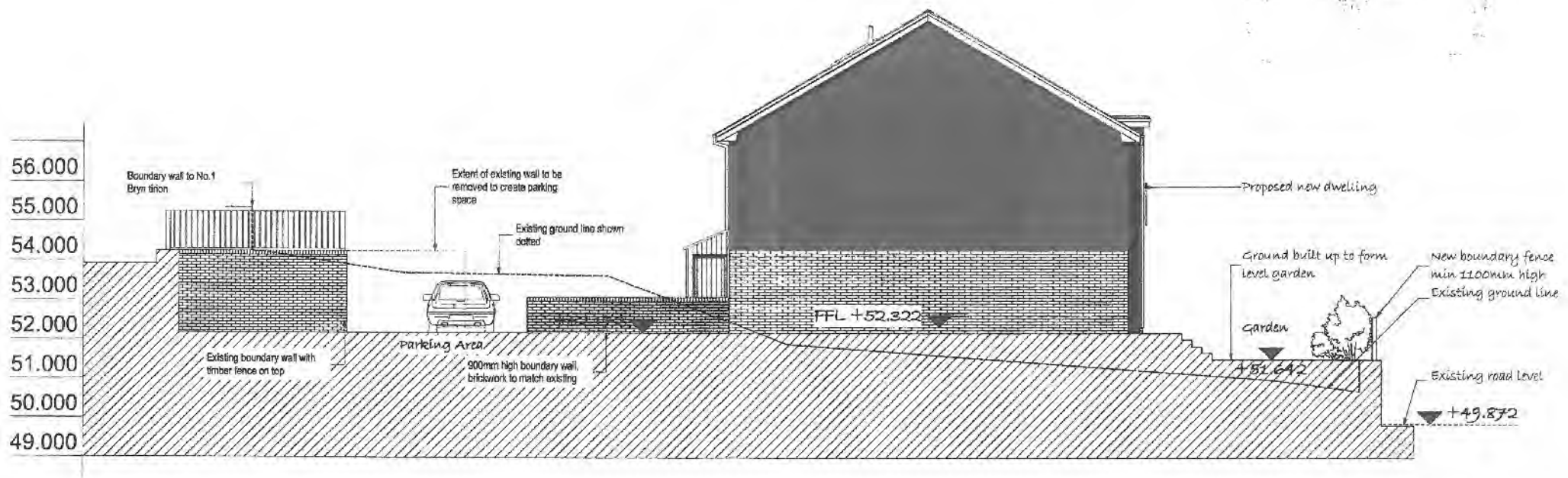
Proposed New Dwelling on Land Adjacent to  
 Glanfynnon Road, Llanrug, Gwynedd

Roof Height Comparison Scale, 1:50 @ A4

Clients: Mr. S. Franks & Ms. S. Owen  
 Date: 20-March-2014  
 SCF-1015-07



CYMROR GWYNEDD  
 CYFANGYDD  
 07 CHW 2014



Proposed Site Section

**Finishes Key:**

- Roof: Natural slate finish with black capped ridge tiles
- Soffits & Fascias: Pressad metal, colour to be confirmed
- Render: S21 coloured rendering system, colour to be confirmed
- Facing Brick: Type & colour to be confirmed
- Timber Panelling: External grade horizontal panelling, type to be confirmed
- Windows: Aluminium powdercoated, colour to be confirmed
- Doors: Solid oak with 'Silvans' clear lacquer



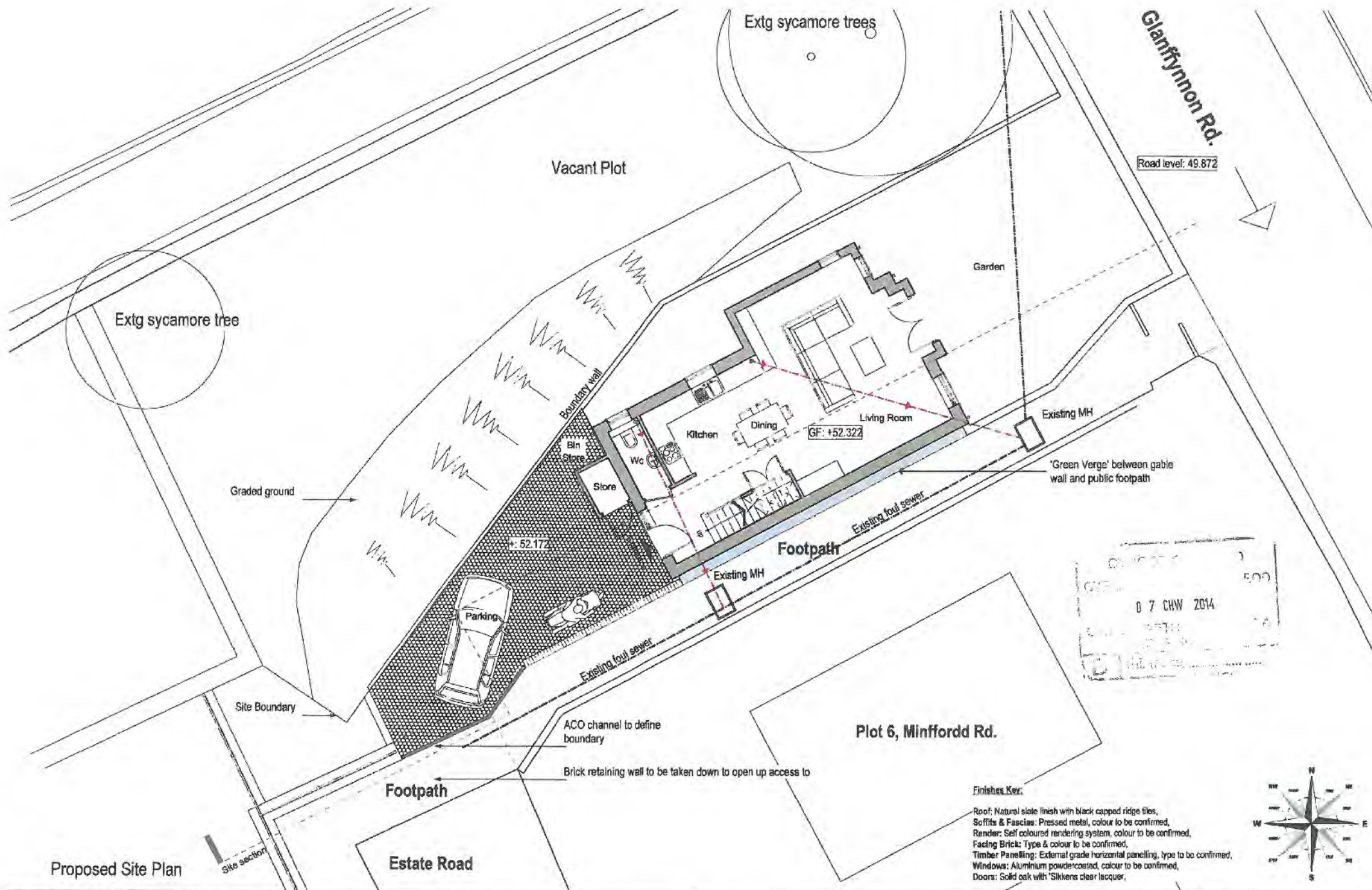
Proposed New Dwelling on Land  
 Adjacent to Glanfynnon Road,  
 Llanrug, Gwynedd

Proposed Site Section Scale, 1:100 @ A3

Clients: Mr. S. Franks & Ms. S. Owen  
 Date: 05-February-2014  
 SCF-1015-04







Proposed New Dwelling on Land  
Adjacent to Glanfynnon Road,  
Llanrug, Gwynedd

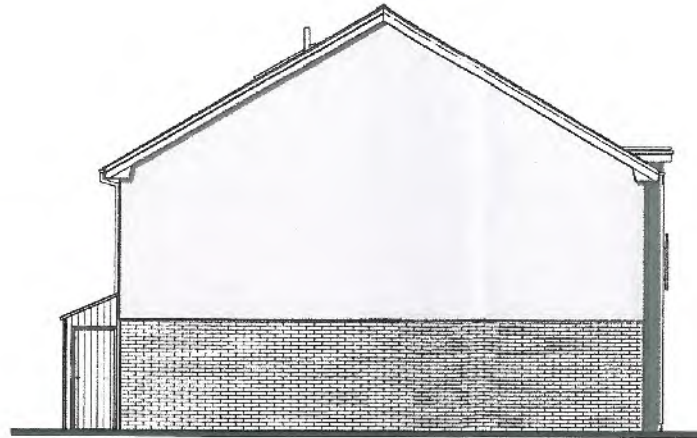
Proposed Site Plan Scale, 1:100  
@ A3

Clients: Mr. S. Franks & Ms. S. Owen  
Date: 05-February-2014  
SCF-1015-03

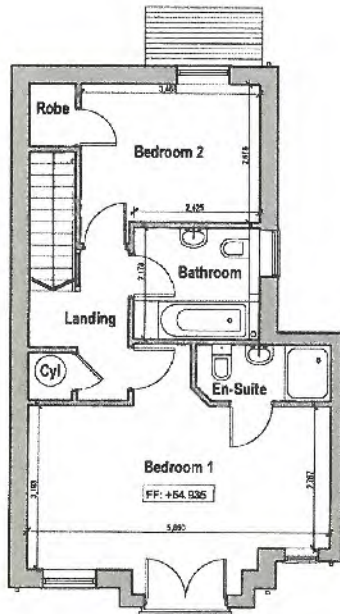




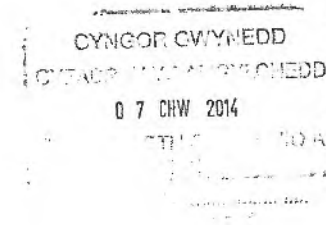
Proposed West South West Elevation



Proposed South South East Elevation



Proposed First Floor



**Finishes Key:**

Roof: Natural slate finish with black capped ridge tiles.  
 Soffits & Fascias: Pressed metal, colour to be confirmed.  
 Render: Self coloured rendering system, colour to be confirmed.  
 Facing Brick: Type & colour to be confirmed.  
 Timber Panelling: External grade horizontal panelling, type to be confirmed.  
 Windows: Aluminium powdercoated, colour to be confirmed.  
 Doors: Solid oak with 'Slikkens' clear lacquer.



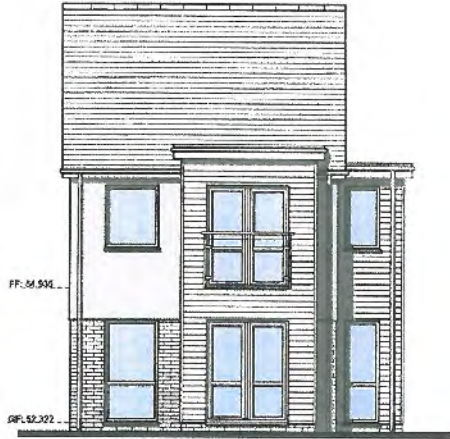
Proposed New Dwelling on Land  
 Adjacent to Glanfynnon Road,  
 Llanrug, Gwynedd

Proposed First Floor Plan, Proposed South  
 South East & West South West Elevation  
 Scale, 1:100 @ A3

Clients: Mr. S. Franks & Ms. S. Owen  
 Date: 05-February-2014  
 SCF-1015-02



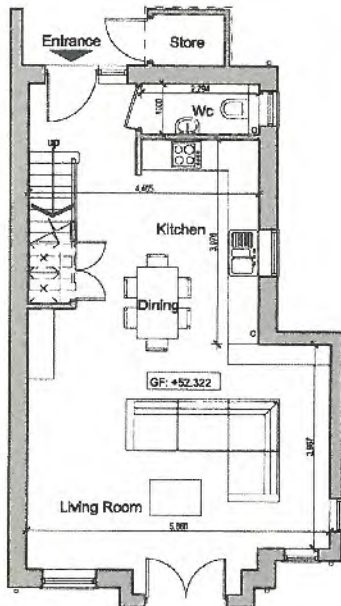




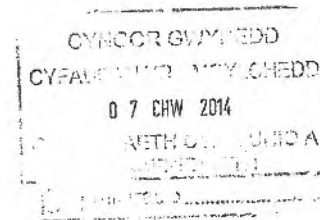
Proposed East North East  
Elevation



Proposed North North West  
Elevation



Proposed Ground Floor



**Finishes Key:**

Roof: Natural slate finish with black capped ridge tiles,  
 Soffits & Fascias: Pressed metal, colour to be confirmed,  
 Render: Self coloured rendering system, colour to be confirmed,  
 Facing Brick: Type & colour to be confirmed,  
 Timber Panelling: External grade horizontal panelling, type to be confirmed,  
 Windows: Aluminium powdercoated, colour to be confirmed,  
 Doors: Solid oak with 'Sikkens clear lacquer,



Number: 9



Rhif y Cais / Application Number : C14/0106/20/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.





Application Number: C14/0106/20/LL  
Date Registered: 14/02/2014  
Application Type: Full - Planning  
Community: Y Felinheli  
Ward: Y Felinheli

Proposal: REVISED APPLICATION FOR THE ERECTION OF A DWELLING  
Location: 27, BRYNFFYNNON, Y FELINHELI, LL564SX

**Summary of the  
Recommendation:**

TO APPROVE WITH CONDITIONS

**1. Description:**

- 1.1 This is a full application to retain a three storey house that was built without being in compliance with approved plans for a two storey house on the site of a previous two storey cottage (under consent reference C99A/0610/20/LL, dated 15 February 2000). The site forms part of a long plot on a steep slope and adjacent to a public footpath with direct access to Ffordd Bryn Ffynnon.
- 1.2 The original consent related to the construction of a new house behind the north west elevation of the cottage, and demolition of the first floor in order to create a parking area for vehicles with direct access to the adjacent county highway; creation of a lower floor with pedestrian access to the adjacent public footpath; and the original proposed building in its entirety stood on a plinth (foundation) measuring approximately 9m wide, 4.5m long and approximately 4m high at the highest point.
- 1.3 The current application has a three storey house with an additional lower floor planned within the plinth structure to create the third floor. The revised house comprises a lounge, kitchen, bedroom with a balcony and bathroom on the upper floor; sitting room, bathroom, office, 2 storage rooms on the middle floor; a lounge, bedroom, fitness room, bathroom, 2 storage rooms and conservatory on the lower floor. The external design reflects the location of the door and window openings as approved in 2000, except that the roof ridge is higher by approximately 1.3m; that the house is 1m deeper; the windows on the front of the plinth are for new additional rooms; and the proposal includes a conservatory on a concrete stage on the lower floor.
- 1.4 The current application also includes using a plot of land in the far end of the site near Ffordd Caernarfon as part of the garden. The site stands within the village development boundaries as designated in the Gwynedd Unitary Development Plan and the area is designated as a Registered Historical Landscape.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

## **2.2 Gwynedd Unitary Development Plan 2009 (GUDP)**

**POLICY B12: PROTECTING HISTORICAL LANDSCAPES, PARKS AND GARDENS:** Protect landscapes, parks and gardens of special historic interest in Wales from developments that would cause significant harm to their character, appearance or setting.

**POLICY B22: BUILDING DESIGN:** Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

**POLICY B23: AMENITIES:** Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

**POLICY B25: BUILDING MATERIALS:** Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

**POLICY C1: LOCATING NEW DEVELOPMENT:** Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

**POLICY C3: RE-USING PREVIOUSLY DEVELOPED SITES:** Proposals that give priority to re-using previously developed land or buildings that are located within or near development boundaries will be permitted provided the site or building and the proposed use are appropriate.

**POLICY C7: BUILDING IN A SUSTAINABLE MANNER:** Proposals for new developments or for the adaptation and change of use of land or buildings will be refused where consideration has not been given to specific environmental matters. Proposals must conform to specific criteria relating to building in a sustainable manner, unless it can be demonstrated that it is impractical to do so.

**POLICY CH4: NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES:** Approve proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to criteria aimed at ensuring an affordable element within the development.

**POLICY CH33: SAFETY ON ROADS AND STREETS:** Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

**POLICY CH36: PRIVATE CAR PARKING FACILITIES:** Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

### **2.3 National Policies:**

Planning Policy Wales – Edition 6 (2014)

Technical Advice Note 12: Design

Technical Advice Note 18: Transportation

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

- 3.1 Application No. – C99A/0610/20/LL – Demolish existing cottage, construction of residential house, adapt the existing access to provide a parking area – approved 15.02.2000.
- 3.2 Appeal No. - APP/Q6810/A/00/1045082/T - Planning appeal against conditions 7, 8, 10, 14, 15 on planning consent no. C99A/0610/20/LL – Appeal approved on 05.10.2000
- 3.3 Application No. - C13/0884/20/LL - Revised application to erect a house – the application was withdrawn on 17.02.2014

### **4. Consultations:**

Community/Town Council: Object.

Transportation Unit: Recommend approval with a condition to ensure that the parking area in front of the house is completed prior to occupation of the house.

Welsh Water: Propose standard conditions if the application is approved.

Public Footpaths Unit: No observations received, however, the consent approved in 2000 included a pedestrian access from the second floor to the adjacent public footpath.

Public Consultation:

A notice was posted on the site and nearby residents were informed. The advertising period expired on 20.03.14 and three letters / correspondences were received objecting on the following grounds:

- Significantly impairing the amenities of adjacent property
- Negative impact on adjacent property
- Reducing lighting to the adjacent property
- Overlooking
- The building that has been erected is much bigger than the building previously approved.
- Overdevelopment of a narrow plot and likely to create a precedent for similar developments.
- The finish of the house is unsuitable for the area and looks like a house in an urban area.
- The location of the new house in front of adjacent houses.
- Disagree with the view of the planning officer, the size of the building as constructed is significantly larger than the approved plan.
- That the plans approved in 2000 were not detailed enough as noted in an objection to the application approved in 2000.

Objections that are not material planning issues when considering the application:

- Reducing the view
- Raise doubts that the building control officers inspected the building work.
- That the building was erected and the developer chose not to stop work in accordance with the advice of the planning officer.
- That there is not much difference between the existing application and the application that was withdrawn.

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

**Principle of the development**

- 5.1 The principle to develop a dwelling house on the site has already been established since a planning application was approved in 2000 to demolish a two storey cottage and build a two storey house lying on a substantial plinth (foundation), in its place, and the development of the site was commenced in accordance with the conditions of that consent. An appeal was granted on 5 October 2000 to delete conditions 7, 8, 10, 14 and 15 with new conditions in their place. In later correspondence, the Planning Service confirmed that the 2000 planning consent was operational. A copy of the plan approved in 2000 is included as part of this report in order that the Committee may compare both plans.



- 5.2 The site lies within the development boundary of Felinheli and therefore the proposal conforms to Policy C1 and C3 of the GUDP. Policy CH4, GUDP approves proposals to build new dwellings on unallocated sites within the boundaries of Local Centres and Villages provided they conform to relevant criteria and it is considered that the proposal meets with those criteria. In assessing this application it is essential to consider that the principle of building a house on the site has already been established in a previous application and the house has been constructed, although it has not been built in complete accordance with the approved plans, and this is why this application has been submitted.

### **Visual amenities**

- 5.3 The property stands between two houses within a residential area and is approximately 8m from the side of the adjacent county highway. In essence, the development entails revising the previous consent to include increasing the height of the ridge roof by 1.3 metres and to add 1 metre to the depth of the house, locating rooms within the shell of the plinth (foundation) that already existed, and erecting a new stage as a foundation for a conservatory on the lower level. The addition to the height of the roof is the only change to the plan approved that is visible from Bryn Ffynnon Road. The remainder of the changes are included on the rear elevation.
- 5.4 The additional floor is located within the plinth, approved as part of the building in 2000, and therefore it is not an addition to the volume or external size of the building. The new plinth for the conservatory is an addition to the building approved in 2000. However, the location of this addition is at a lower level and at the rear of the building. In visual terms, it backs onto the building and is surrounded by higher land and nearby higher property. Houses within the application area are of varied design and size. An application has already been approved to build a new house on the site in 2000 and although the size of the new house is a little deeper and higher than the approved building, it is considered that the difference is insufficient to merit refusing the current application. It is not considered that the proposal will significantly impact on the area's amenities or on nearby residents. It is noted that the applicant has already received confirmation that the brick finish on the walls and slate on the roof are acceptable. Therefore, it is not considered that the proposal is contrary to policies B12, B22 and B25 of the GUDP.

### **General and residential amenities**

- 5.5 The application was posted on the site and nearby residents were notified and four letters of objection were received, including a letter from Felinheli Community Council. Some of the concerns expressed in the objections by nearby residents have already been noted in this report. The objectors state that the building as erected is much larger than the one approved by the Council in 2000. One objection suggests that the building which is in the process of being built is 2.5 times larger than the building that was originally approved. As has already been noted the revised building is a little higher and deeper than the original approved building and the developer has also created new rooms within the plinth (foundation). However, it is not considered that the impact of these changes on the amenities of nearby residents or the area is significantly different to the original approved application and they are not sufficient to consider refusing the current application. In terms of concerns with overlooking into an adjacent property, it is seen that the recommendation includes a condition that will prevent installing windows on the north eastern elevation of the upper floor level and to ensure that the windows are in the

south western elevation and higher level only. It is noted that the condition relates to no windows in the north-eastern elevation and this reflects a condition attached by the Inspector in the appeal decision in 2000. Attaching these conditions will ensure that the current application is not contrary to Policy B23 GUDP.

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

- 5.6 The development entails using the existing vehicular access that opens onto the unclassified county highway. Planning consent has already been approved and implemented to erect a house on the site. It is therefore considered that the principle for using the plot of land in front of the property as a vehicular access and parking area for vehicles has already been established. Planning consent has also been granted to create one pedestrian access from the house to the public footpath. No evidence was submitted to the Council to create a second pedestrian access from the lower floor except for when work is proceeding, and it is proposed to attach a condition to the consent to close the access once the property is occupied. It is considered that the existing application is unlikely to have a significant detrimental impact on road safety and the Transportation Unit has no objection to the proposal. It is not considered that the proposal is contrary to policies CH33 or CH36 of the GUDP.

#### **Sustainability matters**

- 5.7 A report was received to confirm that the property complies with Level 3 of the Sustainable Homes Code. This assessment shows that it is anticipated that the proposed dwelling would reach Level 3 of the Code. A condition will be needed with the permission to ensure that the finished house reaches Level 3, and provided this is done, it is considered that the proposal is acceptable in relation to Policy C7 of the GUDP.

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

- 5.8 Full consideration was given to the relevant issues raised as a result of the statutory publicity given to the application and it is considered that the objections received would not justify refusal of the application in this case as they can be overcome by attaching suitable conditions on any planning permission.

#### **6. Conclusions:**

- 6.1 The fact that the implemented planning permission exists on the site is an important planning consideration when considering the current application. The Council has already approved the demolition of the previous cottage and the building of a two storey house on a (substantial) plinth and to adapt the current access to create a parking area in 2000. Although the size of the house subject to the current application is a little bigger than the building originally approved, it is considered that the difference is not enough to justify refusal of the application. The proposal does not significantly impair on the area's visual amenities or those of the nearby residents and it conforms to all the policies noted in this report.

#### **7. Recommendation:**

- 7.1 To approve – with conditions

1. Withdrawal of permitted development rights;
2. No windows in the north eastern gable end on the first floor level or higher;
3. Within a month of the date of this permission, a detailed plan will be submitted to and approved by the Council indicating the high level windows at the first floor level and higher in the south eastern gable of the property and the permission will be implemented in accordance with the approved plan within a month of the date of the occupation of the dwelling house;
4. The pedestrian access at the lower floor level in the north eastern gable-end shall be closed up permanently with blocks and the external surface will be finished in a material and colour to match the other external walls of the property within 1 month of the date of occupation of the dwelling house.



Rhif y Cais / Application Number : C14/0106/20/LL

9

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.

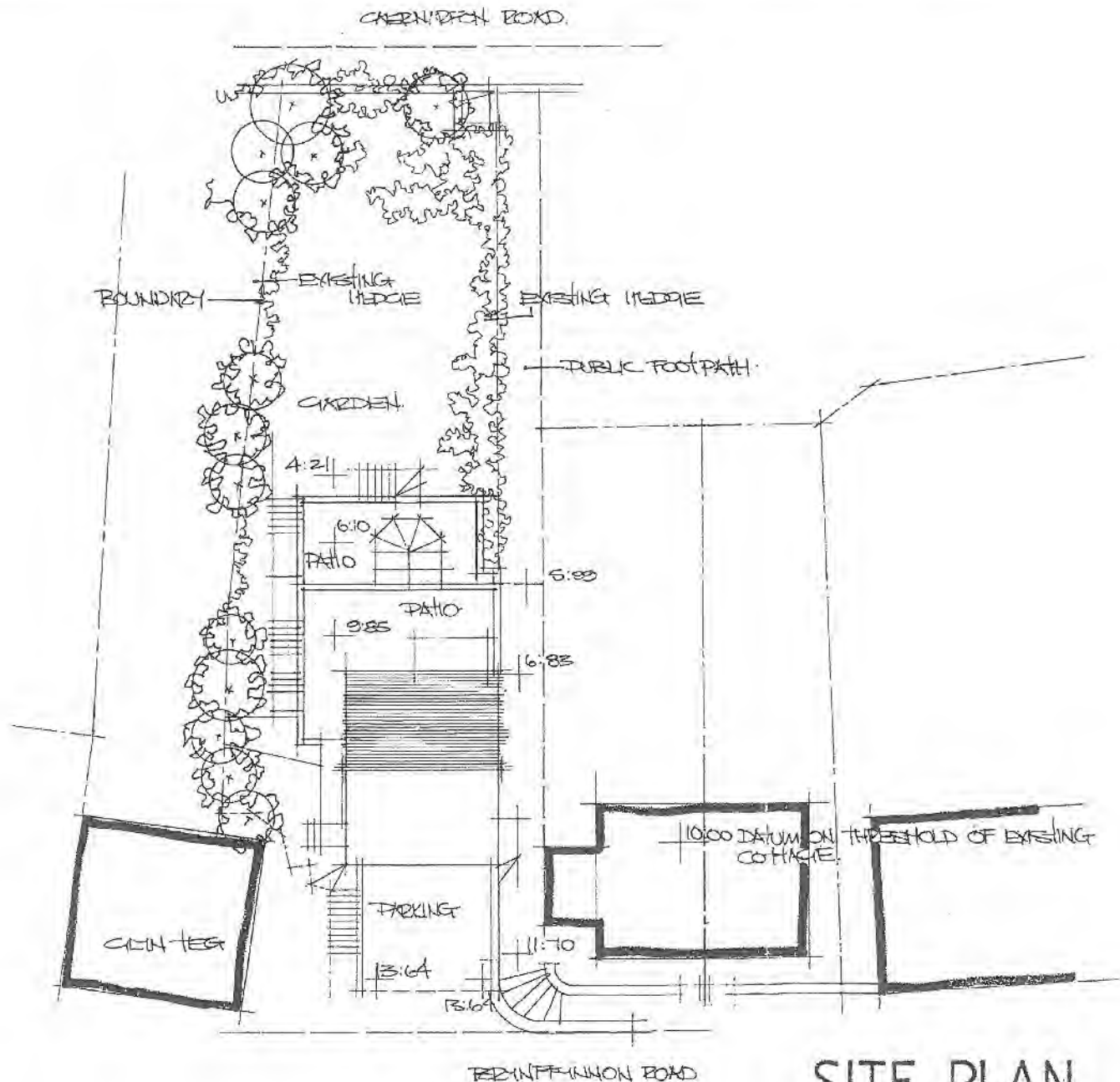


Algyhyroir y map hwn o Ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Eri Mawrhydi.  
© Hawffraint y Goron.  
Mae algyhyrchu heb ganiatâd yn torri hawffraint y Goron a gall byh arwain at erlydied neu achos eidd.  
Cyngor Gwynedd - 10002387 - 2006

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Cyngor Gwynedd - 10002387 - 2006







# SITE PLAN

NOTES  
\* AMENDED SEPT. 2013

CYNGOR PENYDD  
CYMRU  
14 CHW 2026  
D

**Don Westley**  
Architectural Services  
Gwasanaethau Pensaernïol

Tel: 01766 830 287  
Mob: 07970 366 237  
don.westley@yahoo.co.uk

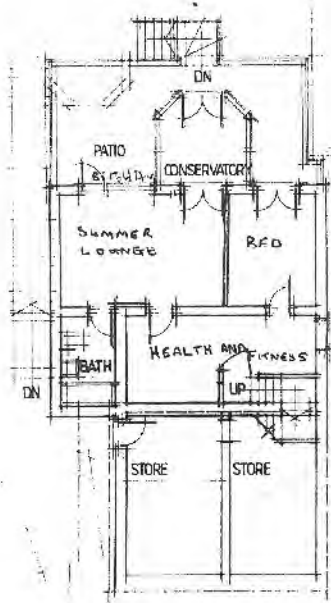
CLIENT  
MR & MRS P. BAILEY,  
3 MURFIELD AVENUE,  
REDDEBURY,  
STOCKPORT,  
SK6 1DD.

JOB  
REPLACEMENT DWELLING  
AT 21 REDYFFYNNON  
ROAD,  
Y FELINHILL,  
CWYNNEDD  
LL56 4SX

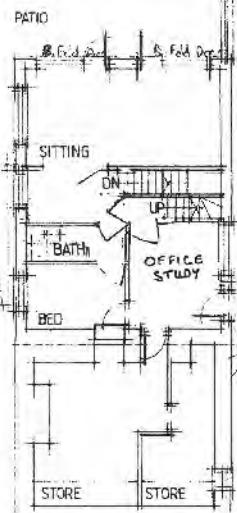
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SCALE 1:200	DATE AUGUST 2013
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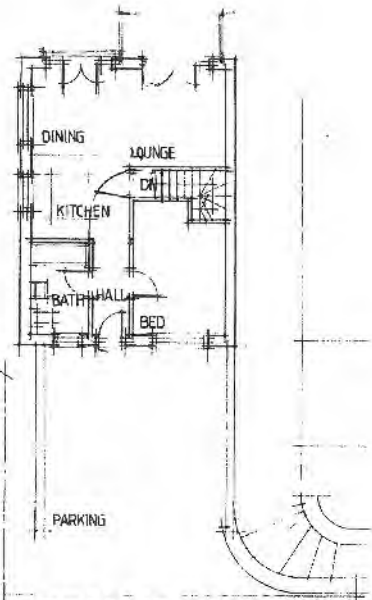
DRWG. NO. 03/PB 13	<b>9</b>
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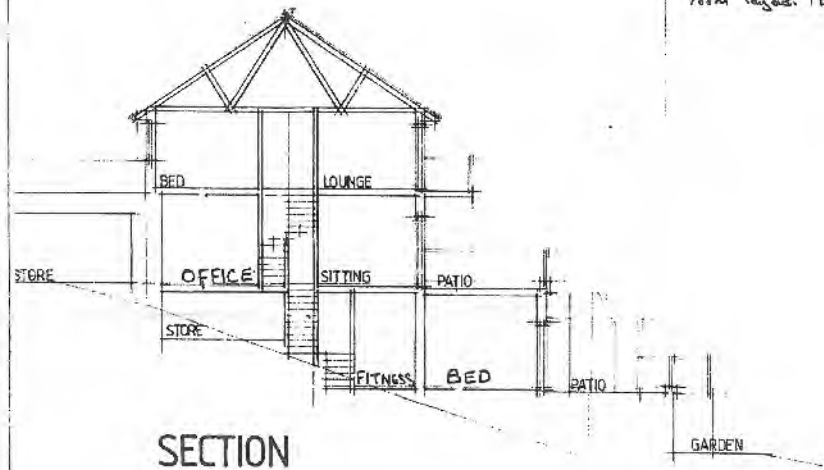
BASEMENT



LOWER GROUND FLOOR



GROUND FLOOR



SECTION

NOTES  
 \* Amendment to room layout FEB 2014

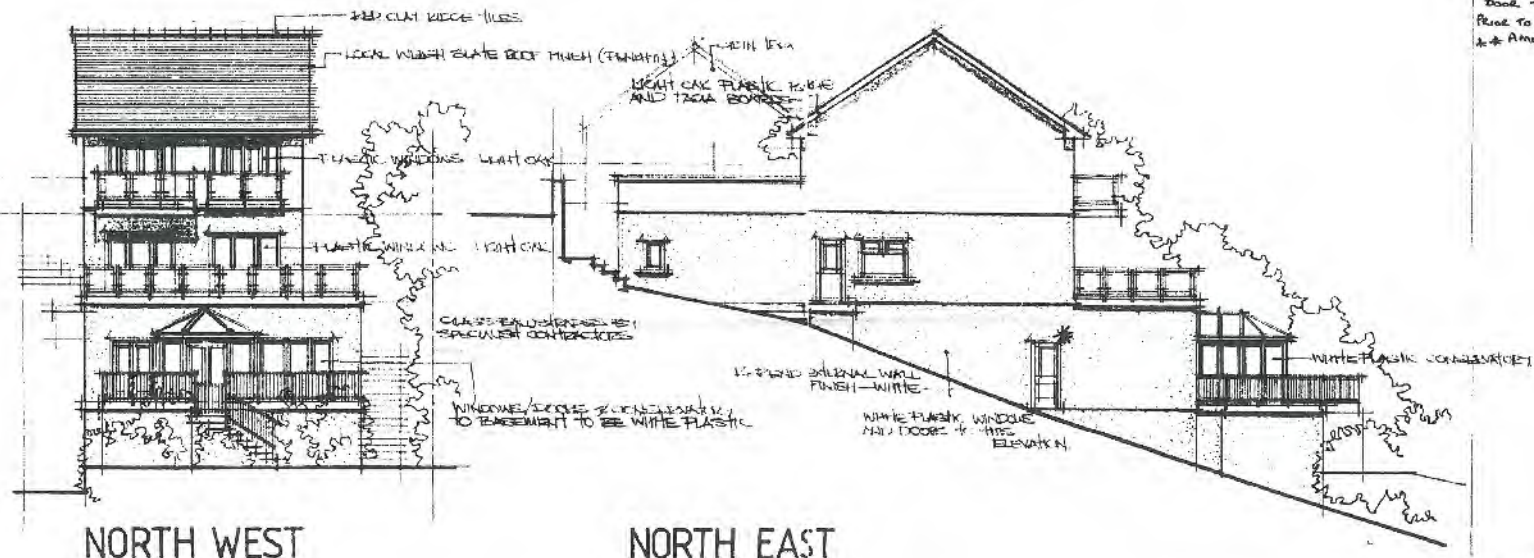
OWNERS: GUY & BEB  
 CONTRACTOR: JAMES GIBB  
 07 DEC 2014  
 10TH CLEVELING A  
 10TH CLEVELING A

MELISSA T. BAILEY,  
 3 MAJFIELD AVENUE,  
 BRIDGEBURY,  
 STOCKPORT,  
 SK6 1LD.

JOB  
 REPLACEMENT DWELLING  
 AT 27 BRINFORD  
 ROAD  
 Y FELINHALL,  
 GUYMELD  
 W150 434

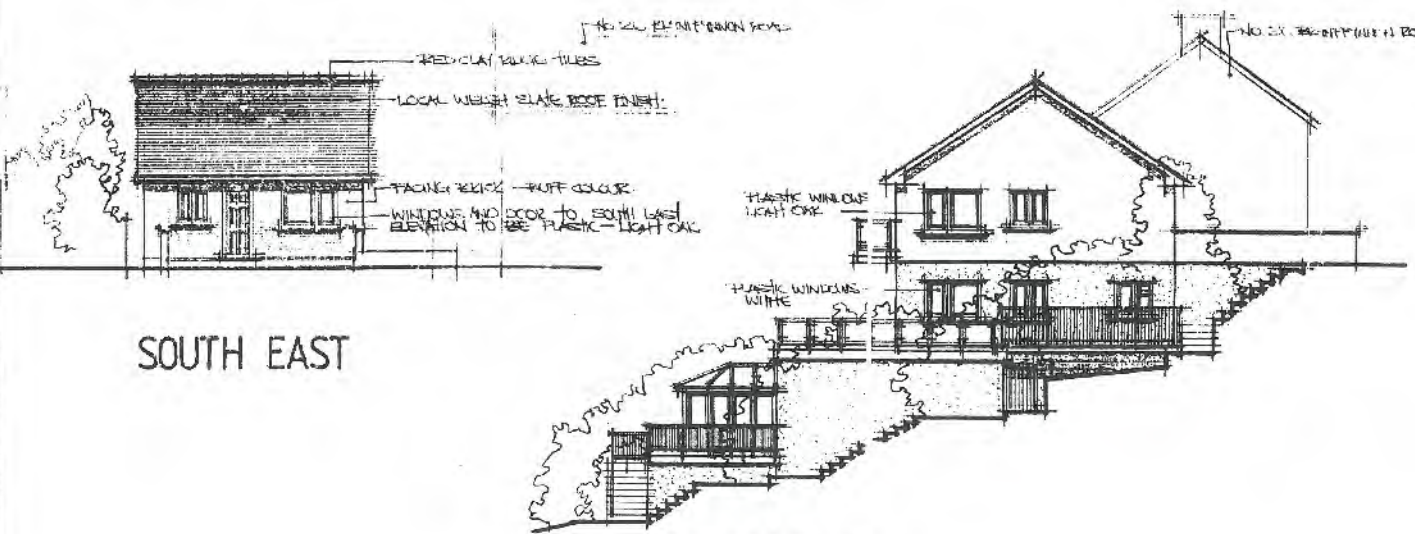
0.1 PROPOSED PAUSE  
 SCALE 1:100 DATE FEB 2014  
 DRWG. NO. 01A/P8 14





NORTH WEST

NORTH EAST



SOUTH EAST

SOUTH WEST

NOTES  
 \* TEMP. WORKS ACCESS  
 ROAD TO BE DEALT OFF  
 PRIOR TO COMPLETION.  
 \*\* AMENDMENT FEB 2014

07 MAY 2014

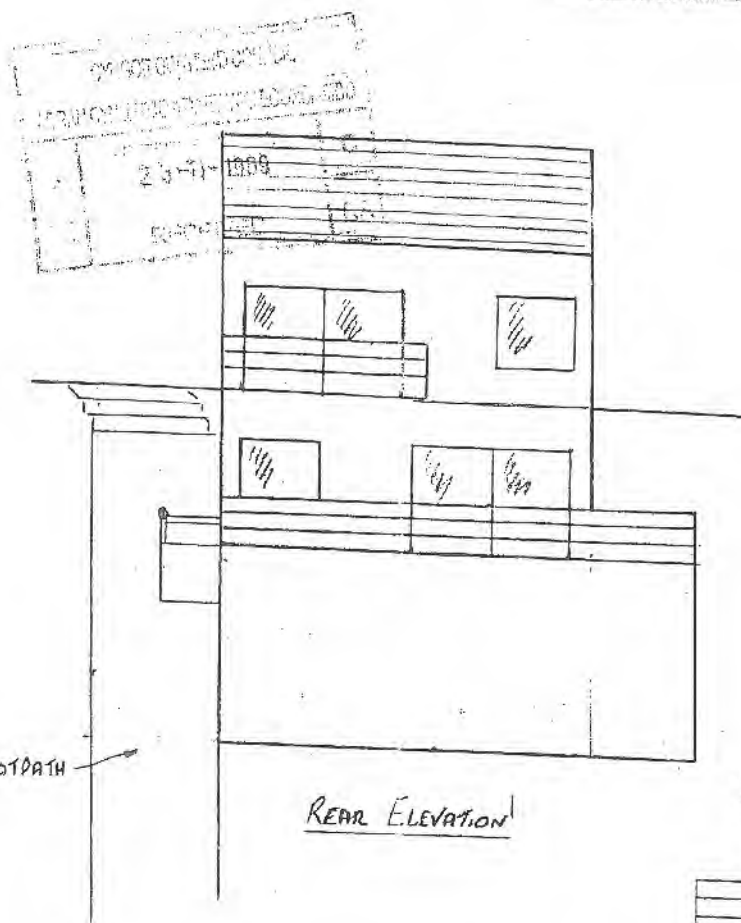
MR & MRS P. BAILEY,  
 3 WURFIELD AVENUE,  
 BEDDLEBY,  
 STOCKPORT,  
 SK6 1DD

JOB  
 REPLACEMENT DRINKING  
 AT 27 BERN FENNON  
 ROAD,  
 Y FELINHILL,  
 GARNNEED  
 LLEGDASYN

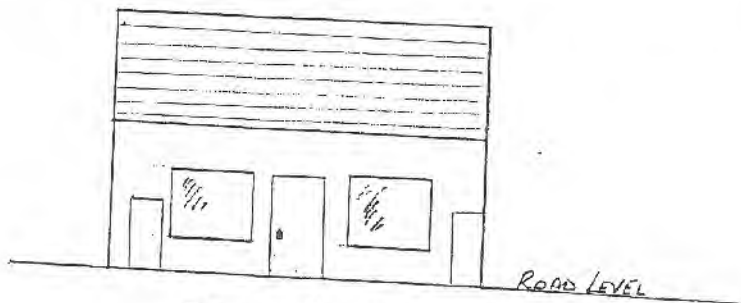
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 DRWG NO 02/PB 14



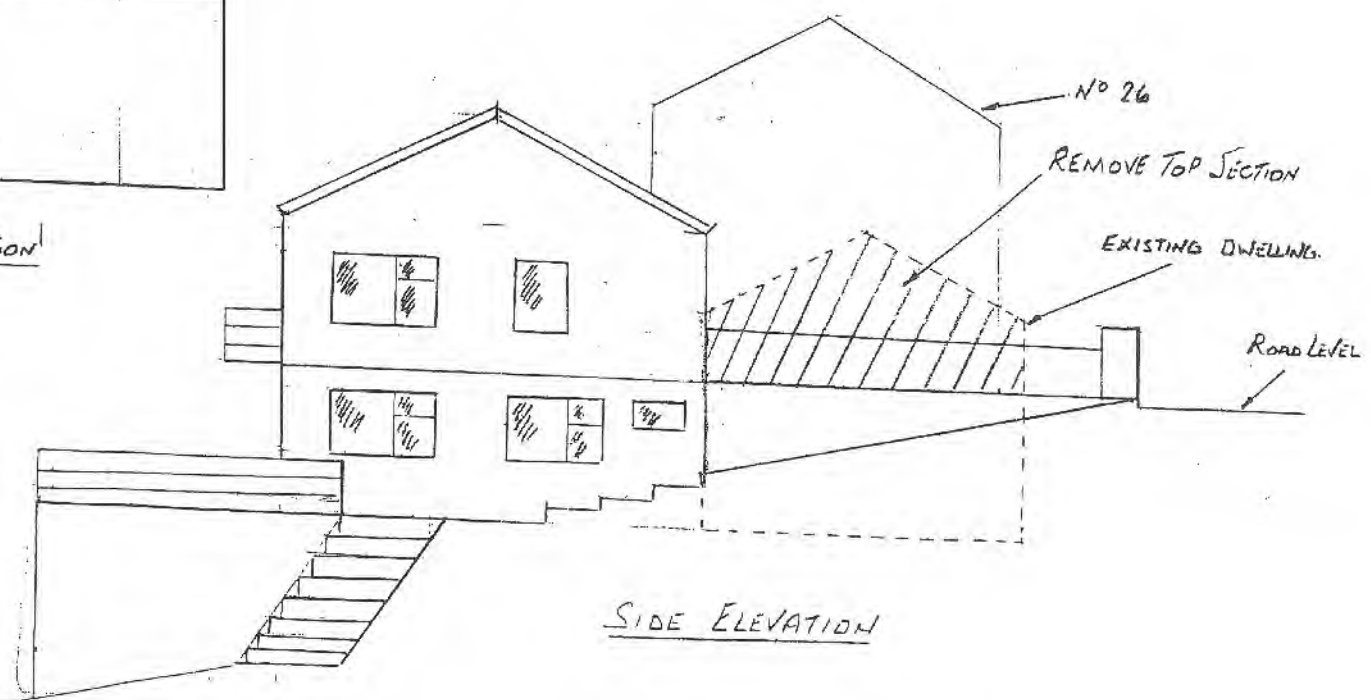
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PLAN APPROVED IN 2000



REAR ELEVATION



FRONT ELEVATION



SIDE ELEVATION

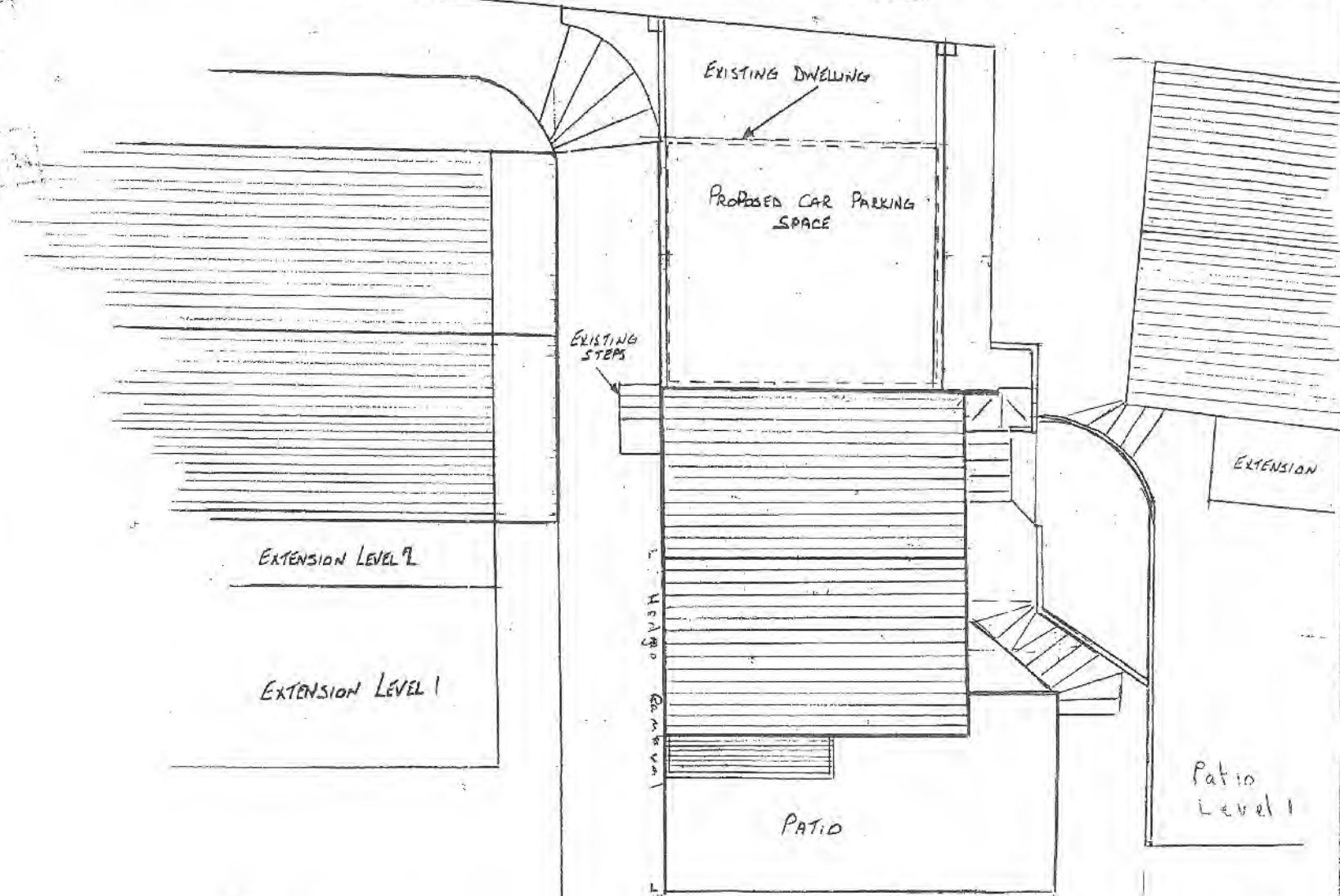
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27 BRYNFFYNNON ROAD

SCALE 1:100

SHEET 1 of 3

CYLLUN A GANIATAFYD YN 2000  
BRYNFFYNNON ROAD. PLAN APPROVED IN 2000

APPROVED FOR CONSTRUCTION  
15-11-1988  
RESIDENT



No 26

No 27

No. 28

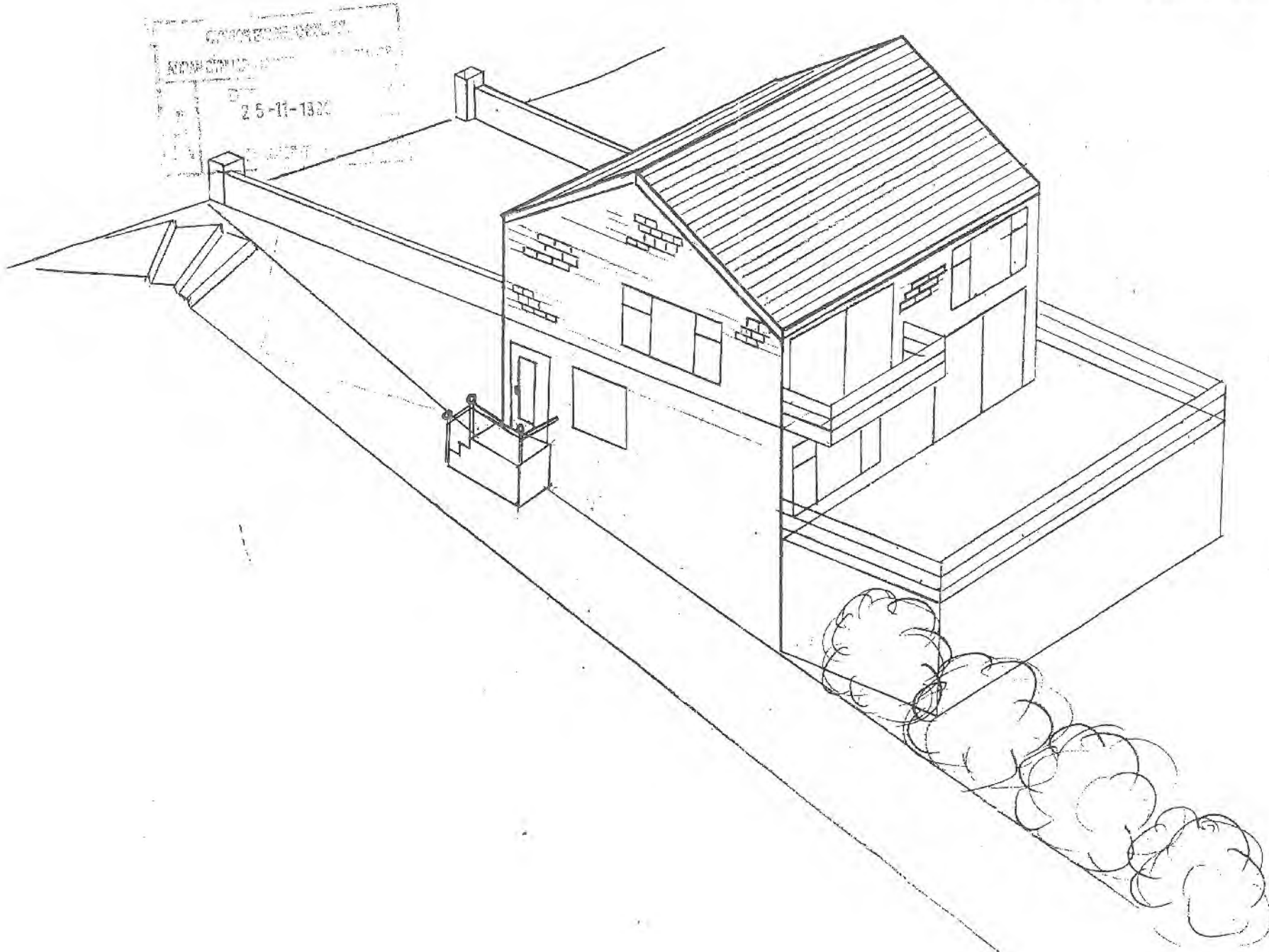
PROPOSED EXTENSION TO  
27 BRYNFFYNNON ROAD

SCALE 1:100

SHEET 2 OF 3

9

CYNLLUN A GAWIATAFYD YN 2000  
PLAN APPROVED IN 2000



CYMRU  
25-11-1900





Application Number: C14/0108/39/RC  
Date Registered: 07/03/2014  
Application Type: Legal Obligation  
Community: Llanengan  
Ward: Llanengan

Proposal: REMOVAL OF 106 AGREEMENT (LOCAL NEED)  
Location: 1, CAE ARFRYN, MYNYTHO, PWLLHELI, GWYNEDD, LL537RJ

**Summary of the  
Recommendation:**

TO APPROVE UNCONDITIONALLY

**1. Description:**

- 1.1 This application involves the deletion of a Section 106 agreement which restricts occupation of the property to local need. Under the agreement, local relates to a person who has lived or worked in the former Dwyfor district or within 10 miles of the site for a continuous period of three years directly before occupying the property or a person who had worked in the Dwyfor district area or 10 miles from the site for a continuous period of three years directly before retiring. The agreement, dated 13 February 2007, was signed by the applicant prior to approving a full application to construct a dwelling house on the site.
- 1.2 The site lies within the development boundary of the village and is located off the second class B4413 road to the north west of the site.
- 1.3 The application is submitted to committee following receipt of more than three correspondences objecting to the proposal.

**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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

**2.2 Gwynedd Unitary Development Plan 2009:**

POLICY CH4 – NEW DWELLINGS ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF LOCAL CENTRES AND VILLAGES – Approve proposals for the construction of new dwellings on unallocated sites within the development boundaries of Local Centres and Villages if they conform to criteria aimed at ensuring an affordable element within the development.

POLICY CH10 – SECOND HOMES - Refuse proposals for new dwelling(s) which would lead to an increase in the number of second homes within a community where they already constitute a high percentage of the housing stock.

***Local Supplementary Planning Guidance***

A series of Supplementary Planning Guidance have been adopted by the Council. The following guidance are relevant to this application:

- Affordable housing
- Planning obligations

### **2.3 National Policies:**

Planning Policy Wales - Sixth edition, February 2014  
- Para. 9.2.14 – The community’s need for affordable housing

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

- 3.1 C06D/0484/39/AM – Construction of new single-storey building and retention of static caravan for temporary residential use – Approved 20 February 2007. The 106 agreement was signed in relation to this application.
- 3.2 C07D/0123/39/MG – Details for the construction of a single-story dwelling (local need) – Approved 10 April 2007.

### **4. Consultations:**

Community/Town Council: Object, because the condition/agreement was set for a reason.

Public Consultation: A notice was posted on the site and nearby residents were informed. The consultation period ended on 3 April 2014 and four items of correspondence were received objecting on the following grounds:

- The house has not been for sale and therefore there is no means of finding suitable buyers.
- It is believed that the aim of the Council is to ensure that houses remain affordable indefinitely.
- There is still a need for affordable housing in Gwynedd and removing the 106 agreement from this property would also set a precedent for removing the agreement from the houses of 2-5 Cae Arfryn.
- Often read that there is need for local housing in the area and approving the removal of the agreement for this property would open the floodgates to remove them from other properties.
- The applicant is developing nearby land and has not realised his commitments on that site.

One correspondence was received supporting the application on the following grounds:-

- There are not enough local people to support having so many properties bound by a 106 agreement.
- The 106 agreement encourages builders to build housing that is not of the highest quality as they are not able to sell them for a realistic price.

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

5.1 The national guidelines related to planning commitments remain the same as when the application was originally submitted in 2007, namely Circular 13/97 (Wales). It is noted that planning obligations, with appropriate use, could allow applications, that would otherwise be refused, to go ahead. However, such obligations should only be sought where it is necessary to make a proposal acceptable in planning terms. The circular notes five criteria that obligations should satisfy, namely:

- Relevance to planning;
- that it is necessary so that the proposal is acceptable in planning terms;

- that it is directly relevant to the development;
  - relatively relevant in terms of scale and size; and
  - that it is reasonable in all other aspects.
- 5.2 The relevant legislation notes that an authority which receives an application to adjust or remove a planning obligation should consider whether that obligation serves a useful purpose in planning terms. The legislation does not state that the useful purpose has to be the same as the original. It is therefore important to consider whether or not the planning circumstances have changed since granting the original planning consent.
- 5.3 Also relevant in determining the application are the outcomes of planning appeals for the deletion of similar agreements. Between 2008 and 2011, four appeals were lodged against the Council's decision to refuse abolishing a 106 local need agreement, namely, Coed Estyn, Pentrefelin, Y Stabl Hen, Abersoch, Erw Goch, Morfa Bychan and Bwthyn y Ffrwd, Bwlchtocyn. The appeals were approved in all four cases and subsequently the Council has approved applications to abolish 106 local need agreements. It should be noted that these are 106 local need agreements only and they do not include the 106 affordable homes agreements that are being used now and appeals to abolish these agreements have been won. Some of the objectors have voiced their concerns that approving this application would also mean that the 106 agreements on houses 2-5 Cae Arfryn would also be released. It should be noted however that the adjacent houses have a 106 affordable housing agreement and therefore the consideration for removing that type of 106 agreement would be different to this current application.
- 5.4 Since granting the original planning consent in 2007, Gwynedd Council has adopted the Unitary Development Plan. The planning background and specifically the planning policies have changed since granting the original planning application. It is important to note that the current development plan does not promote granting planning permission for developments which are subject to a 'local person' obligation.
- 5.5 Should an application to erect a residential unit within the Mynytho development boundary be submitted today, the application would be assessed against the requirements of Policy CH4 of the UDP, which promotes the provision of affordable homes unless the Local Planning Authority can be satisfied, having considered all the relevant factors, that it would not be appropriate to provide affordable housing on the site. The application would only relate to one dwelling therefore; as only a proportion of the units would have to be considered for affordable housing under Policy CH4, an application for a single dwelling would not have to be bound as an affordable house. Policy CH4 along with the remainder of the housing policies contained in the GUDP involve providing affordable homes and nowadays 106 agreements are made when a planning application is granted which requires a planning obligation for the purpose of binding the houses for affordable need, as opposed to local need which relates to the 106 agreement that is subject to this specific application. In the appeal decision for Y Stabl Hen, Abersoch, the Inspector stated that "nothing in the obligation would address the local housing needs for the local community..... . . in the light of Planning Policy Wales and TAN 2 would represent a legitimate planning purpose. The obligation makes no reference to affordability or to the manner in which the property could be occupied in the event of a failure to secure a compliant occupant. As it stands, the terms of the obligation could be satisfied by any local person capable of competing in the open housing market. Thus, the obligation does not give effect to the legitimate planning purpose of addressing a local housing need." Similar points have been voiced at the other appeal cases referred to in paragraph 5.3. It can therefore be seen that existing local and national policies emphasise the provision of affordable housing and therefore the existing 106 agreement is neither reasonable nor necessary in terms of the relevant policies.

- 5.6 Llanengan parish is an area with a high percentage of holiday homes / second homes and therefore Policy CH10 of the GUDP should be considered. However, it is not considered that one house would significantly affect the percentage of holiday homes / second homes in the area and there can be no guarantee that the house would be used for this purpose following the deletion of the 106 agreement. This has been highlighted in planning appeals for similar applications to delete 106 local need agreements within the County. In the case of Erw Goch, Morfa Bychan, the Inspector stated that “Policy CH10 is expressly worded in that it needs to be apparent that a particular housing proposal would lead to an increase in the number of second homes in a community. This implies that the discharge of the planning obligation would result in the dwelling being used as a second home. That is not an inevitable result of removing this constraint. . . It is no more than a possibility that the dwelling would be used as a second home and that is an unacceptably low threshold to justify the obligation’s restriction.” A similar point of view was expressed in a similar planning appeal for Bwthyn y Ffrwd, Bwlchtocyn. It is also essential to note that the Planning Inspectorate affords very little weight to this policy when determining appeals that are based on this policy. What comes over in the appeals is that it cannot be proven with robust evidence that the residential units would be holiday homes or second homes. An appeal was approved for the site of the Power Boat Club in Abersoch which related to deleting a condition to limit the occupancy of the open market housing to be developed on site to be used for permanent occupancy only contrary to the Council's decision. As a result of such appeal decisions, we cannot lend much weight to this policy when considering planning applications.

**6. Conclusions:**

- 6.1 The property is located within the village development boundary and there is no guarantee should the agreement be abolished that the property would contribute to the percentage of holiday homes / second homes in the area. Therefore, in light of the above assessment, it is not considered that the obligation has a valid planning purpose and therefore it should be approved to abolish the agreement on the property.

**7. Recommendation:**

- 7.1 To approve the application unconditionally.





Rhif y Cais / Application Number : C14/0108/39/RC



Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.  
Location Plan for identification purposes only. Not to scale.



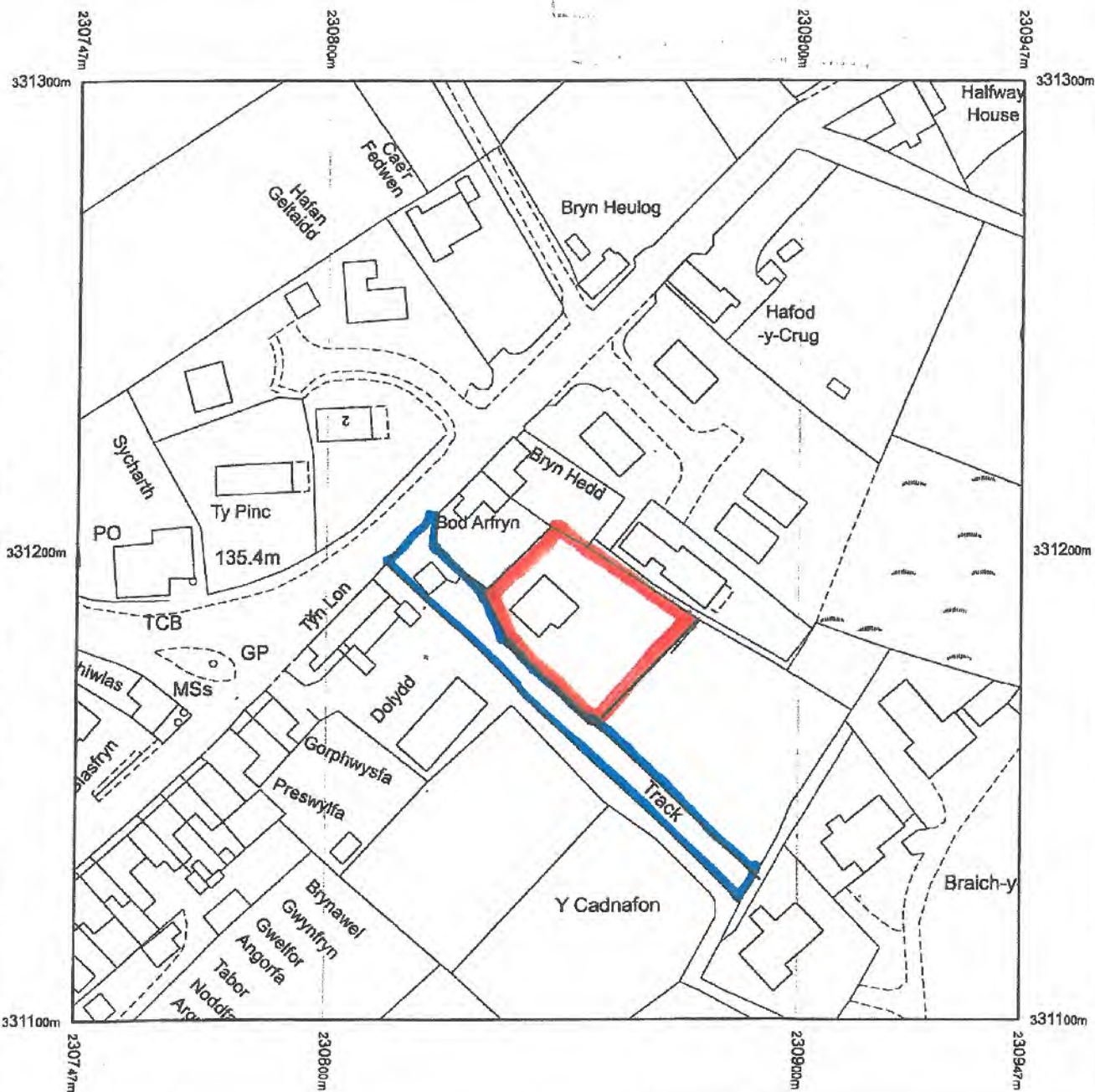
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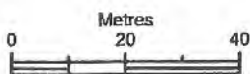
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<b>PWYLLGOR CYNLLUNIO</b>	<b>DYDDIAD: 28/04/2014</b>
<b>ADRODDIAD PENNAETH ADRAN RHEOLEIDDIO (CYNLLUNIO, TRAFNIDIAETH A GWARCHOD Y CYHOEDD)</b>	<b>PWLLHELI</b>

Application Number: C14/0171/42/LL  
Date Registered: 05/03/2014  
Application Type: Full - Planning  
Community: Nefyn  
Ward: Nefyn

Proposal: CHANGE OF USE OF LAND TO FORM 21 ALLOTMENTS AND ASSOCIATED ACCESS PATHS.

Location: LAND NEAR Y DDOL, STRYD Y PLAS, NEFYN, GWYNEDD, LL536HP

**Summary of the Recommendation:** TO DELEGATE THE RIGHT TO THE SENIOR PLANNING MANAGER

**1. Description:**

- 1.1 The proposal involves using an agricultural field and converting it into community allotments with a total of 21 plots. The application also includes details for associated access paths which would have a tarmac surface. As part of the application a list was received with names of people who would be interested in having an allotment, and 35 people from 19 addresses have put their names down on the list.
- 1.2 The site lies in the countryside but it borders with the development boundary of Nefyn. The field is accessed through an agricultural gate from the adjacent car park. There are dwelling houses located near the site.
- 1.3 The application is submitted to the Committee after receiving three objections to the proposal.

**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 decisions should be made in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

**2.2 Gwynedd Unitary Development Plan 2009:**

**POLICY C1 - LOCATING NEW DEVELOPMENT** – Land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

**POLICY B7 - SITES OF ARCHAEOLOGICAL IMPORTANCE** – Refuse proposals which will damage or destroy archaeological remains which are of national importance (whether scheduled or not) or their setting. Also refuse any development that will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

**POLICY B23 – AMENITIES** - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.



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POLICY CH30 – ACCESS FOR ALL – Refuse proposals for residential/business/industrial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH44 – PROVISION OF COMMUNITY SPORTS OR RECREATIONAL FACILITIES – Proposals for the provision of new sports and/or leisure facilities, or for improving existing facilities to meet the needs of the local community will be approved provided they meet all the criteria that relate to the location of the development, the possibility of satisfying the need through dual use or the conversion of existing buildings, and the scale and nature of the development.

### 2.3 National Policies:

Planning Policy Wales (Edition 6 February 2014)

Para 5.5.18 - Allotments should be retained, particularly where they have an important open space function and contribute to sustainable development. A proposal to appropriate or dispose of statutory allotments for a different use would usually require the local authority to apply for the consent of the Welsh Government under Section 8 of the Allotments Act 1925.

Technical Advice Note 16: Sports, Leisure and Open Spaces (2009)

Gardening allotments.

3.27 Allotments are important green spaces in urban and rural areas, and their cultivation can contribute to sustainability, provide opportunities for leisure, exercise and healthy food, improve biodiversity and encourage interaction between different groups in the community. In accordance with the provisions of the Smallholdings and Allotments Act 1908, local authorities and town and community councils are under an obligation to provide sufficient plots for residents where they believe there is a demand for allotments. Authorities should ensure that statutory allotments within their areas are properly protected, promoted and managed and are sufficient to meet the demands of local residents wishing to cultivate them. In particular, all such sites should include a suitable element of wildlife habitat. The importance of combined allotment/compost/wildlife sites is likely to increase, particularly where the density of residential development rises. Policies in the LDP should address the need to provide and protect allotment/compost/wildlife sites where a shortfall has been identified, and to improve the accessibility of such sites for all users. It may be appropriate to use Section 106 Agreements to provide allotments in combination with composting and natural green spaces.

3. **Relevant Planning History:** There is no relevant planning history.

4. **Consultations:**

Community/Town Council: Not received.

Transportation Unit: No recommendation as it is not anticipated that the proposed development would have a detrimental effect on any road or proposed road.

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**Biodiversity Unit:** The field to be developed is an improved field of relatively low wildlife value. Planting the orchard will certainly increase its biodiversity value. The ditch across the field has been cleared recently and the habitat is not suitable for Water Voles. Allotments can also be of biodiversity benefit as flowers and herbs attract pollinators and muck heaps are a haven for reptiles.

I would like to offer a comment regarding the boardwalk around the pond. It would be better if the boardwalk didn't follow the edge of the pond all the way around it, but instead took a path further away and around its back. It would be much better to leave half the pond shore with fewer disturbances by people. I would be happy to discuss these details after the application has been granted permission.

**Footpaths Unit:** Not received.

**Gwynedd Archaeological Planning Service:** Initial informal observations were received which noted that most of the land within the application including the area of allotments falls within an expanse of medieval fields, therefore the proposal is unlikely to require an archaeological response. However, some of the ancillary work within the area is believed to be in the location of a medieval priory according to the documentary evidence. It is not clear from the information submitted what exactly the work will involve, and we wish to discuss the proposed work with the applicant before providing formal observations on the application.

**Public Consultation:** A notice was posted on the site and nearby residents were informed. The consultation period ended on 27 March 2014 and three letters were received objecting to the application on the following grounds:

- Problems with water stagnating in the field, therefore the ground is too wet for some months in the year.
- Question how easy it will be for the users of the allotments to carry their equipment with them every time and it is likely that there will be a demand for sheds / greenhouses in the future.
- Question the size of the allotments.
- Concern about repositioning the path closer to a water course.
- Overlooking and loss of privacy.
- The site is a migration path for newts, frogs and toads that head for the adjacent wetland.
- The use of pesticides and fertiliser affects the flora and fauna.
- The car park already gets busy during the summer months, which are the main gardening months.
- Question the safety of the area because a river

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flows through the site, and it is also close to a children's playground.

- The proposal together with the playground changes the character of this part of Nefyn, and makes it a noisy place where people congregate.

## 5. Material Planning Considerations:

### Principle of the development

- 5.1 The site is on the edge of Nefyn's development boundary and visually the site forms part of the village. Due to the nature of allotments, the demand cannot be met by using existing facilities within the town or by reusing existing buildings. The proposed allotments will provide new community facilities for the town. It is considered that the scale and nature of the proposal complement the character and setting of the settlement. It is considered that the principle of the proposal is acceptable based on the requirements of Policy C1 and CH44.

### Design and visual amenities

- 5.2 The proposal does not include any structures such as sheds or greenhouses. The Design and Access Statement states that cultivation tools for the allotments would be kept in the tenants' homes, and this is understood to have been the arrangement by Gerddi Pawb when they had allotments in another part of the town. It is intended to install a fence around the allotments, and an entrance gate. Conditions could be imposed on the planning permission with regard to agreeing on the type of gate and fence to be installed around the allotments, and also a condition to ensure that structures such as sheds and greenhouses will not be put on the site without the Local Planning Authority's permission. Therefore, with appropriate conditions it is not considered that the proposal will have a harmful impact on the site's appearance or affect the visual amenities of the area.

### General and residential amenities

- 5.3 Policy B23 is a consideration for this aspect of the application. The policy relates to safeguarding residential amenities and the area's amenities. The site is located in a residential area which also has other leisure uses nearby, with a children's playground to the south and a football field to the north. There is also a car park to the south-west.
- 5.4 The objectors have raised concerns relating to noise and disturbance. The nature and use of land for allotments is very similar to activities that residents could undertake in their back gardens, and on the other hand the use is not materially different to the existing agricultural use. On the whole it is considered that the development is unlikely to have a significant adverse effect on the amenities of nearby residents and to a degree which would justify refusing the application.
- 5.5 The current land is level, and on a similar level to the back gardens of the adjacent houses in the Bryn Glas area. There are hedges that form a border between the gardens of the adjacent houses and the proposed allotment plots, which contribute towards safeguarding the residential and visual amenities of the houses nearby. Due to the lay of the land and the proposed use, it is not considered that the proposal will result in unreasonable overlooking or loss of privacy for the nearby residents.
- 5.6 The field is quite open and is located immediately adjacent to a car park, and it is visible from the unclassified road nearby. There is no intention to install structures such as sheds on the allotments, therefore secluded spaces will not be created.

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Consequently, it is not considered that this land use will increase opportunities for individuals to engage in anti-social behaviour.

- 5.7 It is not considered that the development will have an unacceptable effect on the amenities of the nearby houses. Nor is it considered that the development will attract anti-social behaviour to the site as it is a fairly open site with natural surveillance. Therefore, the proposal complies with the requirements of policy B23 which deals specifically with amenities.

**Transport and access matters**

- 5.8 Access to the site is through an existing agricultural gate from the adjacent car park. No specific parking provision is provided as part of the application, but the location is convenient as there is a car park nearby which is free of charge. The Transportation Unit had no objection to this application following the statutory consultation period. Consequently it is not anticipated that the development will create an unacceptable situation in terms of road safety. It is considered that the proposal complies with Policy CH33 of the GUDP.

- 5.9 As part of the application it is intended to create associated access paths. The aim is to connect the proposed allotments with the playground and the football field either side of the field where it is proposed to create the allotments. The paths would have a tarmac surface, making them suitable for wheelchair users. It is considered that this proposal would improve access, and that the paths would provide appropriate access to a wide range of individuals. It is considered that the proposal is acceptable in respect of Policy CH30.

**Biodiversity matters**

- 5.10 The objections have referred to the fact that the proposal would affect wildlife and flora and fauna. The Biodiversity Unit were consulted on the application and they note that the field is of comparatively low wildlife value. It is considered that planting the orchard would certainly increase its biodiversity value. It is not considered to be a suitable habitat for Water Voles. It is also considered that allotments can bring biodiversity value with flowers and herbs attracting pollinators, and muck heaps being a haven for reptiles. The Biodiversity Unit however recommend that agreement should be obtained on the exact location of the path around the pond, and a condition can be imposed to agree on this. It is not considered therefore that the proposal would have a detrimental impact on biodiversity.

**Archaeological matters**

- 5.11 As can be seen from the observations received, the Gwynedd Archaeological Planning Service has submitted initial observations on the proposal, mainly in order to try and have an informal word with the applicant to begin with to obtain more information on some of the proposals. The applicant was informed of these observations and has been advised to contact the Gwynedd Archaeological Planning Service. No update had been received at the time of preparing the report. A response is awaited to the discussions in order to see what the implications for the proposal are in terms of complying with Policy B7 of the GUDP.

**Any other matters**

- 5.12 The objections have referred to the fact that the land is wet and that water stagnates on it for several months during the winter, therefore the land is not suitable for planting. The land is not located within any flood zone. The suitability of the land for establishing allotments is considered to be a matter for the applicant, and is not a planning matter.



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**6. Conclusions:**

- 6.1 The objections by local residents have received full consideration as noted above. Based on the above assessment, and having considered the relevant matters, including the objections, it is not considered that the proposal is contrary to the local and national policies and guidelines noted in the assessment, nor are there any material planning considerations that state otherwise. Based on the above, it is believed that the proposal is acceptable, subject to reaching a decision on the archaeological implications and subject to relevant conditions.

**7. Recommendation:**

To delegate the right to the Planning Manager to approve the application, subject to receiving favourable observations on archaeological matters – conditions – five years, in accordance with the plans, agree on the surrounding fence and gate for the allotments, no further developments such as structures without receiving the written approval of the Local Planning Authority, before constructing a path around the pond need to agree on the exact setting and surface of the path with the Local Planning Authority.

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Rhif y Cais / Application Number : C14/0171/42/LL



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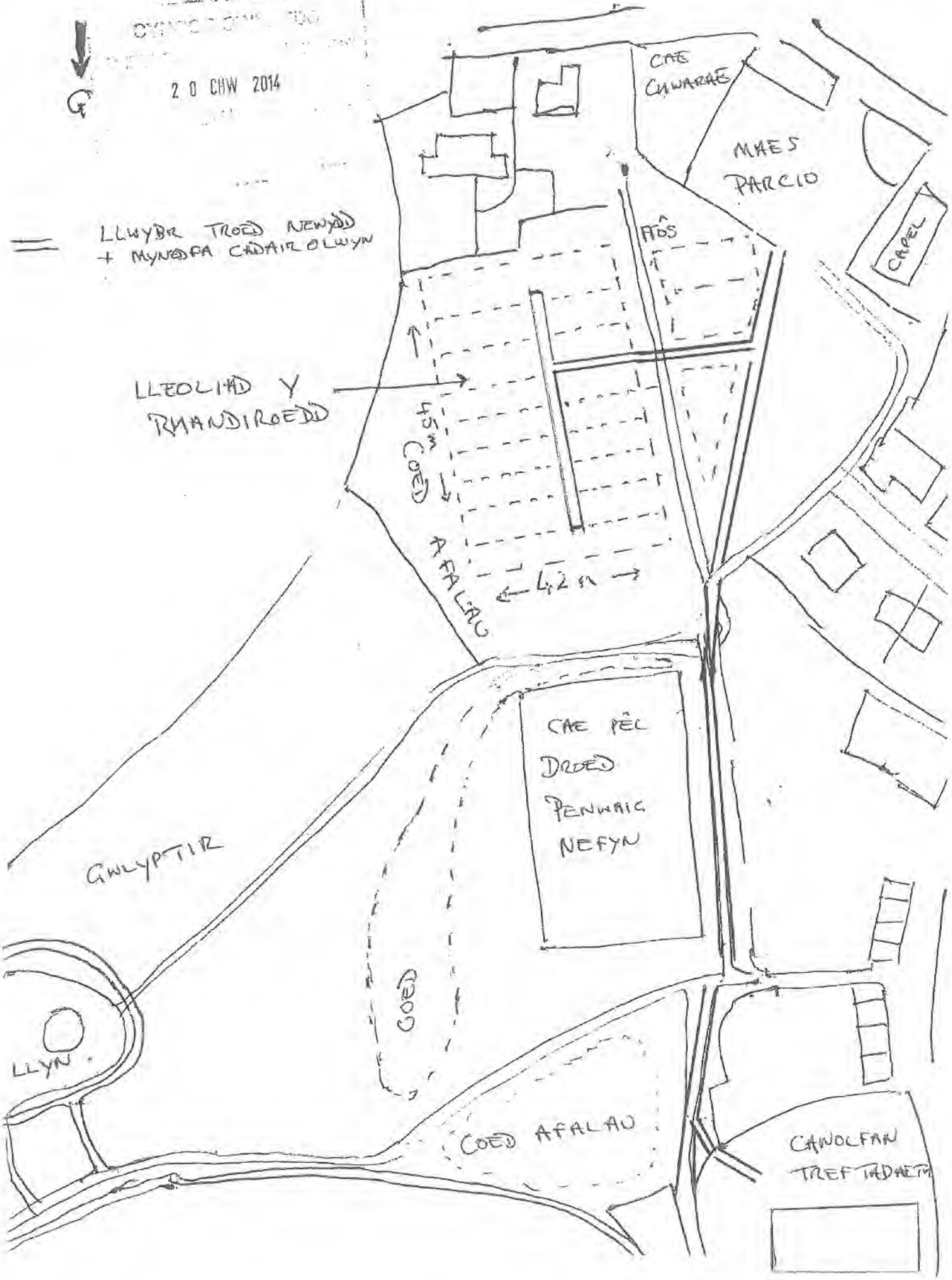
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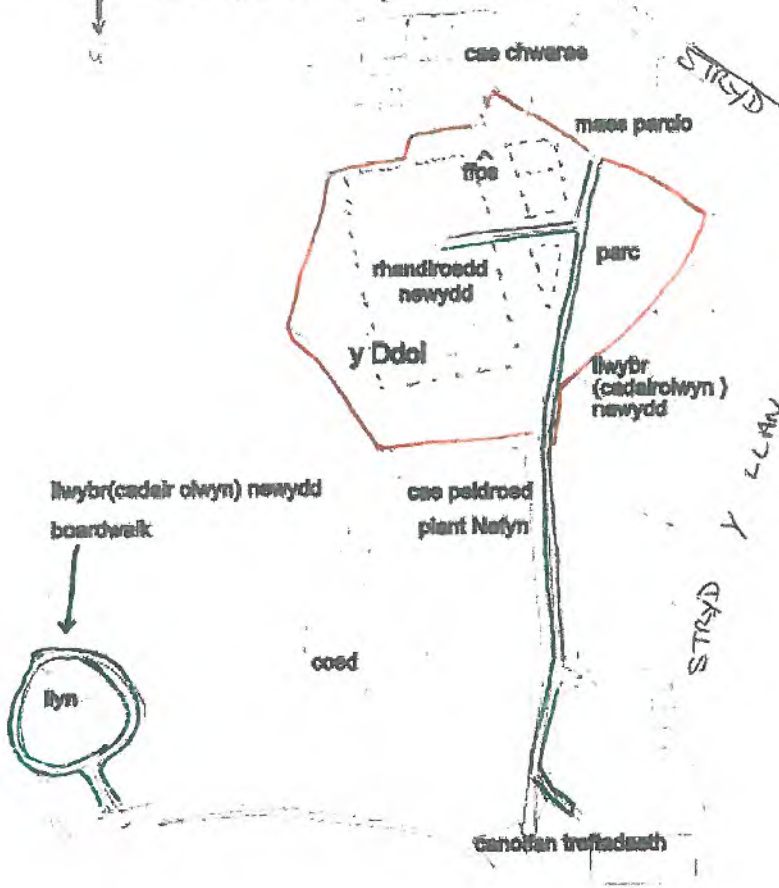
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