

PLANNING COMMITTEE	DATE: 10/09/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 1

Application Number: C19/1028/03/LL

Date Registered: 29/10/2019

Application Type: Full

Community: Ffestiniog

Ward: Teigl

Proposal: Application to convert a public house into five flats, along with the erection of a rear extension and parking spaces

Location: Wynnes Arms Hotel, Manod Road, Manod, Blaenau Ffestiniog LL41 4AR

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 The application was submitted to the Planning Committee dated 02.03.2020 when it was resolved to defer considering the application in order to provide an opportunity for members to visit the site. In the meantime, the applicant has informed the Council that he has submitted an appeal to the Inspectorate due to a lack of decision by the Council on the application.
- 1.2 This is an application to convert a public house into five residential, self-contained flats, along with the creation of parking spaces and entrance at Wynnes Arms, Manod, Blaenau Ffestiniog. After discussing the matter with the applicant, regarding the type of flats that formed a part of the original proposal (five one-bedroom flats), an amended plan was received on 15.12.2019 showing a proposal to convert the building into five flats, including three two-bedroom flats and two one-bedroom flats. The use made of the building as a public house ceased at the beginning of 2017 and the building has been boarded up. The existing building provides a public house facility on the ground floor, a storage cellar below and a flat on the first floor. The existing flat includes a living room, kitchen, bathroom and three bedrooms on the first floor and two bedrooms and storage space in the roofspace. The proposal would involve internal changes to create the flats on the three floors. It is also proposed to remove the signage and demolish the smoking shelter on the southern (side) elevation in order to erect a two-storey side extension measuring 8 metres long and 4 metres wide, and including a bedroom and living room for flats number 1 and number 2. The exterior changes are restricted to the side extension and the slight alteration of the layout of the ground floor window and door openings on the western elevation (rear).
- 1.3 The building is situated on a triangular plot in a prominent position in Manod. It is proposed to provide parking spaces for six cars along the southern boundary, a vehicular access to the adjacent class 3 county road and a small garden with a patio in the south-eastern corner. A site for locating refuse bins and a bike storage area are located along the western boundary.
- 1.4 The site is within the development boundary of Blaenau Ffestiniog. The Manod Road trunk road runs along the front (east), a class 3 county road runs to the side (northern) and rear (western) and Hyfrydfa Chapel is located to the south beyond the existing beer garden. The building is situated within a residential area.

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 2011-2026 (31 July 2017)**
- Policy PS1 - The Welsh Language and Culture.
- Policy ISA1 - Infrastructure provision.
- Policy PS 4 - Sustainable transport, development and accessibility.

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AMG5 - Local biodiversity conservation.

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 PCYFF6 - Water conservation.

Policy PS16 - Housing provision.

Policy PS17 - Settlement strategy.

Policy TAI1 - Housing in the sub-regional centre and the urban service centres

Policy TAI8 - Housing mix.

Policy TAI9 - Sub-dividing existing property to self-contained flats and Houses in Multiple Occupation

Policy PS18 - Affordable housing

Policy PS20 - Preserving and where appropriate enhancing heritage assets

Policy TAI15 - Threshold of affordable housing and their distribution.

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Affordable Housing.

SPG: Planning for sustainable building

SPG: Planning and the Welsh Language.

2.4 **National Policies:**
Planning Policy Wales, Edition 10 (2018)

3. **Relevant Planning History:**

3.1 C17/0989/03/LL Application to change use from a public house into offices (B1), along with the creation of parking spaces - Approved on 05.12.2017

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3.2 C17/0988/03/LL Application to change use from a public house into one self-contained residential house and creation of parking spaces - Approved 05.12.2017

3.3 C07M/0056/03/LL Construction of sheltered decking on the gable end of the public house: Approved 21 May 2007

4. Consultations:

Community/Town Council: Concerns regarding the location of the entrance in relation to the crossroads.
Has the developer conducted research into the need for one-bedroom flats in the local area?
It should be ensured that 10% of the proposal is affordable and that it adheres to Gwynedd Council policies.
Local objection on the grounds that: the proposal would disturb local amenities, negative impact on the character of the society, quality of the environment and living area of other residents.
No response to the amended plan.

Natural Resources Wales State that they have no observations to make on the development, and note that there is no information about protected species in the application.
No further observations as a result of the amended plan.

Transportation Unit: Confirm that there is no objection; however, it is recommended that conditions are imposed in relation to the entrance on any permission and recommend that the bin storage area is relocated to a location where it does not impair visibility splays.

No further observations as a result of the amended plan.

Biodiversity Unit No observations.
No response to the amended plan.

Welsh Water: Inform that a sewer line crosses the site and that access to it is required at all times and recommend preventing surface water off the additional roof surface from discharging into a public sewer.
No response to the amended plan.

Welsh Government's Transportation Unit: No objection.
No further observations as a result of the amended plan

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and a petition and correspondence was received objecting on the following grounds:

1. Unnecessary problems being attracted to this close-knit community
2. Need homes, not flats
3. Attracting anti-social problems
4. No need for one-bedroom flats
5. Parking problems
6. No control over who will be living in the flats
7. Over-development
8. Concern regarding the impact of the proposal on the users of the popular park located nearby

No further comments on the amended plan.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 As a starting point to assess the principle of this application, there is a need to consider policy ISA 2: Community Facilities. The policy aims to protect existing facilities and encourage the development of new facilities where appropriate. For the purpose of the policy, community facilities are defined as facilities used by local communities for health, leisure, social and educational purposes and they include schools, libraries, leisure centres, health care provisions, theatres, village halls, cemeteries, places of worship, public houses and any other facility that provides a service for the community.
- 5.2 Clause 2 of Policy ISA 2 states that change of use of a community facility should be resisted unless it is possible to comply with one of three options. Part iii. is relevant in this case, as it involves a facility that is commercially run. It must be realised that planning permission has been approved to convert the building into an office and house in 2017 and that those rights are operational until December 2022. Therefore, it is noted that the Council has accepted the conversion of the public house for alternative use and in those circumstances, losing the use of the property as a Public House within the town would not be contrary to Part iii of policy ISA 2.
- 5.3 **Housing (self-contained flats)** - As referred to above, the site is located within the development boundary of the Urban Service Centre and the application conforms with the requirements of Policy PCYFF1 of the LDP. Policy TAI9 permits the sub-division of existing properties into self-contained flats provided they conform to the relevant criteria:-
- Criterion 1 - the property should be suitable to be sub-divided for the type and number of units proposed without having to make substantial alterations and extensions - the amended plans show that it is intended to erect a two-storey extension on the side of the building to replace the existing smaller extensions. It is also intended to alter the layout of the ground floor window and door openings on the rear elevation. The applicant states that the side extension would be an 8% increase in the building's volume and therefore it is not considered that such an extension would be a substantial addition to the building, in particular considering that there is a smaller extension to be demolished in order to facilitate the new extension.
 - Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - it is considered that residential use would be more suitable than the exiting public house use within a residential area and that the exterior alterations would

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not be substantial enough to have a substantially unacceptable impact on the residential or general amenities based on overlooking.

- Criterion 4 - the proposal should not exacerbate existing parking problems in the local area - it is acknowledged that the Council's services as bus stations and car parks are located to the north of the site; however, the proposal does include vehicle parking areas within the site and it must be borne in mind that the building is used as a public house. It is also noted that the Transportation Unit has stated that there is no objection to the amended plan. It is likely that the use as a public house could potentially attract more traffic to the site.

In the above circumstances, it is not considered that the proposal to convert the building into five flats would be contrary to the objectives of policy TAI 9.

- 5.4 The indicative supply level of housing for Blaenau Ffestiniog over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 298 units (including a 10% 'slippage allowance'), which means that it is possible to calculate the figure after considering the possible circumstances that were not anticipated which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.) During the period 2011 to 2018, a total of 11 units have been completed in Blaenau Ffestiniog. The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, in April 2018, was 20 units.
- 5.5 In considering this information, it is believed that approving the development on this site would be supported against the indicative supply level for Blaenau Ffestiniog.
- 5.6 Policy TAI15 states that every development will be required to achieve an appropriate mix in terms of tenure, types and sizes of affordable housing and this is supported by Policy TAI8 along with the SPG: Housing Mix. Please note that the Strategic Housing Unit states that there is a recognised need for one and two bedroom flats in the town. The applicant was notified that there were concerns regarding the mixture in size and type of flats in the original proposal and following discussions between the applicant and the Strategic Housing Unit amended plans were received showing three two-bedroom flats and two one-bedroom flats. It is considered that the amended mixture proposed by the developer meets the requirements identified by the Strategic Housing Unit. To this end, it is believed that this amended application provides an appropriate mix of accommodation in an existing building that meets a recognised need for housing in the town.
- 5.7 Chapter 5 of SPG Housing Mix refers to the demand for housing in Gwynedd. Table 7 projected figures for households of different sizes during the period 2014 and 2026 in Gwynedd. Choices in lifestyle and breakdown in relationships affect the composition of households, and the economy affects household formation patterns. From the figures it can be seen that the number of households is likely to increase by 3480 over the period 2014 to 2026 with the largest increase in one-person households, followed by two-person households. This suggests that there will be a high demand for smaller-sized housing. Please note that Chapter 6 sets out planning for a more balanced housing market. It shows, amongst other things, that although there would be demand for some large houses, the evidence shows that there is a more fundamental need for a supply of smaller houses which are affordable to lower-income households. It is therefore considered that the proposal complies with the policy objectives.

Affordable housing matters

- 5.8 The Joint Planning Policy Unit states that the proposal to convert the building into five units is over the threshold of two units for making a contribution to affordable housing. Policy TAI 15 (Threshold of Affordable Housing and their Distribution) notes that it is expected that at least 10% of the units will be affordable, i.e. at least 0.5 units in accordance with the information

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submitted. When the requirement for affordable housing falls below 1 unit on the site, then the provision of an affordable unit will continue to be a priority where possible. However, if this is not deemed possible, a pro-rata payment will be expected rather than no affordable provision on the site. It is appreciated that the building already includes one flat and, consequently, any affordable element would have to be limited to the four new units.

- 5.9 Additional information was received from the applicant stating that he has investigated purchase/rental prices within a one-mile radius of the site as part of the development and he notes that information from Rightmove Sales shows that the average property price of a one-bedroom terraced house is £46,000 and a two-bedroom terraced house is £66,000. He stated that the rental income for a one-bedroom flat in this area is likely to be around £62 per week and a two-bedroom flat would be around £68 per week. In relation to the flats' selling price, the applicant states that one-bedroom flats would be likely to be sold for around £35,000 and the two-bedroom flats would likely be sold for around £42,000. It is understood from the applicant that not much information is available in relation to flats for rent or for sale in the local area, therefore he considers that the prices proposed are realistic for the development within the Blaenau Ffestiniog area. Based on the information available about the prices of houses that are for sale locally, the officers do not disagree with the prices as noted by the applicant.

On 27.02.2020 the applicant submitted further information from two companies stating the purchase and rental valuations of the units:

Valuation 1:

Sale : 1 bedroom flat £35,000
2 bedroom flat £42,000
Rental : 1 bedroom flat £290 per month.
2 bedroom flat £320 per month

Valuation 2:

Sale : 1 bedroom flat £40,000
2 bedroom flat £45,000
Rental : 1 bedroom flat £320 per month.
2 bedroom flat £370 per month

- 5.10 The Joint Planning Policy Unit was consulted again on the above information; further comments were received from the Unit stating that there were weaknesses in the information in relation to the prices of the residential units as the valuation is not based on 'Red Book valuation', a lack of detail in parts in terms of the information contained in the valuation report, that the valuation is based on information from Google Street View and that the valuer has not received photographs of the building. However, (if satisfied that these valuations are accurate) it is likely that the valuation as noted would be affordable for the town. The applicant was informed of the Policy Unit's view on the valuation of the units and no response was received.

It is noted that doubt has been expressed about the information in relation to the value of the proposed residential units as the valuation is not based on 'Red Book valuation', a lack of detail in parts in terms of the information contained in the valuation report, that the valuation is based on information from Google Street View and that the valuer has not received photographs of the building. The applicant has stated that, if the valuation information presented is not adequate, he would not be willing to present further information as the development's financial margins are so small that the cost of providing more information would be tantamount to a financial contribution. It is noted that the applicant has stated that he would be willing to accept a condition about a financial contribution for the proposal. In those circumstances, it is considered that this application could be approved subject to imposing a condition to agree on affordability matters for one of the units before issuing any permission.

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Visual amenities

- 5.11 Policy PCYFF 3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria including that the proposal adds or improves the character or appearance of the site, the building or the area in terms of setting, appearance, scale, mass, the height and elevation treatment; that it respects the context of the site and its place in the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it improves a safe and integrated transport and communications network; that it limits the risk and danger of flood water run-off and prevent pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and lively environments taking into account the health and well-being of future users.
- 5.12 The proposal includes work to convert a stone building into five flats. The amended plans show that it is intended to erect a side extension as well as minor exterior alterations. The applicant states that the proposed extension is an 8% increase in the building's volume and it is considered that its design is in keeping with the appearance and character of the existing building and the area and that it would not disturb the Area of Outstanding Historic Interest. Ensuring suitable use will be a way of securing the building's use and long-term condition. However, it is felt that a condition should be imposed on any permission to ensure that any exterior work matches the design and materials of the existing exterior walls. It is considered that the proposal is acceptable on the grounds of the requirements of Policy PS 20 and PCYFF3 of the LDP.

General and residential amenities

- 5.13 Policy PCYFF2 of the LDP states that proposals should be refused if they have a significant detrimental impact on the health, safety or amenities of the occupants of local property, land uses or other property due to an increase in activities, disturbance, noise etc. In terms of noise nuisance, it is likely that the proposal will not have a greater significant detrimental impact on the amenities of nearby residents or existing use. In addition, it is considered that the use would be more in keeping with the other uses currently seen around the property. It must also be considered that the site is located between two county roads.
- 5.14 The building lies in a prominent and public location. It is noted that the building is located on the opposite side of the road to terraced houses to the west, north and east and that objections have been received alleging that the proposal would have a substantial negative impact on the occupiers of those properties. It must be considered that the building's current use is as a public house and it can therefore be used to its full potential without planning permission or any planning conditions. It is felt that residential use would be more suitable to the area. The objectors also state that the proposal, if approved, would attract anti-social problems; it is important to remember that it is not possible to control the occupancy of the units under the planning system and that there is no evidence that this would be the situation. It is reiterated that re-opening the public house could also attract anti-social problems.
- 5.15 It is not considered that the proposal would exacerbate the current situation substantially in terms of overlooking and loss of privacy, in particular considering the location and surroundings of adjacent property. It must also be considered that community and passive overlooking already exists between the various uses in the catchment area of the application site and that approving this proposal would not exacerbate this situation to such an extent so that the application would have to be refused on the grounds of its detrimental impact on residential amenities. The plan shows a proposal to provide a bin and bicycle store within the building and it is proposed to impose a condition on any approval to safeguard this provision. It is deemed that the proposal complies with the requirements of Policy PCYFF2 and TAI9 of the LDP.

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Transport and access matters

- 5.16 The proposal includes adapting the current entrance on the western boundary with the adjacent class 3 county road, along with the provision of a parking space within the site. The new-look entrance will measure 5 metres wide and the height of the boundary wall will be reduced to 0.800 metres above the county road. Observations were received from the Transportation Unit stating that there was no objection and recommending that conditions are imposed on any permission. Based on the observations from highways and considering the residential nature of the proposal, it is believed that the application satisfies policies TRA 2 and TRA 4 of the LDP.

Language Matters

- 5.17 Strategic Policy PS1 (the Welsh language and culture) promotes use of the Welsh language in the Plan area. This will be achieved by satisfying specific criteria. However, the policy refers to housing developments that are larger than the indicative residential provision or to developments for more than five residential units. The proposal does not meet the indicative housing provision and it is noted that the existing property already includes a self-contained flat on the first floor. Therefore, it is noted that there will be an additional four residential units on the site. Therefore, it is considered that there is no need for a language statement with the application. However, in the absence of such statement, the applicant is encouraged to present information about how consideration was given to the Welsh language when drawing up the proposal. The applicant states that there was no demand for the previous proposals to convert the building into an office and a house, that the mixture of the units had been changed from five one-bedroom flats to five two-bedroom and three-bedroom flats as a result of the comments of the Town Council and also in response to the acknowledged need for units in the local area. He felt that there is a need for flats of the proposed size and nature in the area and that they would be attractive for local people to rent or buy.

Educational matters

- 5.18 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. In considering the information in the SPG 'Educational Development' (that remains relevant) and Policy ISA 1 (Infrastructure Provision), an educational contribution would not be relevant in terms of this proposal. The SPG states that units with one bed dwellings should not be considered. Information in the Guidance states that in terms of two-bedroom flats that 0.11 primary school age pupils would derive from this. Please note that the proposal as amended indicates three two-bedroom flats and it is assumed that 0.33 pupils of school age would derive from this. It is considered that the change in the mix of bedrooms would not require any educational contribution and that the proposal complies with the requirements of Policy ISA1 of the LDP as well as the requirements of the relevant SPG.

6. Conclusions:

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

- 7. Recommendation: To delegate powers to the Assistant Head of Environment Department to approve the application, subject to the following conditions:**

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7.1 To approve – conditions

1. Five years
2. In accordance with the amended plans
3. Exterior finish of the extension
4. Roads condition - boundary wall / hedge / fence not to exceed 1m in height by the highway
5. Provision and securing of bin and bicycle storage.
6. Agree on the affordability element.