

PLANNING COMMITTEE	DATE: 25/06/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	DOLGELLAU

Number: 7

Application Number: C18/0365/11/AM

Date Registered: 01/05/2018

Application Type: Outline

Community: Bangor

Ward: Dewi

Proposal: An outline application with all matters reserved to erect nine new houses with integrated garages

Location: Maes Berea, Bangor, Gwynedd, LL574TQ

Summary of the Recommendation: TO DELEGATE POWERS TO APPROVE SUBJECT TO THE COMPLETION OF A 106 AGREEMENT REGARDING AFFORDABLE UNITS

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1. Description:

- 1 An outline application with all matters reserved, for the erection of nine new houses with integrated garages. The reserved matters (namely what will need to be presented for consideration and reach agreement by means of a further detailed planning application) including landscaping, appearance, access, design and size. Nevertheless, indicative plans have been submitted that provide some information about the likely size, setting and elevations of the proposed development.
- 1.2 It is shown that nine houses will be erected in the form of three terraces of three houses, with three bedrooms and a bathroom on the third floor, living space on the first floor and a garage, study and toilet on the ground floor. Seven would be open market houses and two would be affordable houses. It is anticipated that the form, size and fabrication of the existing houses will reflect the fabrication of the surrounding houses. It is intended to locate parking spaces in front of the houses with gardens to the rear.
- 1.3 The application site is located within the development boundary of the city of Bangor as included in the Gwynedd and Anglesey Joint Local Development Plan (JLDP) but has not been designated for any specific use. Bangor has been acknowledged as a sub-regional centre in the LDP which means that it has a strategic role within the LDP as a centre for erecting houses that meets the Plan's strategy.
- 1.4 The land level raises to the front which abuts the existing access road towards the Maes Berea estate to the south and west, namely an established residential estate that includes approximately 55 houses which are a mix of two and three-storey houses. Abutting the north-western boundary of the site on higher land is the site of Capel Berea Newydd, whilst a public footpath runs along the northern and eastern boundary of the site and have residential houses beyond. On the other side of the access road in front of the site on land level that is slightly lower, a yard can be seen which serves the substantial commercial units of St David's shopping centre.
- 1.5 An application was submitted before submitting a formal planning application where the material planning matters that would need to be satisfied were noted, including an affordable housing provision on the site.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26 adopted 31 July 2017**

Policy PCYFF 1 - Development boundaries

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

Policy TAI 8 - An Appropriate Mix of Housing

Policy TAI 15 - Threshold of Affordable Housing and their Distribution

Policy PCYFF 2 - Development Criteria

Policy PCYFF 3 – Design and Place Shaping

Policy PCYFF 4 - Design and Landscaping

Policy ISA 1 - Infrastructure Provision

Policy TRA 2 - Parking Standards

Policy TRA 4 – Managing transport impacts

Policy PS 1 - The Welsh Language and Culture

Policy AMG 5 - Local Biodiversity Conservation

In addition to the above, it is also believed that the following are pertinent:

Supplementary Planning Guidance (SPG): Affordable Housing.

SPG: Housing Developments and Educational Provision.

2.4 **National Policies:**

Planning Policy Wales Edition 9 2016

Technical Advice Note (TAN) 2: Affordable Housing.

TAN 12: Design.

3. **Relevant Planning History:**

3.1 Application C08A/0261/11/AM - erection of nine houses - approved 12.06.08

Application C08A/0180/11/AM - change of condition 1 of planning permission C03A/0175/11/AM to extend the period from commencing the development from 2 October 2008 to 2 October 2011 - approved 06.05.08

Application C03A/0175/11/AM - erection of new nursery - approved 02.10.03

4. **Consultations:**

Community/Town Council: No objection

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Transportation Unit:	It was noted originally that the space shown was not sufficient for including parking spaces in accordance with the current standards. As a result of amending the application, it is accepted that what is now shown is acceptable and it is suggested that standard conditions are included.
Natural Resources Wales:	No objection but note that it is unknown how the surface water will be disposed of.
Welsh Water:	Standard advice to include a condition to agree on a comprehensive drainage plan for the site to include details regarding sewage treatment, ground water and surface water.
Public Protection Unit:	Not received
Rights of Way Unit:	Not received
Biodiversity Unit:	Need a tree and ecological survey of the site. Subsequently and as a result of receiving information that recent clearing work, including the felling of trees, has been undertaken on the site recently, not many habitats remain and no tree survey would be required. It is suggested that a reptile survey is undertaken.
Public Consultation:	A notice was posted on the site and nearby residents were notified. The advertisement period has expired and one letter / item of correspondence has been received objecting on the following grounds: <ul style="list-style-type: none"> • The access road running past the front of the site is narrow and there is only enough space for two cars to pass there, the road is too narrow to have a white line in the centre and so it is a single road in this location. • Nine new houses would create a substantial hazard to passing cars and those who attempt to gain access and egress. • Visitors would park along the road, thus creating a further hazard. • The road should be widened and double yellow lines painted to prevent parking.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of developing sites for new housing is included in Policy PCYFF1, TAI 1 and TAI 15 of the LDP. Policy PCYFF1 states that proposals will be approved within

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development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. Policy TAI 1 notes *"Over the Plan period a higher proportion of new development required in the Plan area will take place within, and on the edge of Bangor through completions, commitments, windfall and new allocations."* The Maes Berea residential estate has been established for many years and it is considered that this site is, basically, a reasonable extension to the estate and it can be seen that the indicative plans (as this is an outline application), conveys and reflects what has already been approved and built within the rest of the estate.

- 5.2 Policy TAI 8 states that every new residential development should contribute towards improving the housing balance and meet the needs of the entire community. The application details note that the two affordable units will be two social rented houses. According to current factual County statistics (prepared for the SPG which is a part of public consultations at this point in time), the need for three-bedroom social rented houses is 23%, which is an important contribution for this type of social housing.
- 5.3 Policy TAI 15 states that an element of affordable housing will be expected with any proposal which includes two or more housing units in Bangor. It is noted that this proposal provides two affordable units which equates to 22.2% of the entire proposal. As Bangor falls within the Northern Coast and South Arfon House Price Area where it is expected for 20% of the houses on the application site to be affordable, it is deemed that the provision of two affordable houses out of the nine proposed houses is acceptable based on the objectives of this particular policy. The indicative plans submitted with the application shows the total floor surface area of the houses as 98.3m², the relevant SPG notes that the total floor surface area of a three-bedroom affordable house should be 100m². Garages are measured separately, in this case, the size of the garages are 10.56m² and the acceptable size noted in the SPG is 20m². Therefore, in terms of size, it is believed that the proposed affordable houses are in line with the relevant guidelines.
- 5.4 Whilst considering the above assessment, it is believed that the principle of developing the site for seven open market houses, as well as two affordable houses, is acceptable and complies with the material local planning policies.

Visual amenities

- 5.5 The site is located within a mixed urban area with an established residential estate (Maes Berea) to the south and west, along with dispersed residential houses to the north, Capel Berea Newydd abuts the western boundary and the buildings and substantial site of St David's Shopping Park are also nearby. The nearby houses are of similar design, plan and size and the exterior materials are in-keeping with each other. The application site raises in land level to the front and adjacent to the road leading towards the rear boundary adjacent to the Capel Berea Newydd site.
- 5.6 It is seen that the proposal (although only an outline application was submitted), is likely to follow the developed pattern of the nearest existing houses within Maes Berea estate. However, as this is an outline application, indicative plans were shown showing the size, form and setting of the houses on the site, along with parking spaces, accesses and amenity spaces (gardens). The final details relating to the design and exterior materials of the development would be a matter to discuss when applications are submitted for the reserved matters. It is anticipated that materials similar to those on the nearby dwellings will be used here such as natural slate on the roofs and brick external walls. On the basis of the above, it is therefore considered that, with

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appropriate conditions, the proposal complies with the requirements of Policy PCYFF3 of the LDP.

General and residential amenities

- 5.7 The proposed housing will be adjacent to the first existing houses within Maes Berea estate. Given the current setting and form of the estate and proposed houses, it can be seen that there would be a logical progression to the established pattern of the estate. It is not believed that there would be a substantial detrimental impact on the general and residential amenities of the area based on matters such as overlooking or loss of privacy and so it is not considered that the proposal is contrary to the relevant requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.8 The plan submitted with this application conveys the same layout as submitted and approved on the previous outline application. Initial concern was highlighted by the Transportation Unit regarding the number of parking spaces provided on the site, the application was amended by reducing the number of bedrooms from four to three and consequently it is accepted that the provision is acceptable. There are parking spaces for two cars for each house, as well as integrated garages. The Transportation Unit has no objection to this arrangement subject to the inclusion of appropriate conditions. It is therefore deemed that the proposal conforms to the requirements of Policy TRA2 and TRA 4.

Biodiversity matters

- 5.9 Initial observations were received from the Biodiversity Unit, noting that a tree survey and an ecological survey was required for the site. An update to these observations was received from the Unit, noting that a tree survey was not required as recent clearing work had already been undertaken on the site, including the felling of trees. Consequently, the Unit confirms that not many habitats remain. Nevertheless, the observations note that a reptile survey should be undertaken based on a record that a slow worm was observed within 100m of the site. It is also noted that a Biodiversity improvement plan should be submitted.
- 5.10 On the grounds that confirmation has been received that not many natural habitats remain within the site as a result of recent clearing work, the likelihood is that a survey would not uncover evidence of high Biodiversity value and that it would be unreasonable in this case to force the applicant to submit the information. Therefore, it is believed that the proposal is acceptable in respect of Policy AMG 5.

Relevant Planning History

- 5.11 As can be seen above, there is a varied planning history to this site, originally by means of permission to erect a nursery building and then, as in the case of the current application, an outline application to erect nine new houses. It is believed that the principle of a development on this land has already been established, including an outline application approved to erect nine new houses.

Infrastructure matters

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- 5.12 Although Natural Resources Wales did not object to the application, they noted that it was unknown how surface water would be disposed of. Welsh Water noted in their observations that a condition should be included to agree on a comprehensive drainage plan for the site, including methods to dispose of surface water. Taking the above observations into account and specifically the response of Welsh Water as the statutory consultees on this subject, it is believed that the application is acceptable based on the relevant requirements of Policy ISA 1 of the LDP regarding infrastructure provision.

Community benefit / 106 agreement issues

- 5.13 As already noted above, there will be a requirement for two of the nine houses to be affordable and to this end, the applicant must sign a legal agreement under Section 106 in order to bind these two houses as affordable houses. Therefore, it is believed that the proposal is acceptable, based on the relevant requirements of Policy TAI 15 of the LDP.

Educational matters:

- 5.14 Policy ISA 1 of the LDP states that educational contribution provision is a factor that should be considered when discussing applications for residential developments, and proposals are only approved when adequate infrastructural capacity exists or will be provided in a timely manner. The Education Service confirms that the site falls within the catchment area of Ysgol y Garnedd, Our Lady's School, Ysgol Coed Mawr and Ysgol Glanadda primary schools, as well as Ysgol Tryfan and Ysgol Friars secondary schools. At present, there is no capacity within Ysgol y Garnedd and Our Lady's School, but there is capacity within Ysgol Coed Mawr and Ysgol Glanadda. There is sufficient capacity within the Secondary schools. The formula included in SPG : Housing Developments and Educational Provision, notes that an assessment should be undertaken on the number of children expected as a result of new housing developments. In this case, and by using the formula as well as the confirmation that capacity is available within the Primary and Secondary schools of the Catchment Area, it will not be required for the applicant to make a financial contribution towards local education facilities.

Language Matters

- 5.15 Policy PS 1 states that a language statement will be required when a proposed development belongs to specific categories. In this case, part 1c states "*residential development of 5 or more housing units on allocated or windfall sites within development boundaries that doesn't address evidence of need and demand for housing recorded in a Housing Market Assessments and other relevant local sources of evidence*". As already noted above, confirmation has been received that the recent figures available note that there is a need and demand for the types of houses as proposed and so, in this particular case, it will not be necessary to submit a language statement based on the evidence that is available.

Response to the public consultation

- 5.16 Observations were received referring to matters relating to the access road, namely the narrowness of the road, lack of white line in the middle of the road and the increasing risk as a result of approving nine new houses. It was noted that movements from the new houses along with visitors parking on the road, would create increasing transport

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hazards in Maes Bera. It was suggested that this part of the road should be widened and for double yellow lines to be included along the verges. It can be seen that the Transportation Unit does not have any objection to the proposal based on the form of the development itself and any impact on road safety. The access road leading to the Maes Bera estate has been adopted by the Council, and this means that it meets the expected standards in terms of layout, size and form.

6. Conclusions:

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

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to the completion of a 106 Agreement to ensure that two of the nine houses that are the subject of this application are affordable, and to relevant conditions relating to:-

1. Time
2. Reserved Matters
3. Land and floor level details
4. Materials including use of natural slate
5. Landscaping
6. Highways
7. Withdrawal of permitted development rights on the two affordable houses
8. Welsh Water condition regarding the drainage plan
9. Biodiversity