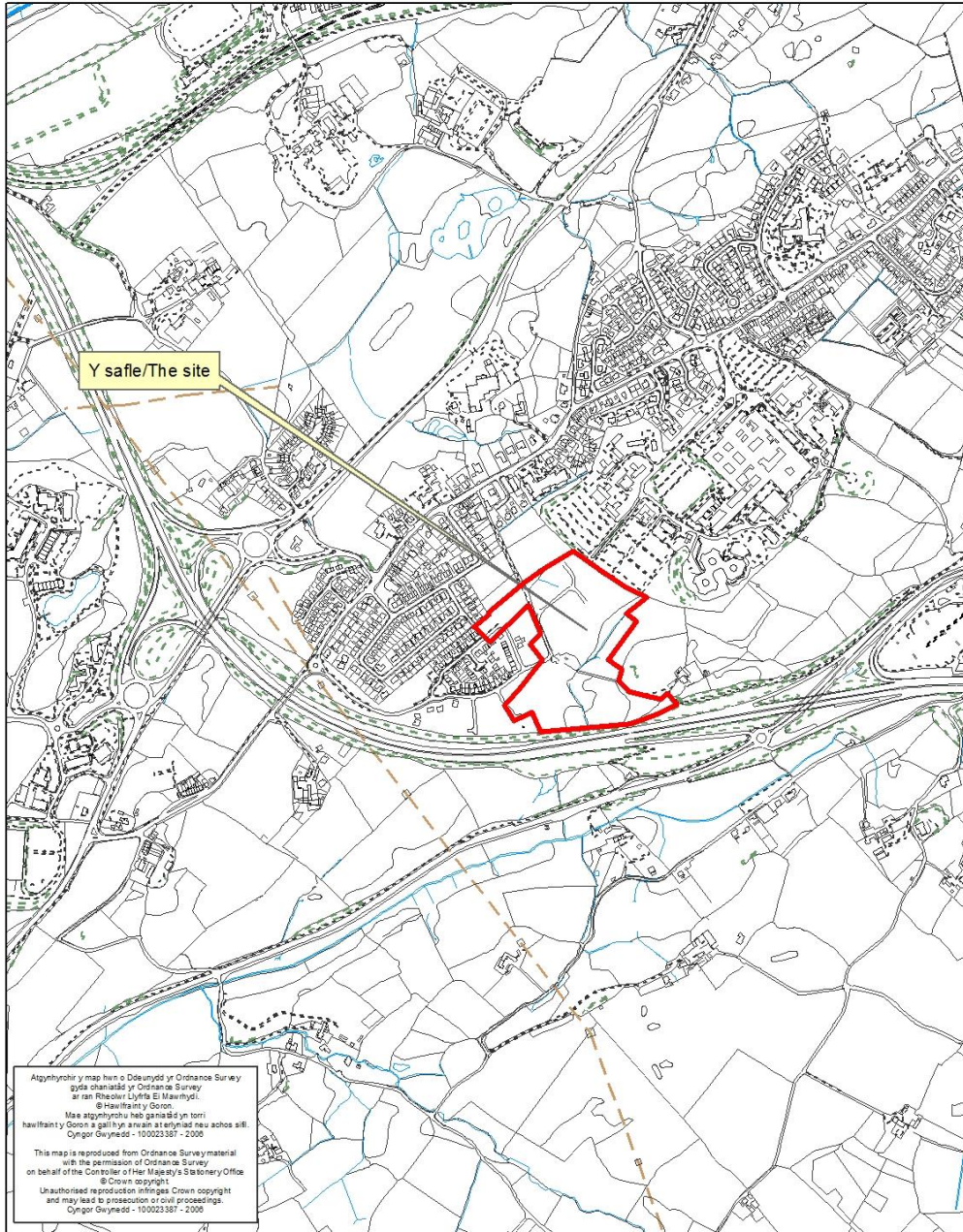


Number: 4



Rhif y Cais / Application Number : C15/1115/25/LL

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



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Application Number: C15/1115/25/LL  
Date Registered: 21/10/2015  
Application Type: Full - Planning  
Community: Pentir  
Ward: Pentir

Proposal: PART RE-PLAN TO 174 RESIDENTIAL DWELLINGS AT EXISTING APPROVED DEVELOPMENT (REF:C12/1347/25/LL) BY WAY OF INCREASING THE OVERALL NUMBER OF DWELLINGS FROM 245 TO 266, COMPRISING DETACHED, SEMI-DETACHED AND APARTMENTS TO INCLUDE AFFORDABLE UNITS (35%) WITH ASSOCIATED PARKING AND GARDEN AREAS.

Location: GOETRE UCHAF, OFF FFORDD PENRHOS, BANGOR, GWYNEDD, LL572NT

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

## 1. Description:

1.1 This is a full application to amend the existing permission to increase the overall number of dwellings on-site from 245 to 266, namely 21 additional houses by way of providing more one-bedroom and two-bedroom units. The plan does not involve expanding the size of the site or changing the internal roads layout of the site. The original permission has been implemented and work on the site is ongoing. Approximately 50 of the houses will be occupied by the end of December 2015.

1.2 The following documents were submitted as part of the planning application:

- A Design and Access Statement
- Additional Transport Statement
- Addendum Drainage Strategy
- Affordable Housing Statement
- Community and Language Statement

1.3 The site is located within the development boundaries of the city of Bangor that is designated as a sub-regional centre in the Gwynedd Unitary Development Plan (July 2009) with the land specifically designated for residential development. The site is in the Penrhosgarnedd area of the city, and within the Pentir Community Council area boundaries. It is in a comparatively prominent position when viewed from the nearby A55 and across the valley but is mostly hidden when viewed from Ffordd Penrhos.

1.4 Ffordd Penrhos is located to the north and north-west of the site with the existing residential estates of Ffordd Crwys and Ffordd Cynan located between the site and the road. These houses, as well as houses on Penrhos Road, vary in appearance, size, finishes and design which means that there is no definite or uniform building form in the local area. The extensive site of Ysbyty Gwynedd directly abuts the site's north-eastern boundary and the aforementioned A55 runs to the south of the site.

1.5 The application has been screened for an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) (Wales and England) Regulations 1999 (as amended). Having assessed the likely impact of the

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proposal on the environment using the selected criteria in Schedule 3 as well as the guidelines in the Welsh Office Circular 11/99, it is considered that the impact of the development on the environment is insufficient to justify submitting an environmental statement with the planning application.

- 1.6 In addition to this application, application no. C15/0634/25/LL was registered in June 2015 for exactly the same type of development. After the Council requested more information, the applicant decided to appeal to the Planning Inspectorate on the grounds of a lack of decision as the Local Planning Authority had not dealt with the application within the eight statutory weeks. This appeal will be undertaken through a process of informal hearings which incur a risk of costs against the Council. However, the applicant has submitted this application in order to present the additional information that the Local Planning Authority needed (transportation assessment, linguistic and community statement, confirmation of affordable houses, drainage information, response to Cadw's observations) with the hope of avoiding an appeal (and the associated costs for both parties) should planning permission be granted prior to the date of the appeal. But, despite the appeal, this application must be given full consideration and it must be determined on its own merits.

## 2. Relevant Policies:

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

## 2.2 Gwynedd Unitary Development Plan 2009:

### DESIGN STANDARDS – STRATEGIC POLICY 4

Developments will be expected to be of a good design in order to ensure that it makes a positive contribution, wherever possible, to the landscape, built environment and sustainable development. Wherever possible, for the landscape, the built environment and sustainable development.

### HOMES - STRATEGIC POLICY 10

The need for housing in the Plan area during the plan period will be met through:

- making provision for a total of 4178 housing units, which will include the provision of 1870 housing units on allocated sites; 1380 housing units on small and windfall sites and through residential conversion of existing buildings; and 991 on sites with planning permission;
- making provision for meeting the local need for affordable housing;
- distributing the housing units across the Plan area in accordance with the Plan's settlement strategy.

### ACCESSIBILITY – STRATEGIC POLICY 11

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

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#### **ACCESSIBILITY – STRATEGIC POLICY 11**

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#### **TRANSPORT – STRATEGIC POLICY 12**

Transport schemes that form part of the strategic and integrated transport network identified in the Key Diagram, extend the choice of travel modes, facilitate access for local people and show clear benefits as regards network safety and efficiency, will be approved, provided they do not lead to an unacceptable increase in the need to travel and that they do not significantly harm the environment or the amenities of local residents.

**POLICY A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS** - Ensure that sufficient information is provided with the planning application with regard to any significant likely environmental impact or other impacts in the form of an environmental impact assessment or other impact assessments.

**POLICY A2 – PROTECT THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES** - Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

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

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

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

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

#### **POLICY B17 – PROTECTING SITES OF REGIONAL OR LOCAL SIGNIFICANCE**

Refuse proposals that are likely to cause significant harm to sites of regional or local significance unless they conform to a series of criteria aimed at protecting, enhancing and managing recognised features within the sites.

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

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

#### **POLICY B21 – WILDLIFE CORRIDORS, HABITAT LINKAGES AND STEPPING STONES**

Safeguard the integrity of landscape features which are important for wild flora and fauna unless it can be shown that reasons for the development override the need to maintain the features and that mitigating measures can be provided.

#### **POLICY B22 - BUILDING DESIGN**

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

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#### **POLICY B23 - AMENITIES**

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

#### **POLICY B25 - BUILDING MATERIALS**

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

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

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

#### **POLICY B32 – INCREASING SURFACE WATER**

Refuse proposals that do not include appropriate flood minimisation or mitigation measures that will reduce the volume and rate at which surface water reaches and flows into rivers and other water courses.

#### **POLICY C1 - LOCATING NEW DEVELOPMENT**

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

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

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

#### **POLICY CH1 – NEW HOUSES ON ALLOCATED SITES**

Proposals to build houses on allocated sites will be approved subject to criteria relating to the specific features of the development.

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

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

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

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

#### **POLICY CH22 – CYCLING NETWORK, PATHS AND RIGHTS OF WAY**

All parts of the cycling network, footpaths and rights of way will be protected by encouraging proposals which will incorporate them satisfactorily within the development and by prohibiting plans to extend the cycling network, footpaths or rights of way. Should this not be

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possible, appropriate provision will have to be made to divert the route or to provide a new and acceptable route.

#### **POLICY CH28 – IMPACT OF DEVELOPMENT ON JOURNEYS**

Proposals for large scale developments that will cause a substantial increase in the number of journeys made by private vehicles will be refused, unless they include measures to reduce the environmental impact. Developments which are planned and designed in a manner that promotes the most sustainable and environmentally acceptable modes of transport will be favoured.

#### **POLICY CH29 – SAFEGUARDING AND IMPROVING LINKS FOR PEDESTRIANS**

Proposals within Centres and Villages will be refused unless they provide safe, attractive and direct footpaths for pedestrians across and out of the site where there is a clear opportunity to make such a provision.

#### **POLICY CH30 – ACCESS FOR ALL**

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

#### **POLICY CH31 – PROVIDING FOR CYCLISTS**

Development proposals that do not provide specific facilities for cycling where there are obvious opportunities for doing so will be refused.

#### **POLICY CH32 – INCREASING ACCESSIBILITY BY PUBLIC TRANSPORT**

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

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

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

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

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

#### **POLICY CH37 – EDUCATIONAL, HEALTH AND COMMUNITY FACILITIES**

Development proposals for new educational, health or community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on an identified town centre.

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

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

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

- Affordable Housing
- Planning and the Welsh Language
- Housing Developments and Educational Provision
- Planning liabilities
- Housing developments and open spaces of recreational value
- Supplementary Planning Guidance: Development Briefs (November 2009) including the development brief – Housing at the rear of Ffordd Cynan, Bangor.
- Planning for Sustainable Building
- Gwynedd Design Guidelines

### 2.3 National Policies:

Planning Policy Wales, Edition 7, July 2014

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12: Design

Technical Advice Note 20: Planning and the Welsh Language

*Circular 60/96 Planning and the Historic Environment: Archaeology*

### 3. Relevant Planning History:

- 3.1 C12/1347/25/LL - Construct 245 living units comprising detached and semi-detached houses, flats (including 86 affordable units), parking spaces and gardens, associated works, erection of pumping station and demolition of single-storey outbuilding. Approved 02.09.13
- 3.2 C15/0274/25/LL - Amend condition 3 on previous permission (C12/1347/25/LL) in order to replace the natural slate roof finishes on units 83-245 with reproduced slate. Refused 24.04.15 and refused on appeal.
- 3.3 C15/0634/25/LL - Part re-plan to 174 residential dwellings at existing approved development C12/1347/25/LL by way of increasing the overall number of dwellings from 245 to 266, comprising detached, semi-detached and apartments to include affordable units (35%) with associated parking and garden areas. Not decided - this is the application which is the subject of appeal at present.

### 4. Consultations:

Community/Town Council: Not received.

Transportation Unit: No objection to the proposal. The supplementary transport statement report indicates that the increase in traffic in light of the additional houses would be an increase less than 5% and therefore the impact is not considered significant.

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Footpaths Unit:	No objection.
Welsh Water:	<p><b><u>SEWERAGE</u></b> - We write further to the above development and reiterate our comments of 14/07/2015 under reference C15/0634/25/LL. We welcome the developer to contact us to discuss the proposal. The previous consent was granted on the basis of 245 units and the subsequent Hydraulic Modelling Assessment was undertaken for this requirement. We now understand the proposal is to increase the number of units to 266, we therefore require an updated Hydraulic Modelling Assessment to assess whether the increase would cause any further detriment to our assets or the environment. We would recommend that this application is not determined until such time as the updated assessment has been completed. The costs for undertaking this study must be paid for by the developer. In order to request a quote for the hydraulic modelling assessment, we will require a fee of £250 + VAT to engage our consultants, this fee is non-refundable.</p> <p><b><u>SEWAGE TREATMENT</u></b> - No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.</p> <p><b><u>WATER SUPPLY</u></b> - Dŵr Cymru Welsh Water has no objection to the proposed development.</p>
Natural Resources Wales:	No objection.
Education:	Not received.
Environmental Health Unit and Public Protection:	Not received.
Biodiversity:	<p>No objection - Need conditions to update bat mitigation measures. As in the case of the previous application, it will be necessary to follow the same exact recommendations and measures detailed in the following documents:</p> <ul style="list-style-type: none"> <li>• Ecological Management Plan and Biodiversity Plan</li> <li>• Bat Enhancement plan</li> <li>• Reptile survey and mitigation report</li> </ul>
Trees Unit:	<p>Concerned about soil and rubble which has been placed on the roots of trees. It will be necessary to move the soil and rubble away from the roots of the trees and tools will have to be used when drilling near the roots of the trees. An open ditch will be built near to oak trees and an ash tree. A trees report to spec 587:2012 will be necessary to prevent the ditch from affecting the roots of these trees. It will be necessary to complete the report prior to commencing on any drilling work.</p>
Housing Strategic Unit:	Welcome more affordable housing on the site and a mix of



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one, two and three bedroom flats. Fewer three-bedroom housing provision will mean that there will be less lifelong housing available and possibly people would have to move to larger houses if families grow out of the house. Aware of discussions with Cartrefi Conwy to provide social housing and welcome this. Possibility of collaboration with the Strategic Housing Unit, Tai Teg and the common housing register to identify applicants for intermediate rent housing.

CADW:

No further observations to offer following the previous application which is under appeal.

Gwynedd Archaeological Planning Service:

No further physical impact deriving from the development. Still concerned about the impact on the monument's layout. Eager to see a condition imposed to ensure that the work is completed in line with the existing archaeology mitigation conditions.

Flood Risk and Coastal Erosion Management Unit

In order to safeguard the amenities of nearby properties and any development, any planning permission granted should include the following requirements :-

Several water courses flow through or near the site. In order to safeguard the amenities of the proposed development and of nearby properties, I advise that any planning permission granted should include the following requirements as a condition:

- a) The developer must safeguard the water courses.
- b) In accordance with the requirements of Section 23(1) Land Drainage Act 1991 the developer will submit the details of his proposals to safeguard the water courses to Gwynedd Council for approval.
- c) The developer shall be responsible for the cost of the work of safeguarding the water courses.

If the applicant intends to create a culvert to carry the watercourses which flow through or near the site and to safeguard the amenities of the proposed development and the nearby properties, I advise that any planning permission granted should include the following requirements as conditions:

- a) The developer must safeguard the water courses.
- b) In accordance with the requirements of Section 263 Public Health Act 1936 and Section 23(1) Land Drainage Act 1991 the developer shall submit the details of his proposals to culvert the water courses to Gwynedd Council for approval.
- c) The developer shall be responsible for the cost of the work of safeguarding the water courses.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The consultation period has ended and two letters were received objecting on the following grounds:

- Contrary to policy
- The development needs to be in-keeping with the local area - materials
- No amenity space or playing areas for children
- No room for more housing
- Local schools are already full
- Already traffic problems in the area and only some houses have been erected as of yet.
- Increasing the number will change the nature of the development
- Impact on uncommon species
- Effect on the site's historical status
- Reduce open areas within the site and increase the number of parked cars which would have a negative impact on the environment
- Greater impact on habitats
- Negative impact on the amenities of the houses which have already been erected.
- Impact on the ancient monument.
- One entrance to the estate is insufficient and increasing the numbers will exacerbate the existing traffic problems.

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

**The principle of the development**

- 5.1 Policies C1, CH1 and CH6 are relevant to this application. Policy C1 relates to locating new developments, and the main focus of the policy is to support developments within the development boundaries of towns and villages. The application site is within the development boundary of the city of Bangor, therefore the application complies with policy C1. This application is also on a site that has been designated specifically for housing in the Gwynedd Unitary Development Plan, therefore, in accordance with Policy CH1, the principle of developing housing on this site is acceptable provided the development is of a high standard in respect of the type, size and affordability of the houses, and also in respect of the quality, design and form of the development in accordance with the relevant Development Brief for the site. This land was designated in the UDP to meet common market housing requirements.
- 5.2 Planning permission already exists on the site to erect 245 houses on the site, and the current application seeks to increase the number to 266 by way of providing more one and two-bedroom units as a response to changes in the housing market since the original application was permitted. The Development Brief notes that this site could cope with 270 residential units, based on a development density of 30 units per hectare. Therefore this application contributes better to the Council's housing targets

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than the existing permission. Consequently, it is considered that the number of units proposed if the application is acceptable for the site, and would make suitable use (based on density) of the land. Application no. C12/1347/25/LL was approved subject to a condition to ensure a phased development, and the condition would have to be re-imposed in the application is approved, to respond to the higher number of houses and to reduce the development's impact on the local area.

### **Affordable Housing**

- 5.3 The Brief for the site requests that the developer ensures that around 35% of the houses are affordable houses which meet the general housing need, and Policy CH6 endorses the need to provide affordable housing for local need on all allocated sites. This application proposes seven additional affordable houses (in addition to the 86 which have already been approved) and this would retain the 35% provision of affordable houses and would therefore be in line with the Development Brief. The Development Brief also states that these affordable houses could be social housing to rent, intermediate housing or a combination of both. Information was received from the agent, indicating an intention to provide a mixture of social rented housing and intermediate housing. Observations were received from the Strategic Housing Unit which welcomed more affordable housing on the site and a mix of one, two and three bedroom flats.
- 5.4 Therefore, it is considered that the seven affordable units proposed are acceptable and the principle of the development as a whole is acceptable and complies with policies CH1 and CH6. It must also be ensured that the seven affordable units remain affordable in the future by amending the current 106 agreement.

### **Educational Provision**

- 5.5 Policy CH37 aims to ensure that existing schools will be able to cope with any increase in pupil numbers as a result of a new residential development. The Supplementary Planning Guidance (SPG) 'Housing Developments and Educational Facilities' is also relevant to this aspect of the application. The developer has already agreed, by way of application no. C12/1347/25/LL for 245 houses, through a 106 agreement to contribute £1,115,387 towards providing educational resources in the local area.
- 5.6 The Joint Planning Policy Unit has confirmed that the site of the application is located within a catchment area which includes the Faenol, Garnedd and Our Lady's primary schools, and Tryfan and Friars secondary schools. The relevant statistics indicate that Ysgol y Faenol and Ysgol y Garnedd remain full, but that there is a capacity of 26 at Our Lady's School.
- 5.7 The current financial contribution of £1,115,387 equates to providing 91 additional school places. By using the SPG's formula, this amended plan means that it will be necessary to provide for 98 pupils, which is seven school places more than what has already been contributed for. The statistics show that capacity for 26 is available in Our Lady's School, therefore based on this information, it is neither reasonable nor necessary to request a further educational contribution as there is room for the 7 additional places that would derive from this proposal. It is therefore considered that the proposal meets the requirements of policy CH37 of the UDP and the SPG Housing Developments and Educational Facilities and based on the available information, there is no justification for a further financial contribution.

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### **Recreational areas**

- 5.8 In line with the contents of Policy CH43, it is important to consider whether the amendment to the planning permission involves the provision of an additional open space to meet the needs of the development's residents. The supplementary planning guidance (SPG) 'Housing Developments and Open Spaces of Recreational Value' is also relevant. Note that there was no need to undertake any additional provision in relation to the original permission, but a financial contribution of £30,000 was received for the area of Bangor City Council and/or Pentir Community Council to improve and expand parks and playing fields facilities in response to the Planning Committee's concerns.
- 5.9 The playing field which is safeguarded in the Unitary Plan and which abuts this site measures approximately 17,000m<sup>2</sup>. The part of this site which includes playing equipment measures approximately 6,675m<sup>2</sup>. This would meet the need for children's play areas as noted in the SPG 'Housing Developments and Open Spaces of Recreational Value'. As this site abuts the application site and is connected by way of a public footpath, it is believed that it is a suitable location and is acceptable from the perspective of addressing the need for a children's play area.
- 5.10 It is therefore believed that the existing provision (based on area) is adequate to meet the needs that derive from the number of additional houses (when considering the proposal in a wider context). The proposal therefore complies with the requirements of policy CH43 and based on the available evidence there is no justification for any further financial contribution.

### **Language Matters**

- 5.11 An amended Language and Community Impact Statement was submitted in response to the amended plan. This concludes that the development would be positive for the circumstances of the language by providing housing in accordance with the requirements of the UDP and needs identified in the Survey of Local Housing Needs. The Joint Planning Policy Unit acknowledge that there is a relatively low percentage of Welsh speakers in this area of Bangor, especially in the Glyder and Dewi wards in comparison with Gwynedd in its entirety. However, the mixed type of housing proposed will likely be attractive to families with children. An increase in the number of pupils should have a positive impact on the Welsh language as they would be educated through the medium of Welsh.
- 5.12 The intention of providing an increase in the number of affordable housing could be beneficial in terms of keeping the current population in their communities and encouraging Welsh people to return to the area. This is significant when considering the affordability rates in Bangor. It is not believed that the scale of the amended proposal is likely to cause significant growth in the population that would have a detrimental impact on the Welsh language. As a result the size of the development and the subsequent growth in population is unlikely to have a significant impact on the Welsh Language. Therefore, it is considered that the proposal complies with the policies A1 and A2 of the GUDP.

### **Transport and access matters**

- 5.13 The application involves locating 21 additional houses within the existing site by reducing the size of the houses approved and increasing the density. There is no

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intention to change the layout of the site's internal roads or the main entrance to the estate. As there is no change to the internal roads or entrances, it is considered that this application continues to meet the requirements of policy CH22, which safeguards the cycling network, footpaths and rights of way.

- 5.14 The site has been allocated for housing in the development plan. The development brief acknowledges that the site has been located within an easy walking route to one of the bus service's main routes in and out of Bangor. The proposal therefore conforms to policy CH32 which aims to improve accessibility with public transport.
- 5.15 An amended transportation assessment was received as part of the application to assess the impact of the additional houses on the local network. In response to this, the transportation unit had no objection to the proposal as the assessment indicates that the increase in traffic in light of the additional houses would be an increase of less than 5% and therefore it is not of the opinion that the impact would be significant. Therefore, it is considered that the application is in line with policy CH33 which relates to safety on roads and streets, and policy CH28 which assess the impact of developments on journeys.
- 5.16 Policy CH36 relates to private car parking facilities. The layout and design of the houses have ensured adequate parking for every property, and the transportation unit had no objection to this element of the application. Therefore, the application meets the requirements of policy CH36.
- 5.17 As there is no change to the setting of the estate's internal roads and the proposal continues to safeguard the public footpath, it is considered that the development in its amended form meets the requirements of policy CH29 which safeguards links for pedestrians.
- 5.18 Policy CH31 ensures provision for cyclists. The plans still indicate that a cycling route is to be created which will link the site with a private road (which has rights of way) which will then lead and connect to the Lôn Adda cycling route. In addition to that, a financial contribution of £140,000 was received for the Council to provide, upgrade or retain cycling routes in the local area. Therefore, it is considered that the proposal remains compliant with policy CH31.
- 5.19 Policy CH30 ensures access for all. In the context of accessibility, it is felt that the site remains appropriate in terms of its location and setting, and due to the fact that the individual houses must meet the acceptable standard for them to reach the requirements of access for all guidelines, it is considered that policy CH30 is adhered to.

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

- 5.20 Policy B23 of the Unitary Development Plan relates to safeguarding the amenities of the local neighbourhood. The criteria of this policy refer to ensuring reasonable privacy for the users of nearby properties, ensuring that the development will not lead to an overdevelopment of the site, ensuring that the proposal will not add to traffic or traffic-related noise, that the plan reduces opportunities for individuals to behave antisocially and creates an environment where people feel safe to walk, cycle and play, and that the external design and layout of the development considers the needs of all its potential users.

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- 5.21 Most of the changes to the plan within the existing site are away from existing housing around the site. It is considered that the layout of the houses is acceptable and that every unit will provide an acceptable standard of amenity for the development's residents. Although the concern that was arisen is acknowledged, it is not considered that this plan is tantamount to an over-development.
- 5.22 There is no change to the plan opposite the majority of Ffordd Crwys' houses. The proposal involves adaptations by the side of and at the rear of number 9 Ffordd Crwys, but it is not considered that the impact would be significantly different to the permission which already exists. The changes also enable more landscaping on either side of the footpath which links with Ffordd Crwys and it is considered that this would offer an improvement to the visual impact of the development from Ffordd Crwys.
- 5.23 Although the site is significant and the proposal increases the number of housing on the site, the density is in line with the Development Brief and as a result it is not considered that the proposal involves an over-development of the site in this case. Therefore, it is considered that the proposal complies with Policy B23 above.

#### **Design and appearance**

- 5.24 The plans submitted with the application indicate that the houses would be of similar design to the permission that already exists and as a result it is not considered that the development's appearance would be harmful to the area. The scale of the units would vary in terms of their form but mainly would retain the normal height of two-storeys with some units containing roof voids and flats are to be included in three-storey buildings. The finishes indicate a mixture of brick, render and wooden cladding with slate roofing. Finishes are normally agreed through a condition and it will be necessary to re-impose appropriate conditions to ensure a satisfactory appearance for the development.
- 5.25 The site boundary treatment is ongoing, with a variety of brick walls and wooden fences. These finishes have been agreed through the existing permission but it will be necessary to impose a new condition requesting that details are agreed if the finishes change due to the amended plan. With the conditions, it is considered that the application is in accordance with policies B22, B23 and B25.
- 5.26 This development refers to consideration given to the 'Secure by Design' guidelines; namely a set of instructions provided to encourage a secure design and layout which considers public health, crime prevention and community safety as part of the design process. It is considered that the application in its amended form continues to comply with this.

#### **Landscaping**

- 5.27 In accordance with policy B27, detailed plans have been submitted which indicate the site's intended landscaping plan. Usually, this is secured via a formal condition which will ensure that the work is completed to the local planning authority's complete satisfaction and that the work and the plants are safeguarded and protected for a period after the work has been undertaken, it is therefore considered that policy B27 is satisfied.

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### **The effect of the development on the setting of the Listed Monument**

- 5.28 Policy B7 is clear in its advice and states that proposals which damage or destroy archaeological remains of national importance (whether scheduled or not) or their setting will be refused. Circular 60/96 Planning and the Historic Environment: Archaeology is also relevant. Conditions were imposed on permission C12/1347/25/LL to undertake detailed archaeological surveys of the site.
- 5.29 The Gwynedd Archaeological Planning Service has confirmed that this amended application will not have a further physical impact on the site, therefore no further surveys are needed. However, they are concerned about the setting of the listed monument which lies to the east of the site. A response was received from Cadw which disclosed no further observations following the previous application (namely the application under appeal). The observations expressed a concern about the impact of the amended proposal on the setting of the monument as the density of the houses would be higher around it and also more cars would be parked in front of the houses. However, Cadw was not of the opinion that the impact would be significant. Cadw is eager to collaborate with the developer to discuss a management and retention plan for the area, to ensure that the monument is safeguarded and interpreted in the long-term. The developer has acknowledged these observations and is willing for the Local Planning Authority to impose a condition to reduce the impact of the development on the monument by way of a potential additional planting plan.
- 5.30 Having weighed up the observations received along with the policy context it is not considered that the proposal is contrary to the requirements of policy B7 as the impact of the development will not be significantly larger than the permission which already exists, nor will it have a significant harmful impact on the setting of the listed ancient monument. Therefore, it is considered that the application complies with policy B7 and the guidance in Circular 60/96.

### **Biodiversity matters**

- 5.31 The Biodiversity Unit was consulted on the application. The Biodiversity Unit does not object to the application as the proposal will not have more physical impact than the existing permission but it has proposed a number of conditions to be included on any planning permission. The conditions proposed involve submitting an update to the bat mitigation report which includes landscaping matters and the provision of bat boxes and tubes in the new houses and on some of the trees.
- 5.32 We also consulted with Natural Resources Wales who is eager to ensure that any planning permission would ensure that the light improvement and management measures are followed in accordance with the previous permission.
- 5.33 Observations were received from the Council's Trees Officer expressing a concern about the location of an open ditch and its impact on the roots of oak trees, and as a result a trees report would be necessary prior to commencing the work. The ditch has already received permission via application C12/1347/25/LL and has received several assessments including a trees survey, a trees impact assessment and a method statement report. The amended application does not intend to change the site's drainage systems. Consequently, it is not considered reasonable or necessary for the developer to submit further assessments about work which has already been approved, and the current application does not seek to change these aspects of the

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development. However, the development will have to continue to conform to the previous conditions to protect trees on the site.

- 5.34 The observations also refer to soil and rubble that has been placed on existing tree roots on the site which should be cleared to ensure that there is no harm to the trees. Application no. C12/1347/25/LL was approved with conditions to protect trees on the site. The matter has therefore been referred to the Enforcement Unit to be investigated and to ensure that the development is completed in line with the existing conditions.
- 5.35 It is therefore considered, in light of including suitable conditions as discussed above, the proposal would be acceptable in terms of Policy B20 which involves protected species, Policy B21 which involves wildlife corridors, habitat linkages and stepping stones and Policy B17 which involves wildlife sites.

#### **Infrastructure matters**

- 5.36 Policy CH18 requests that developments ensure that appropriate arrangements are made to provide adequate infrastructure necessary for the development, namely electricity and water supply, a method of disposing of water and sewerage, a method to dispose of surface water and other essential services. Policy B32 also ensures that developments will not add to surface water in a way that is harmful to rivers and other watercourses.
- 5.37 An Addendum Drainage Strategy was received as part of the application to assess the impact of the additional houses on the approved drainage system. The report concludes that the impact on surface water would be slightly less than the original permission and therefore the existing surface water disposal plan would be adequate for the additional houses. The report confirms that the existing pumping station would be sufficient but it will be necessary to create a new storage container within the side drains in case the pump fails or there is a power-cut.
- 5.38 In response to the consultations, Natural Resources Wales or the Council's Flood Risk Management and Coastal Erosion Unit had no objection to the proposal. Welsh Water had no objection to water supply or sewage treatment aspects. However, Welsh Water has requested a Hydraulic Modelling Assessment to assess whether the increase in houses will cause any harm to the environment or to Welsh Water assets. The developer is aware of this and is in the process of responding to Welsh Water, and this will be further reported on at the Committee meeting. If positive observations are received from Welsh Water, it is considered that the proposal is in line with policies CH18 and B32.

#### **Section 106 agreement matters**

- 5.39 The existing 106 agreement has ensured financial contributions to transportation, education, cycling routes and playing areas. The agreement also ensures the provision of affordable housing on site. The agreement will have to be amended in order to increase the number of affordable housing, how the houses will be provided and their new locations on-site. The financial contributions would remain without any changes. By amending the 106, the development would continue to conform to the policies discussed in the above assessment.

### **6. Conclusions:**



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6.1 The objections of local residents have received full consideration during the above assessment. Based on the above assessment, and having considered all the relevant matters, including the objections, it is not considered that the proposal is contrary to the local and national policies and guidelines noted in the assessment, nor are there any other material planning considerations that state otherwise. Based on the above, it is considered that the proposal is acceptable subject to relevant conditions and completing a 106 agreement - general affordable housing.

**7. Recommendation:**

To delegate the right to the Senior Planning Manager to approve the application subject to the applicant signing an amended 106 Agreement to ensure that seven additional affordable houses are provided for general local need, and subject to receiving additional information and positive observations from Welsh Water and to relevant planning conditions relating to:

**7.1 To approve – conditions**

1. The commencement time of the development;
2. Condition to ensure compliance with the conditions of Application no. C12/1347/25/LL - e.g. phased development, in line with biodiversity and trees reports, archaeology, highways, construction method statement, land drainage, archaeology management plan, safeguarding of public path.
3. Materials and finishes including slate roofing.
4. Access and parking
5. The receipt of an amended landscaping plan
6. Removal of development rights for the affordable homes
7. The receipt of an amended bat mitigation plan.
8. Development to comply with the approved plans
9. Receive a management / impact mitigation plan regarding the listed ancient monument.
10. Submit details of any amended boundary treatments around the site.