

PLANNING COMMITTEE	DATE: 26/02/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	DOLGELLAU

**Number: 4**

**Application Number:** C17/1101/13/LL

**Date Registered:** 15/11/2017

**Application Type:** Full - Planning

**Community:** Bethesda

**Ward:** Ogwen

**Proposal:** Full planning application for the construction of five bungalows for social letting and twelve houses for social letting, and adaptations to the existing entrance and access road

**Location:** Bethesda Rugby Club, Dôl Dafydd, Station Road, Bethesda, Bangor, Gwynedd, LL573NE

**Summary of the Recommendation:** TO APPROVE SUBJECT TO COMPLETING A SECTION 106 AGREEMENT AND RELEVANT CONDITIONS.

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## 1. Description:

- 1.1 This is a full application to construct five bungalows and 12 two-storey houses to be developed by Grŵp Cynefin on the former site of Bethesda Rugby Club and Football Club. The application can be split into the different elements which include:-
- Constructing five three-bedroom bungalows for three persons, eight two-storey two-bedroom houses for four persons, three two-storey three-bedroom houses for five persons together with one two-storey four-bedroom house for six persons.
  - Improvements to the junction between Station Road and the A5 trunk road along with creating a new estate road to serve the houses.
  - Provision of parking and turning spaces for the residents of the proposed houses.
  - Landscaping within the site including parcels of land for indigenous trees, shrubs and *cloddiau* together with timber fencing around the gardens.
- 1.2 As part of the application, the following information was submitted:
- A Design and Access statement that assesses the proposal within the context of relevant local and national planning policies and guidelines.
  - Traffic Statement.
  - Ecological report.
  - Community and Linguistic Statement
  - Affordable Housing Statement.
  - Structural report on the slate wall which forms the sites southern boundary.
- 1.3 The height of the houses varies between two-storey and two-and-a-half-storey, and will consist of natural slate roofs, grey stone window sills, UPV-c windows of a grey colour, painted rendered walls along with a natural slate covering to lower areas of the walls of some of the houses. The combination of these materials reflects the construction materials surrounding the site.
- 1.4 This site is located on a plateau within an area with a mixture of materials and which includes industrial units (Class B2 and B8 Use), residential dwellings, sports facilities (rugby) along with health uses (Yr Hen Orsaf Medical Centre). A disused flat roof building currently stands on the site with parking spaces on the southern part and an access road running parallel to the eastern boundary of the site which serves a scaffolding hire business. The site is located within the development boundary as contained in the Gwynedd and Anglesey Joint Local Development Plan, 2007 (LDP) and it is not designated or protected for any specific use. The site can also be defined as a *previously developed site*.
- 1.5 There is scaffolding hire business to the north of the site, and the local medical centre is located to the east of the site, there are residential dwellings to the south, and to the west, on land which is much lower than the ground level of the site of the application is an industrial unit and the playing fields of the Bethesda Rugby Club along with ancillary facilities. The site measures approximately 0.59ha. and is flat in nature with a hard surface and vegetation (trees and bushes) is located at the site's north-western corner.

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1.6 The site is served by an unclassified county road (Station Road) which is also a public right of way, Footpath Number 1A Bethesda. A junction and private access road is located off the unclassified road which serves the local medical centre, a scaffolding hire business and the rugby club itself.

1.7 As the application is defined as a *major* application by Welsh Government (development of 10 houses or more) the applicant is required to undertake a pre-application consultation in accordance with the requirements of Article 1 of the Town and Country Planning Order (Development Control Procedure) (Wales) (Amended) 2016. The applicant has confirmed this and has submitted an information pack on the pre-application consultation with this application.

## 2. Relevant Policies:

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

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

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

Policy ISA1 - infrastructure provision

Policy ISA5 - provision of open spaces in new housing developments

Policy PS1 - The Welsh Language and Culture

Policy TRA2 - parking standards.

Policy TRA4 - managing transport impacts.

Policy PS5 - sustainable development

Policy PCYFF1 – development boundaries.

Policy PCYFF2 - development criteria.

Policy PCYFF3 - design and place shaping.

Policy PCYFF4 - Design and Landscaping.

Policy TAI8 - appropriate mix of housing.

Policy TAI15 - threshold of affordable housing and their distribution.

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Policy AMG5 - local biodiversity conservation.

Supplementary Planning Guidance (SPG): Planning and the Welsh Language.

SPG: Planning Obligations.

SPG: Affordable Housing.

SPG: Housing Developments and Educational Provision.

SPG: Housing Developments and Open Spaces of Recreational Value.

Policy AMG5 - local biodiversity conservation.

## 2.4 National Policies:

Planning Policy Wales, Edition 9, (2016).

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

TAN: Design (2016).

TAN 18: Transport (2007).

TAN 20: Planning and the Welsh Language (2013).

TAN22: Sustainable Buildings (2010).

## 3. Relevant Planning Application:

3.1 There is no relevant planning history to this particular site.

## 4. Consultations:

Community/Town Council: No response.

Transportation Unit: No objection subject to including relevant conditions.

Natural Resources Wales: Conditions regarding undertaking a species survey before demolishing the structure and compliance with Part 7 of the Ecological Report submitted with the application.

Welsh Water: Standard condition regarding the disposal of surface water/drainage from the site.

Public Protection Unit: No response.

Biodiversity Unit: If the application is approved, there will be a need to comply with the mitigation measures as included in the Ecological Report.

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Welsh Government (Economy and Infrastructure Department): Need to submit a Departure from Standard application to be approved by Welsh Government in Cardiff before determining the planning application.

Land Drainage Unit: No response.

Tai Teg: No response.

Housing Strategic Unit: Based on the information submitted with the application within the Affordable Housing Statement, it is believed that the proposal meets the need in the area for social housing and that the plan is set to receive a Social Housing Grant through a Welsh Government programme.

Public Consultation: Notices were posted around the site and nearby residents were informed. The advertising period has expired and correspondence was received objecting on the following grounds:

- Impact on patients if there should be any parking restrictions on the road to the front and side of the health centre.
- There is currently insufficient parking spaces and any restrictions would create difficulty to local residents and patients.

Several items of correspondence were also received in support of the application although there is also concern with regards to the existing parking problem for the cars of the area's residents.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The principle of constructing houses on this particular site is based on Policy PCYFF1, Policy TAI15 and PS5 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. As referred to above, the site is located within the development boundary of the Bethesda local service centre. Policy TAI15 states that every development is required to achieve an appropriate mix based on the tenure, type and size of affordable housing, which is supported by Policy TAI8. As all of the units are affordable and owned by a registered landlord (Grŵp Cynefin) and are the subject of a grant from the Welsh Government, it appears that the proposal is in accordance with the requirements of these particular policies. Policy PS5 states that developments where it can be demonstrated that they are consistent with the principles of sustainable development, including reusing sites located in appropriate locations, will be supported. As referred to above, the site can be interpreted as a *previously developed site* which is suitable for residential use.

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- 5.2 Given the above assessment and, subject to the proposal complying with the other policies referred to below, along with taking into consideration the observations of the Council's Housing Strategy Unit (Housing Options Team) that confirm that the type of housing proposed as part of this application addresses local need for affordable housing, it is considered that the application is acceptable in principle.

### **Visual amenities**

- 5.3 As referred to above, the site is situated within the Bethesda development boundary and within a construction area of mixed use, form, design, layout and size. The site is flat and is set away from the trunk road and is very visible from the unclassified county road (Station Road) and the public footpath (Footpath Number 1A Bethesda). The houses have been designed on the basis of three rows with private amenity areas / gardens located in the spaces between them, along with a private parking spaces between the second and third rows. The first row, which is south-facing, and the adjacent dwellings below are bungalows with height of the houses then rising to two-storey and then two-and-a-half-storey in order to avoid oppressive structures at the front part of the site which is visible from a southerly direction. They will be in the form of terraced housing in order to reflect the built form of the nearby residential area.
- 5.4 The external design and appearance of the houses will reflect the construction materials used in the area surrounding the site including slate roofs, rendered walls/ slate and natural stone coverings along with grey UPV-c windows. The density also reflects the density of the dwellings which form the adjacent residential area; although, in this case, the proposal also entails including amenity spaces such as lawns and landscaping within the development. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy PCYFF3 and PCYFF4 of the LDP.

### **General and residential amenities**

- 5.5 As referred to above, residential dwellings are located on the southern boundaries of the site which are two-storey high. These dwellings are located approximately 1m to 2m below the finished floor level of the proposed bungalows with a gap of approximately 22m between the bungalow's front elevation and the front elevation of the dwellings along Station Road. In order to reduce any direct over-looking and loss of privacy and to avoid creating an oppressive structure to the detriment of residential and general amenities of the nearby dwellings, the development's front terrace will be in the form of bungalows with parking spaces in the spaces in front of the bungalows themselves. Considering that no objection has been received by local residents which involves the undermining of residential amenities along with the fact that the site's northern, eastern and western boundaries are for community/commercial uses it is believed that the proposal as submitted is acceptable on the grounds of Policy PCYFF2 of the LDP.

### **Transport and access matters**

- 5.6 The proposal involves undertaking improvements to the junction between the unclassified county road (Station Road) and the trunk road (A5) in order to improve the visibility along the trunk road itself. Such improvements will have to be made in accordance with the requirements of the Welsh Government based on a Departure from Standard application submitted to Welsh Government in Cardiff on 6 February 2018. No response had been received from Welsh Government on the suitability of the

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amendments at the time of writing the report. Parking provision for the prospective occupiers of the proposed houses will be located within the boundaries of the application site and, although correspondence has been received opposing the application on the grounds of the existing parking problems, it is anticipated that the proposal would not exacerbate the situation, as it is expected that the occupiers of the houses would park within the site rather than on the nearby streets. The southern part of the site is currently used for parking by local residents and by patients who visit the nearby medical centre. However, this is private land which forms a part of the application and is owned by the applicant and, legally, there is no right to park on this part of the site. Considering the assessment above, it is believed that the proposal is acceptable on the basis of road safety subject to imposing relevant conditions. In addition to receiving a confirmation from Welsh Government that the Departure from Standard application is acceptable for them. We trust that this response will be received by the date of the Committee. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy TRA2, TRA4 and ISA1 of the LDP.

### **Biodiversity matters**

- 5.7 An Ecological Report was submitted with the application which refers to a number of conditions which must be addressed by the applicant including giving full consideration to safeguarding protected species during the construction work, the need to control invasive species (knotweed), including bat and bird boxes within the design of the houses along with indigenous plant species as part of the application. In accordance with including relevant biodiversity conditions, it is believed that the proposal is acceptable based on the requirements of Policy AMG5 of the LDP.

### **Affordable housing matters**

- 5.8 An Affordable Homes Statement was submitted with the application, which concluded that:
- The study showed that the development would contribute to achieving the Council's aim for the LDP by providing 17 social houses which would satisfy the local community need without undermining the environmental, community and cultural function of Bethesda.
  - The proposal complies with the guidelines of the LDP with regards to affordable dwellings of a suitable size, location and design, and which will be affordable in future. It recovers land which has previously been developed and is within the development boundary.
  - The plan has been prepared in order to show that these type of houses and their design appeal to the local need for affordable housing.

- 5.9 The application has been the subject of pre-application discussions between the Council, Grŵp Cynefin and Welsh Government. Statistics show that there is a shortage of small to medium two/three-bedroom houses in Bethesda for young families and for the elderly, and the plans submitted have been designed to meet these needs in addition to complying with the Wales Development Quality Requirements Booklet. The proposal has received a Social Housing Grant from Welsh Government and, giving due consideration to the observations of the Strategic Housing Unit as noted above, it is believed that the proposal is in accordance with the requirements of Policy TAI8 and TAI15 of the LDP.

### **Educational matters**

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- 5.10 The Joint Planning Policy Unit notes that it is important to consider the impact of the development on local schools (Ysgol Penbryn and Ysgol Abercaseg) by using the methodology included in the SPG: Housing Developments and Educational Provision. Within this context, the proposal would mean that the number of pupils in the primary schools would remain below capacity if this application were to be approved (as confirmed by the Education Service's Information Officer) and to this end, therefore, it is anticipated that the proposal would mean that an educational contribution was not necessary in this case. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy ISA1 of the LDP along with the requirements of the SPG: Housing Developments and Educational Provision.

### **Community and linguistic matters**

- 5.11 Policy ISA5 and the SPG: Housing and Open Space Developments attempt to ensure the provision of open spaces within new housing developments of 10 or more units where the existing open spaces cannot meet the needs of the proposed housing development. Although the proposal does not include any provision for open spaces in this case, it is noted that there is a protected open space/play area located approximately 300m to the north-east (between the A5 and *Coetmor New Road*) and according to the response of the Joint Planning Policy Unit, the suitability of this space could be considered to meet the needs of the development. It is therefore deemed that the proposal complies with to the requirements of Policy ISA5 of the LDP and includes the relevant SPG regarding open spaces.
- 5.12 A Community and Language Statement was submitted with the application in accordance with the requirements of Policy PS1 of the LDP and the SPG requirements: Planning and the Welsh Language. The Statement comes to the following conclusions:
- Considering that the population aged 3 years and over in the Ogwen ward in 2011 that could speak Welsh remains high, and that the nature of this development by the applicant (Grŵp Cynefin which is a housing association and social landlord), is rooted in the community, means that affordable houses constructed here will respond to the demands of the population of Bethesda and the catchment area.
  - A proposal of this kind will therefore have a positive impact on the viability of the Welsh language and the proposal is unlikely to have a significant impact on the balance between Welsh/English speakers.
  - It is also considered that the proposal will not lead to an absolute or contributory deterioration in the numbers of Welsh speakers in the area.
- 5.13 Although a response to the contents of the Statement has not been received from the Council's Welsh Language Services Manager whilst preparing this report, it is presumed that there would be no objection to the application on the ground of its impact on the Welsh language when considering that the proposed affordable houses offer more choice for local people within the local housing market; it is likely that the development would be very attractive to families with children and would likely keep the local population within the community. To this end, therefore, it is believed that the proposal complies with the requirements of Policy PS1 of the LDP in addition to the relevant SPG requirements.

### **Section 106 agreement matters**

- 5.14 As is referred to in the above assessment, the proposal would include 100% affordable housing (17 in total) under the control of Grŵp Cynefin (a registered social landlord). As the applicant does not currently own the site, a legal agreement must be signed under



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Section 106 of the Planning Act in order to ensure that the site is transferred to Grŵp Cynefin as the relevant housing association in order to ensure that the houses are affordable initially and in perpetuity.

**6. Conclusions:**

- 6.1 Having considered this assessment and all the relevant matters including the local and national policies and guidance, as well as all the observations received, it is believed that this proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

**7. Recommendation:**

- 7.1 To delegate the right to the Senior Planning Officer to approve the application subject to receiving formal permission from the Economy and Infrastructure Department, Welsh Government, that the amendments to the access (A5) are acceptable and to complete a section 106 Agreement in order to transfer all housing to the management of Grŵp Cynefin as registered social landlords, and to the following conditions:
1. Five years.
  2. In accordance with the plans.
  3. Natural slate.
  4. Highways.
  5. Biodiversity
  6. Welsh Water.
  7. Removal of permitted development rights.
  8. Landscaping.