

PLANNING COMMITTEE	DATE: 13/12/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 7

Application Number: C20/0669/11/LL

Date Registered: 21/08/2020

Application Type: Full

Community: Bangor

Ward: Menai

Proposal: Application to demolish existing buildings and erect a 4 storey building to create 36 residential units, associated vehicular parking spaces, amendments to the existing vehicular access and creation of new vehicular access

Location: Blenheim House, Holyhead Road, Bangor, Gwynedd, LL57 2DP

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This is a full application to provide 36 residential units, to create associated vehicular parking spaces, amendments to the existing vehicular access and creation of new vehicular access on a site adjacent to Holyhead Road and Convent Lane within Bangor City. The application can be split into several different elements, which include: -
- Provision of 36 residential units that comprise 30 open market two-bedroom units and 6 one-bedroom units along with 7 affordable units that comprise 2 two-bedroom units and 5 one-bedroom units.
 - Provision of 40 parking spaces for vehicles along with bicycle storage.
 - Improvements to the existing dual access, which also serve other properties nearby and installation of tactile pavement and creation of second access for the parking spaces located at the rear of the site.
 - Landscaping on the peripheries of the site to include grass, shrubs and trees.
 - Erection of four-storey building in "L-shaped" form with the fourth floor set back from the front elevations.
 - External elevations broken up by using sections of the walls that protrude with recessed balconies separately to the fourth floor that has an outdoor balcony. Different types of materials will be used in the external elevations including clean brickwork, coloured render, cladding, glazed panels and coloured aluminium windows (details to be agreed with the Local Planning Authority).
- 1.2 The site is located on a plateau approximately 3m above the class I county road (A5) nearby and adjacent to the unclassified county road of Convent Lane that runs adjacent to the northern boundary of the site. The unclassified county road (Convent Lane) is located to the north of the site and residential units are located within the building known as Brynfaf; the A5 trunk road is located to the east and a residential dwelling known as *Wayside* and Neuadd Deiniol (student accommodation) are located further afield; a car park and Bangor railway station are located to the south, which is a grade II listed building and residential dwellings are located to the west and on higher land, including a small housing estate known as Cae Maeslodwig and St. Gerard's School.
- 1.3 Currently, the site consists of redundant buildings that extend to the rear of the site that used to be a furniture shop/display and associated storage and also includes a self-contained flat on the first floor. The site measures 0.33ha with the land on a level plateau and the height of the proposed building varies from 7m on its southern elevation to 12.2m on its northern elevation.
- 1.4 The site is located within the Bangor development boundary, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP); however, it has not been allocated for any specific use. In order to support the application, the following documents were submitted - Planning, Design and Access Statement; A Pre-application Consultation Report (PAC); Protected Species Survey; Welsh Language Impact Assessment; Transport Statement; Housing Impact Assessment; Water Conservation Statement along with two letters from local estate agents that refer to the need for these types of residential units in Bangor.
- 1.5 It was confirmed that the applicant had undertaken a pre-application consultation in accordance with Article 1 of the Town and Country Planning Act (Development Control Procedure) (Wales) (Amendment) 2016, as the proposal is a development that is defined as major. A Pre-application Consultation Report (PAC) has been included with the application in order to reflect this consultation.

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2. Relevant Policies:

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

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

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

Policy PS 1 - the Welsh language and culture.

Policy PS 2 - infrastructure and developer contributions.

Policy ISA 1 - infrastructure provision.

Policy ISA 5 - provision of open spaces in new housing developments.

Policy TRA 2 - parking standards.

Policy TRA 4 – managing transport impacts.

Policy PS 4 - sustainable transport, development and accessibility.

Policy PS 5 – sustainable development.

Policy PCYFF 1 - development boundaries.

Policy PCYFF 2 - development criteria.

Policy PCYFF 3 – design and place shaping.

Policy PCYFF 4 - design and landscaping.

Policy PCYFF 5 - carbon management.

Policy PCYFF 6 - water conservation.

Policy PS 17 - settlement strategy.

Policy 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.

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Policy AMG 5 - local biodiversity conservation.

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

Gwynedd Design Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Planning Obligations.

SPG: Affordable Housing.

SPG: Housing Developments and Educational Provision.

SPG: Open Spaces in New Housing Developments.

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

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

TAN 5: Planning and Nature Conservation.

TAN 18: Transportation.

TAN 12 Design.

TAN 20: Planning and the Welsh Language.

TAN 24: The Historic Environment (2017).

3. **Relevant Planning History:**

- 3.1 Application C08A/0078/11/LL - Demolition of existing building and erection of five-storey building incorporating 81 flats, including the widening of Convent Lane - refused in April, 2008 on the grounds of over-development, lack of parking spaces and that size, scale and design was out of character with the streetscape.
- 3.2 Informal discussions were held between the applicant and his agent and Environment Officers regarding the design of the building along with parking/access requirements. It is noted that the usual procedure of submitting a pre-application enquiry was not followed and broader matters such as local biodiversity and housing needs and mix were not considered.

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4. Consultations:

Community/Town Council: No response.

Transportation Unit: The proposal includes various adaptations to the nearby road, namely Convent Lane, which includes widening the unclassified road and adapting the junction to Holyhead Road in order to provide better visibility.

It is intended to preserve the character of the road by retaining an element of it in 'brick paving' material to give an impression of a single road and to highlight the importance of the road as a pedestrian link between Ffriddoedd Road and the city centre.

Although the adaptations to the junction do not provide visibility splays to the expected length, the design offers a significant improvement compared to the current situation which also allows two-way traffic to join or exit at the same time.

In terms of the parking levels of the proposal, parking for 40 vehicles (for 36 living units) is indicated, namely a level that corresponds with CSS Wales requirements to provide one space per unit along with additional parking for visitors.

The site is also within convenient walking or cycling distance to a number of local facilities, including colleges/university, local employment locations and facilities, and is close to regular modes of public transport.

If this application is approved, I recommend that appropriate conditions/notes are included regarding improvements to Convent Lane and to provide parking in accordance with the plans.

Natural Resources Wales: We have reviewed the planning application submitted to us, and from the information provided, we are not of the opinion that the proposed development impacts any matters listed on our Consultation Topics, Development Planning Advisory Service: Consultation Topics (September 2018).

Therefore, we have no observations to make on the proposed development.

It is noted that a bat survey has been submitted with the application, which confirms that bats are present within the site. However, it is assumed that the proposal would create a low risk for bats within the 'Natural Resources Wales Approach to Bats and Planning (2015)' document.

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Bats and their resting places are protected under the Conservation of Habitats and Species Regulations, 2017. Mitigation measures included in the Protected Species Survey document should be incorporated.

Any waste from excavation, or demolition or construction waste generated during this development should be disposed of in a satisfactory manner, in accordance with care duty requirements under section 34, Environmental Protection Act 1990.

The waste should be transported using registered waste carriers, and to sites with appropriate permits or exceptions. Transfer notes should be kept for every load for at least two years. Note that our decision not to provide observations does not mean that there may not be a possibility for the proposed development to affect other interests, including environmental interests of local importance.

The applicants should be informed that it is they, together with planning permission, who are responsible for ensuring that they obtain all the permits/permissions relevant to their development.

Welsh Water: Need to include a condition to submit a foul water drainage scheme for the site.

Public Protection Unit: No response.

CADW: No observations to make on the application.

Water and Environment Unit: No response.

Language Unit: A thorough analysis has been undertaken of the linguistic position of the area in the language assessment, including the impact of university students on the population of the wards and the frequency of multiple occupation units.

The assessment uses information that was submitted as part of recent applications for other developments in the nearby area as part of their evidence and, although the information submitted does not go as far as demonstrating the impact of those developments, it shows that the applicant has considered the cumulative impacts and has considered how their development fits into the wider picture in the area.

It appears that the main concern is the potential price of the units and whether they will be affordable for the local population to ensure there are opportunities for people to remain within their area and to contribute towards maintaining, and indeed, improving the linguistic position. There is potential here for the development to offer units that would appeal to a different cohort of the population (rather than students only) by creating a variety in the demographic.

The location of the development is so close to the railway station with

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the potential of making it an attractive investment for various buyers although it is unclear how the units would be marketed.

The Housing Impact Assessment that was submitted with the application confirms that the applicant is aware that a vast number of people from the Menai and Deiniol Wards have been priced out of the local housing market.

Strategic Housing Unit: On the whole, the prices of such intermediate affordable flats should be between £93,000 to £97,000 within Bangor city.

Caernarfon Civic Society: No response.

Education Information Officer: Sufficient capacity in local primary and secondary schools for this development.

Biodiversity Unit: The applicant will need to submit an application for an European Protected Species licence from NRW.

Needs to comply with requirements and mitigation measures within the Protected Species Survey document.

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Public Consultation:

A notice was placed in the press and on the site and nearby residents were informed. The advertising period has already expired and correspondence was received objecting on the following grounds:

- Proposed building out of character not only within the local streetscape but also within the whole city and it would dominate the townscape.
- Over-development of the site in a quiet residential area.
- No need for more flats/housing in Bangor.
- The proposal would increase traffic along a single road at the expense of pedestrian safety, including school children and college students. The road is also a cycle path within the city.
- Creating the second access at the rear of the site would mean losing a pavement on this part of the unclassified road.
- Lack of parking provision for the proposed units, which will lead to parking along Convent Lane.
- More flats would mean more litter, pollution and noise disturbance. Noise disturbance is already a problem following a similar development nearby and approving this application would exacerbate the situation.
- If the proposal would be approved, it would involve increasing pressures on local services such as surgeries.
- Potential impact of the proposal on the Welsh language.
- No details regarding demolition work and clearing the site and this could have a detrimental impact on residential amenities.
- This application was insufficiently advertised.

As well as the above objections, objections were received that were not material planning objections and these included:

- Objectors had received unfavourable advice from the Local Planning Authority regarding the construction of a house in their garden and if this advice is relevant for one small house, the construction of 36 residential units nearby should not be considered favourably.
- Erecting a four-storey building would reduce the view towards the east and Bangor Mountain at the expense of the amenities of local residents.

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5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located within the Bangor development boundary as contained in the LDP but it has not been designated or protected for any particular use in the Plan. Since the site is located within the Bangor development boundary, which has been identified as a Sub-regional Centre, consideration must be given to the principle of developing the site against Policy PCYFF 1 and Policy TAI 1 of the LDP.
- 5.2 The indicative housing supply for Bangor over the Plan period amounts to 969 units (which includes a 'slippage allowance' of 10%) with 393 on designated sites and 576 on windfall sites. During the 2011-2021 period, a total of 675 units have been completed in Bangor (266 on designated sites and 409 on windfall sites). The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, stood at 1883 units as of April 2021 (disregarding units identified in the LDP as unlikely to be completed), with further permission for 70 units on sites designated for housing in the LDP. It is noted that the Plan refers to an indicative figure of 115 houses on two further sites that have been designated for housing in Bangor but have not received planning permission. Furthermore, by means of an Appeal in April 2021, an application was approved for 30 residential units in Pen y Ffridd Bangor; 39 affordable flats for people aged 55+ in Plas Penrhos along with an application for 25 affordable social flats in Euston Road. Taking into consideration all the above information collectively, it is noted that the provision in April 2021 was 9 units higher than the indicative supply level for windfall sites in Bangor. This entails that this current proposal will go beyond the indicative growth level of Bangor.
- 5.3 In such circumstances, consideration will be given to the units that have been completed thus far within the Key Centres. Policy PS 17 in the LDP states that 53% of the housing growth will be located within the Key Centres. A survey of the situation in relation to the provision within all the Key Centres in April 2021 indicates that 1,647 units from the total of 4,194 units have been completed, and that 943 were in the land bank (and likely to be completed). Currently therefore, support can be given to approve this site against general provision (based on the completion rate so far) within the Key Centres category.
- 5.4 However, in light of the position of windfall sites in Bangor, any justification submitted with this application should be reviewed outlining how the proposal would address the needs of the local community. This could be done by: (i) submitting any market research work they have undertaken i.e. demonstrating the need for this type of development in the area; (ii) that the proposal meets a local recognised need for affordable housing; (iii) that the proposal provides for specialist housing needs e.g. units for the elderly; (iv) that the housing designation(s) in the settlement are not likely to be brought forward during the Plan's lifetime; and (v) that the units in the land bank are not likely to be developed in the Plan's lifetime.
- 5.5 In response to this requirement, the applicant has submitted a Housing Impact Assessment, which includes the following information: -
- Gwynedd Housing Strategy, 2019 - 2024: (i) An annual deficit of 580 intermediate affordable homes in Gwynedd; (ii) 60% have been priced out of the housing market; and (iii) a number of communities have problems purchasing properties under £140,000.
 - Gwynedd Council's Common Housing Register (based on recent similar applications in Bangor) - (i) There are 207 applicants on the Housing Register for 1-2 bedrooms in the Menai ward with the greatest need for two-bedroom units; (ii) Tai Teg has 128 applicants on their Housing Register for

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intermediate affordable units with 3% in need of a one-bedroom unit and 7% in need of a two-bedroom flat in Bangor.

- Annual Monitoring Survey of the LDP, 2020 - (i) need to provide a mix of affordable units of good design along with various types and tenure; (ii) the housing completion level is lower than the annual need for them and (iii) this deficit is seen on sites that have been designated for housing rather than windfall sites.
- Gwynedd Local Housing Market Assessment - (i) houses of median value and within the lowest quartile of property prices are unaffordable for families on a median income; (ii) 104 additional median housing will be needed per year for the next five years in order to meet the need for them.
- The proposal entails providing one and two-bedroom flats that vary in size from 50 to 121 square metres, which helps to provide a mixed sustainable community.
- The size and arrangement of the flats will meet the Welsh Development Quality Requirements (DQR), with emphasis on Lifelong Homes in order to meet the varying needs of the population. They would be designed for maximum use, flexibility and function with the ability to adapt to modern living requirements based on mobility and age.
- It is intended to collaborate with a registered housing association on the affordable element of the development.
- The market value of the flats means that most of them will equate to or be close to the value of a similar median property in Bangor.
- The applicant will consult with the Local Planning Authority regarding the arrangement of the affordable homes provision and completion programme in accordance with the Wales Development Quality Requirements before they are sold.
- Information has been received from two local estate agents confirming that a high demand is anticipated for this type of residential units in Bangor by first-time buyers, intermediate unit buyers, retired people and the elderly. There is a shortage of contemporary and modern units/flats in a central and accessible area within Bangor City.

5.6 In response to the above points, the Local Planning Authority notes the following: -

- A substantial amount of information is within the Assessment regarding the need for social and intermediate housing with other recent applications in Bangor and it also highlights a high level of need for one and two-bedroom units in relation to social housing. While there is a need for intermediate housing on the Tai Teg register, the need for flats, and in particular one-bedroom flats, is fairly low - 3% for one-bedroom flats and 7% for two-bedroom flats).
- The local estate agents have no specific evidence about any waiting lists for this type of open market units in the area.
- The Assessment does not refer to the former *Jewson's* site (permission for 77 one and two-bedroom open market flats including 13 intermediate affordable flats) and only refers to the delay with the development of some sites within the city.
- It must therefore be considered whether the evidence submitted by the applicant for a general need for smaller sized units is sufficient to justify granting permission for 36 additional flats in Bangor, which would mean increasing the land-bank of flats from 178 to 214 for Bangor.

5.7 In response to the above observations, additional information was submitted by the applicant stating:

- The estate agents have submitted information that is based on a market assessment indicating that there is a significant demand for one and two-bedroom open market units in the local area. Local estate agents are in a much more knowledgeable position than the Council in relation to assessing the commercial need for residential units in Bangor.
- As the applicant is in the business of constructing and selling houses, it would not make sense to build units where there is not much need for them.

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- The Housing Impact Assessment clearly shows that there is a need for social and intermediate one and two-bedroom units in Bangor and this information is based on evidence that was recently submitted about other residential developments in Bangor.
- It is impossible for the applicant to confirm, with certainty, the construction time of residential developments in Bangor that is beyond their control. The applicant is interested in the former *Jewson's* site but the site cannot be developed at present for 77 flats as an application to discharge a condition regarding affordable home details has been submitted to the Local Planning Authority (it is noted that applications to discharge the remaining conditions within permissions to develop this site have already been granted recently). Should the *Jewson's* development (application number C17/0835/11/MG for 70 flats) not proceed (as it is not guaranteed that this permission will be granted), there will be a reduction of 34 units within the residential units bank permitted, even taking the Llys Ioan site into account.
- Approving more one and two-bedroom units in Bangor would have a positive impact on affordability as an increase in provision would usually mean a reduction in prices.
- It is considered that developing this prominent and unimposing site (which is also a brownfield site) in a sustainable location within the city would be a material consideration of such a scale that it would outweigh any policy concerns/conflict.

5.8 The key issue here is that the proposal, cumulatively with the current land bank and housing designations to develop housing in the city, involves a level of development that would be above the indicative demand for residential units during the LDP period. Therefore, the Local Planning Authority must be convinced that this proposal would help to meet the needs of the local community (see paragraph 5.4 above).

5.9 It is noted that information has been received from local estate agents and the applicant himself referring to the need for one and two-bedroom flats in Bangor but they do not refer to residential units within the April (2021) land bank and 177 out of 188 units are already for flats. The Local Planning Authority would expect references to this current situation and how it would affect the need mentioned by the estate agents and the applicant, i.e.: (i) that the need deriving from the local community requires an additional 36 flats for the land bank for 177 units; (ii) assessment of the time period/probability of these 177 units being commenced against the time period of developing this current site; (iii) the largest site within the land bank to provide similar flats (the former *Jewson's* site) is within the same ownership as this application site and a detailed reference would be expected for the *Jewson's* site as it was already for sale on a number of estate agent websites. The applicant is expected to submit clear intentions for the *Jewson's* site and how it would affect construction time period/need for the Llys Ioan site; (iv) analysis of the current land bank would be able to show if this proposal provides for the need for different housing that derives from the local community and (v) submit additional information regarding recent housing developments in Bangor such as Y Bae and Plas y Coed and more recently the Plas Penrhos and Euston Road residential developments (although it is recognised that the last two examples are very recent examples where the applicant has not had the opportunity to undertake an analysis based on need and type of tenure), whether these developments have been occupied by the local community or have been provided for alternative market housing such as student accommodation and external migration.

5.10 Given the above assessment, the Local Planning Authority has not been undoubtedly convinced that the applicant has justified the provision of 36 residential units in the form of one and two-bedroom flats, which is in addition to the 177 flats that are already within the land bank in Bangor and, therefore, it is not believed that the proposal satisfies the needs of the local community in

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accordance with Policy TAI8. To this end, it is believed that the proposal is contrary to the requirements of Policies PS 17 and TAI 1 of the LDP.

Visual amenities

- 5.11 There is a mix in terms of form, construction and design age of the existing buildings within the catchment area of the site, which includes individual houses, terraced houses, substantially-sized buildings that have been converted into residential units/student accommodation, a listed building in the form of Bangor's Victorian railway station along with the school building. The site is prominent in this part of the streetscape and is located on a plateau approximately 3m above the nearby A5 trunk road (Holyhead Road). The main construction materials that are common to the nearby area are clean red brickwork, natural slate, steel profile covering, smooth and rough render as well as pebble-dash. The design principles of the proposed building have been the subject of formal discussions between the Local Planning Authority and the applicant and his agent before the application was submitted and these can be noted as follows: -
- 1.1 Scale - the site is located in a prominent place with an element of status and it can be described as a landmark within the local streetscape and to this end, it is considered that it would be suitable for any new building on this site to be a building of a similar scale and prominence compared to the current building in order to give functional importance to busy public areas nearby. However, in order to avoid creating an obtrusive and domineering building within the local streetscape and to avoid a negative impact on the listed railway station, the proposed building is in "L-shaped" form with its height in a stepped form that varies from 7m facing south and the listed railway station, 9m in the front facing Holyhead Road and 12.2m to the north and west-facing elevation. The fourth floor would be set back from the main external elevations of the building in the form of terraces and an open balcony, especially the elevations that are most visible from public rights of way to create an architectural feature and to reduce the scale and mass of the building in its entirety. The building known as Brynfa is located approximately 13m to the north of the application site and an application was approved to extend the multiple occupancy building by constructing a three-storey extension to the side and rear of the property to create 21 *en-suite* bedrooms for students. This extension is extensive in size and scale and although the height of the proposed building is four storeys, it is only approximately 200mm higher than the height of the extended part of Brynfa. The view from the application site when travelling down Holyhead Road from Upper Bangor is restricted given the location of mature trees and vegetation that runs along the southern boundary of Brynfa. Although the site is visible from the north and west (along Convent Lane), it is noted that the rear part of the site has been set in the side of the hillock, which enables the height of the building in this part of the site to be 12.2m without substantially impairing the visual amenities. It is believed that the scale and physical impact of the proposed building will be reduced by providing elevations and a façade that is broken up by various openings, various materials together with creating recessed areas in front of some of the residential units.
- 1.2 Design - the design concept is to create a modern residential development with finishes of various modern materials and the design reflects this aim by using varied architectural features throughout the whole building. The building's design and materials create a horizontal rhythm to the eastern (front) elevation and to the southern (side) elevation and a vertical rhythm to the northern and western elevation in order to create a building of architectural interest.
- 1.3 Setting - the site is located within an urban context and it can be described as a landmark site that is adjacent to a busy right of way. The building's setting within the site means that the building's footprint in "L" form makes the most of the site's surface area and form and the location of the building within the site itself reflects the ribboned form that is seen adjacent to Holyhead Road.

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1.4 Landscaping - it is proposed to undertake landscaping around the building and on the verges of the site that includes soft landscaping (plants and trees) and hard landscaping (paths and walls) and the purpose of the landscaping is to create private amenity spaces for the prospective residents together with contributing towards the quality of the development.

5.12 Considering the above assessment, it is believed that the proposal is acceptable on the basis of the impact of visual amenities of this part of the streetscape. It is recognised that there are local concerns regarding the scale and design, however, these are not considered to be inappropriate within the urban context of the site. It is noted that Planning Policy Wales, Edition 11, as well as TAN 12: Design, supports developments that promote and encourage good design by providing opportunities for innovative design that meet current and future needs. To this end, and subject to imposing conditions relating to external materials and landscaping, it is considered that the proposal is a positive response to the requirements of Policies PCYFF 3 and PCYFF 4 of the LDP.

General and residential amenities

5.13 As referred to above, residential dwellings are located to the north, east and west of the application site together with their private gardens/amenity spaces and a number of objections were received as part of the statutory public consultation process. The concerns deal with matters that include noise disturbance, light pollution, air pollution, litter and creation of an oppressive structure. The fact that this site is an urban site must be considered and noise disturbance or pollution/litter that may derive from this proposed development would not be totally different in nature to any other type of development situated in a residential area, especially if located adjacent to a busy public right of way such as Holyhead Road (which also includes Convent Lane that is used on a daily basis as a right of way to the city centre and to the college and schools on Ffriddoedd Road by pedestrians and cyclists). Residential amenity concerns such as these may be reduced by restricting working hours/hours serving the development together with the submission of a Construction Method Statement or similar to be agreed with the Local Planning Authority.

5.14 A concern was also submitted regarding the oppressive impact of the building on the amenities of local residents by occupants of a dwelling that is located behind the site and adjacent to Convent Lane. As referred to above, the proposed building has been designed in order to reduce its impact and physical impact within the local streetscape. The rear of the site is set in the side of the hillock, which means that dwellings at the rear of the site are located on a section of land that is higher than the land level of the application site. The height of the site is at least 3 to 4m lower than the dwelling site known as Bryn Coch and at least 4 to 5m lower than the dwelling site known as number 4 Cae Maes Lodwig. The residential units within the building known as Brynfa to the north of the proposed building are located on land that is approximately 2.6m higher than the application site itself. Considering these land levels, the layout of the residential dwellings in relation to the proposed building, along with the space between them, it is believed that the building itself would not create a substantial mask or oppressive structure at the expense of the general amenities of the occupants of these dwellings. It is noted here that the loss of views is not a material planning consideration.

5.15 As already mentioned, residential dwellings are located close to the application site and the proposed building. However, the building has been designed and set back from the northern and western peripheries of the site in order to reduce any substantial direct overlooking into these dwellings and their private amenity spaces.

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- 5.16 It is also noted that a concern was submitted regarding the lack of advertising for this specific application. As referred to above, local neighbours were informed by letter, two site notices were put up and the application was also advertised in the press and this level of advertising complies with the statutory requirements of Welsh Government to advertise such applications in accordance with the requirements of Article 2 of the Town and Country Act (Development Control Procedure) (Wales), 2012.
- 5.17 Bearing in mind the above assessment, it is considered that the proposal is acceptable and would not have a substantial unacceptable impact on the residential or general amenities of local residents. Therefore, it is believed that the proposal responds positively to the requirements of Policies PCYFF 2 and PCYFF 3 of the LDP.

Transport and access matters

- 5.18 A Transport Statement was submitted with the application, which concluded that transport levels that may derive from the development could be acceptable on the grounds of road safety along with the safety of road users. It is intended to improve the existing informal open access between the application site and Convent Lane in order to create a single formal access and the narrow carriageway in the front part of Convent Lane would be widened to allow two cars to pass each other. This in turn would improve the visibility along Holyhead Road. It is also intended to create a 1.8m wide footpath on the northern side of Convent Lane where one does not currently exist. The proposal also involves creating a second access to the site further towards the west on the external side of the turning that would serve a parking provision for 11 cars.
- 5.19 In response to the statutory consultation process, the Transportation Unit has no objection to the application based on road safety and accessibility of the site, subject to the inclusion of relevant conditions/notes. To this end, therefore, it is believed that the proposal complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

Linguistic matters

- 5.20 A Welsh Language Statement was submitted with the application in accordance with the requirements of Policy PS1 of the LDP, along with advice included in the SPG: Maintaining and Creating Unique and Sustainable Communities. The Assessment concludes that the proposal would contribute somewhat towards the language and the population; visual elements; quality of life and community infrastructure; the housing market and economic factors. Mitigation measures and improvements are also recommended that would involve marketing the units using local agents that would include bilingual staff; bilingual advertising in the press and placing the affordable units in the hands of local housing associations; giving the development a Welsh name (namely, Llys Ioan); the plan to be completed based on the language measures of local housing associations; using local contractors and bilingual signs during the construction work and after completing the work.
- 5.21 In response to the statutory consultation process, the Language Unit has stated that a thorough analysis has been undertaken of the linguistic position of the area in the language assessment, including the impact of university students on the population of the wards and the frequency of multiple occupation units. Although the information submitted within the Assessment does not go as far as demonstrating the impact of other similar developments, it shows that the applicant has considered the cumulative impacts and has considered how their development fits into the wider picture in the area. It appears that the main concern is the potential price of the units and whether they will be affordable for the local population to ensure there are opportunities for people to

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remain within their area and to contribute towards maintaining, and indeed, improving the linguistic position. There is potential here for the development to offer units that would appeal to a different cohort of the population (rather than students only) by creating a variety in the demographic.

- 5.22 The location of the development is so close to the railway station with the potential of making it an attractive investment for various buyers although it is unclear how the units would be marketed. The Housing Impact Assessment that was submitted with the application confirms that the applicant is aware that a vast number of people from the Menai and Deiniol Wards have been priced out of the local housing market.
- 5.23 Having considered this assessment along with the observations of the Language Unit, it is believed that the proposal complies with the requirements of Policy PS 1 as well as the contents of SPG: Maintaining and Creating Unique and Sustainable Communities.

Affordable housing and housing mix

- 5.24 A Housing Impact Assessment was submitted in accordance with the requirements of Policies TAI 8 and TAI 15 of the LDP together with SPG: Housing Mix and Affordable Housing. This information has been noted in paragraph 5.4 above and includes the following information: -
- The proposal will provide 7 affordable units (in the form of 2 two-bedroom flats and 5 one-bedroom flats) on the ground floor in accordance with Welsh Development Quality requirements (the *Wales Housing Quality Standards* by now), with emphasis on Lifelong Homes in order to meet the varying needs of the population.
 - The affordable provision would be ensured currently and in perpetuity by means of a usual legal agreement with the appropriate discount on the sale of the affordable units themselves.
 - The need for affordable social and intermediate housing with other recent applications in Bangor reflect the need for one- and two-bedroom units in relation to social housing. This proposal would respond to the need for residential units of the size proposed here within the city of Bangor.
- 5.25 As the proposal provides 7 affordable units, this would comply with the requirements of Policy TAI 15 of the LDP regarding the thresholds of affordable housing and their distribution. The applicant has received a valuation for the intermediate affordable units from two qualified local estate agents, which vary from £95,000 to £110,000 for the one-bedroom units and £145-£155,000 for the two-bedroom units. Taking these figures into consideration, along with the central location of the site, a 20% discount would be needed for the valuation for the one-bedroom units and a 30% discount for the valuation for the two-bedroom units to make them affordable on an intermediate level. It would be possible to ensure this by means of a legal agreement under Section 106 of the Town and Country Planning Act, 1990.
- 5.26 The Assessment also refers to the mix and type of units that would be provided as part of this development. If the proposal would be approved, it would provide 30 two-bedroom units and 6 one-bedroom units located within a four-storey building and the applicant has already stated that the mix and type of units provided here would address the need for small units within the city. In order to promote sustainable mixed communities, Policy TAI 8 states that proposals will need to show that they improve the balance of housing and will meet the needs noted for the entire community. For example, proposals would have to provide an element of affordable housing; contribute to compensating for the lack of balance in local housing markets; ensure the correct mix

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of the types of tenures of housing to meet existing community needs and make provisions for specific housing needs.

- 5.27 In this case, and as reiterated in the above assessment, the Local Planning Authority has not been undoubtedly convinced that this current proposal meets the need for this type of small units in the form of flats given that 178 flats are already within the land bank in Bangor, and insufficient evidence has been received to confirm why there is a need to increase the number of these flats. If approved, such a proposal may create an imbalance in the type and mix of small units within the city. To this end, therefore, it is believed that the proposal would be contrary to criterion 2, 3, 4 and 5 of Policy TAI 8 of the LDP.

Educational matters

- 5.28 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP and SPG: Housing Developments and Educational Provision. The formula within the SPG suggests that 3.3 primary school-age pupils would derive from the proposed development and 2.58 secondary school pupils. In response to the statutory consultation, the Education Department has confirmed that sufficient capacity is available in the secondary schools (Tryfan and Friars) and primary schools (Our Lady's and the new Ysgol y Garnedd - with the exception of Ysgol Cae Top) of the catchment area for this development. Therefore, it is believed that no educational contribution will be needed should this application be approved. Therefore, it is believed that the proposal complies with the requirements of Policy ISA 1 of the LDP in addition to the relevant SPG requirements.

Open space matters

- 5.29 Policy ISA 5 of the LDP states that new housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, are expected to provide suitable provision of open spaces in accordance with the *Fields in Trust* (FIT) benchmark standards of 2.4ha to every 1,000 of the population. The proposal will deliver 36 residential units and to this end, consideration will need to be given to the need for open spaces as part of the development if there is no sufficient provision close to the site.
- 5.30 Current information shows that there is a lack of play areas for children (with and without equipment) within 1.2km from the application site. Therefore, based on costs for the provision of open spaces for children and in accordance with FIT requirements, the following contributions will be required:
- Informal play areas for children - £3,235.32; and
 - Play areas with equipment for children - £4,900.71.
- 5.31 There is justification here, should it be recommended to approve the application, to request a contribution of £8,136.03 and such contribution will be given towards improving, maintaining or creating suitable play areas off the site rather than a direct provision within the development site itself. It would be possible to ensure this by means of the applicant signing a legal agreement under Section 106. On this basis, it is considered that the proposal responds to the requirements of Policy ISA 5 of the LDP and relevant SPG.

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Biodiversity matters

- 5.32 A Protected Species Survey was submitted with the application confirming that there is evidence to show that the *Common Pipistrelle* bat uses part of the building as a roosting place and if the proposal would be approved, it would involve the loss of a small daily roosting place; however, it is presumed that the impact of losing such a resting place would be low. To this end, it would be a statutory requirement for the applicant to receive a licence from Natural Resources Wales prior to commencing work on the site. It is also noted that the Survey recommends biodiversity mitigation measures. In response to the statutory consultation, the Biodiversity Unit has stated that the applicant will need to submit an application for an European Protected Species licence from NRW and comply with the requirements and mitigation measures within the Protected Species Survey document. To this end, therefore, it is believed that the proposal complies with the requirements of Policy AMG 5 of the LDP.

Sustainability matters

- 5.33 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need where possible to re-use previously used land and buildings wherever possible. Policy PCYFF 5 states that a contribution from renewable or low carbon energy will need to be demonstrated to satisfy the proposal's need for electricity and heating and Policy PCYFF 6 states that proposals should incorporate water conservation measures where practicable. Within this context, it is considered that the site is suitable for re-development and is sustainable as it is within walking distance to facilities, shops and public transport options. As part of the application, a Planning, Design and Access Statement together with a Water Conservation Statement were submitted to support the sustainability element of the proposed development. The development uses previously used land, it will be of high quality in terms of design and sustainable materials and water efficiency measures will be adopted as part of the development by means of, for example, restricting daily water use by prospective occupants, water harvesting and heating hot water effectively. As a result of this information, it is considered that the proposal is acceptable based on the requirements of Policies PS 5, PCYFF 5 and PCYFF 6 of the LDP.

Heritage assets matters

- 5.34 Policy PS20 of the LDP states that Local Planning Authorities will preserve, and where relevant, enhance unique heritage assets. As referred to above, Bangor railway station is located below and to the south of the application site and it is confirmed that the building on the upward platform is listed on the basis that it is the original building (*circa* 1855) of classical Italian style. The original building is located behind the main building at the front of the railway station and approximately 81m to the south-east from the corner of the proposed building and approximately 5.4m lower than the level of the planning application site. Considering this gap, other station buildings that are more substantial along with the design of the proposed building (which is in stepped form on its eastern and southern elevations in order to reduce its visual impact), it is not believed that the proposal would have a substantial impact on the character or layout of this listed building. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PS20 of the LDP.

6. Conclusions:

- 6.1 Having considered the above assessment, it is considered that the proposal to develop 36 residential units on this site would not be acceptable in principle based on a lack of evidence that there is a

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real need in Bangor for small one and two-bedroom units in addition to the 177 similar units/flats that are already within the land bank for the city. It is believed that approving this application would lead to an imbalance in this type of residential accommodation provision in Bangor and that it would not respond positively to housing needs that have been identified in Bangor itself. In assessing the application, full consideration was given to the observations received in response to the consultation period and to the response received from statutory consultees. Based on the assessment above, it is considered that the proposal is contrary to local and national policies and although the applicant has stated that developing this prominent and unimposing site in a sustainable location within the city would be material consideration of such a scale that it would outweigh any policy concerns/conflict, the Local Planning Authority disagrees with this opinion including the contents of the above assessment. Therefore, to this end it is considered that the proposal is not acceptable based on the reasons for refusal below.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to refuse the application based on the following reasons:
1. The proposal is contrary to the requirements of Policies PS 17 and TAI 1 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as the applicant has not submitted sufficient evidence with the application to convince the Local Planning Authority that there is a need for additional one and two-bedroom flats in Bangor, bearing in mind that this proposal exceeds the indicative housing growth level of Bangor for windfall sites. As a result, the proposal is also contrary to criterion 2, 3, 4 and 5 of Policy TAI 8 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as it is believed that it would create an imbalance in the type and mix of small units within the city, and no evidence has been received that the proposal responds positively to the needs of the local community.