

PLANNING COMMITTEE	DATE: 28/11/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C21/0575/00/LL

Date Registered: 02/07/2021

Application Type: Full

Community: Barmouth

Ward: Barmouth

Proposal: Conversion and change of use of a single dwelling to form six one-bedroom flats

Location: Auckland House, 17 Rhodfa'r Môr, Barmouth, Gwynedd, LL42 1NA

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1 The application involves converting and changing the use of a single dwelling to form six one-bedroom flats. One flat would be created in the basement, two on the ground floor and then one flat on the first, second and third floors. Externally, the change includes replacing one window with a door and constructing a steel walkway frame at the rear on ground floor level. Land at the front of the building would be excavated in order to create a box structure to gain access to the flat, which would be created on a basement level. The applicant has agreed for the basement level flat to be an affordable unit.
- 1.2 As part of the application, a Community and Linguistic Statement, Housing Mix Statement and valuation for the affordable flat were submitted.
- 1.3 The site lies within the development boundary. The site is within a Special Landscape Area and the Mawddach Landscape of Outstanding Historical Interest. There is an unclassified road at the front and rear of the property. A car park is located to the south-east of the site. The promenade, beach and sea are located to the south-west of the site. The property forms part of a terrace.
- 1.4 The application is submitted to the Committee as the application relates to 5 or more houses.

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, adopted 31 July 2017**
 - PS 1 - The Welsh language and culture
 - PS 2 - Infrastructure and developer contributions
 - ISA 1 - Infrastructure provision
 - PS 4 - Sustainable transport, development and accessibility
 - TRA 2 – Parking standards
 - TRA 4 – Managing transport impacts
 - PS 5 – Sustainable developments
 - PS 6 - Mitigating the effects of climate change and adapting to them

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PCYFF 1 – Development Boundaries

PCYFF 2 – Development criteria

PCYFF 3 – Design and place shaping

PCYFF 4 - Design and landscaping

PCYFF 5 - Carbon management

PCYFF 6 - Water conservation

PS 16 - Housing provision

PS 17 - Settlement strategy

TAI 2 - Housing in Local Service Centres

TAI 8 - An appropriate mix of housing

TAI 9 - Sub-dividing existing property to self-contained flats and houses in multiple occupation

TAI 15 - Threshold of affordable housing and their distribution

PS 19 - Conserving and where appropriate enhancing the natural environment

AMG 2 – Special Landscape Area

AMG 5 - Local biodiversity conservation

PS 20 - Conserving and where appropriate enhancing cultural assets

AT 1 – Conservation areas, world heritage sites and landscapes, parks and registered historic gardens

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

Supplementary Planning Guidance - Housing Mix (October 2018)

Supplementary Planning Guidance – Affordable Housing (April 2019)

Supplementary Planning Guidance – Planning Obligations

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales, Edition 11, February 2021.

Technical Advice Note 2 - Planning and affordable housing

Technical Advice Note 12: Design

Technical Advice Note 18 – Transport

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3. Relevant Planning History:

- 3.1 5/51/10 – Change the use from commercial / residential accommodation to dwelling house - Approved 7 August 1985.

4. Consultations:

Community/Town Council: No objection.

Transportation Unit: In relation to the above application, the applicant has submitted the following observations that are relevant to the impact on the highway:-

Policy PS4 Transport

The development is located in the town and, therefore, it has excellent links to the public transport provision.

Policy TRA 2 Parking Standards

There is a net reduction in the number of bedrooms provided, therefore, the number of local places used will reduce, not increase. Therefore, the proposal has a positive impact on local parking provision and is therefore in accordance with the policy.

Policy TRA 4 Transport

It is likely that residents will not use motor vehicles to access facilities in the town as the site is within walking distance of all local services. Therefore, the proposal supports the type of sustainable transport, which includes walking.

Adding that car parks are within walking distance of the development, the service has no further comments to offer relating to the following development.

Welsh Water: Notes that the proposal makes use of existing connections to the public sewerage system and provides advice for the developer.

Strategic Housing Unit: **Information about the need:**

The following indicates the number of applicants who wish to live in the area:

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8 applicants from the Tai Teg register for intermediate property

176 applicants from the common housing waiting list for social housing

**** The figures could be duplicated ****

Information on the type of need:

The following shows the number of bedrooms that the applicants wish to have:

Number of bedrooms (owned or part-owned) - Tai Teg

1 bed	0%
2 beds	25%
3 beds	75%
4 beds	0%

Number of bedrooms (Housing Options Team) - Gwynedd Council's Common Housing Register

1 bed	37%
2 beds	37%
3 beds	19%
4 beds	7%
5 beds	0%

**** The figures could be duplicated ****

Suitability of the Plan:

Based on the above information it appears that the Plan:-

Meets a need in the area.

Plans are expected to include 10% affordable housing.

If a Housing Association is a partner for this development, the design of the property must conform with WG standards (DQR).

It is noted in the application that 1 unit is to be developed as an affordable unit.

I cannot see a reference to a housing association in the application, I would like to know whether the developer has contacted the housing associations.

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Discount level:

The developer has given a valuation of £95,000 for an affordable flat.

It appears that the flat is already affordable.

72% are priced out of the market in this area. (Caci Paycheck)

The discount level is presented on the grounds that planning officers are satisfied with the open market valuation. If not, get back to me for a second assessment.

If the property's costs change from what has been submitted by the developer, then there would be a need to review the affordability discount.

Observations on the valuation for the affordable houses

I enclose observations about this scheme.

The discount level can be determined based on the information submitted with the application and in compliance with the Affordable Housing Guidance.

Barmouth, within the ward of Barmouth, has a median household income of £25,624. In accordance with the Guidance, the price of an area's affordable property can be found by noting 3.5 times the median income and adding a deposit of 10%. In this case, I received confirmation of the properties' open market valuation as £95,000.

Therefore, the property's affordable price should be approximately:
 $25,624 * 3.5 + 9,500 = £99,184$

Therefore, it could be argued that the flat is already affordable and that a further reduction is not required.

Language Unit:

Comments after receiving a further Community and Linguistic Statement

Not received

Observations 17 November 2021

At this point, it is noted that we do not offer an opinion on the potential impact of the development on the Welsh language and the community.

Instead, we provide observations on the content of submitted documents and express whether or not those documents, in our opinion, include sufficient evidence and analysis of key factors to support the opinion noted by the developer.

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Insufficient evidence has been submitted to support the claim that the development will have a positive impact on the Welsh language. Maintaining the linguistic situation as it stands is more likely.

The statement does not include data about the percentage of Welsh speakers in the area or data on the need for this type of housing in Barmouth. 41.5% is the percentage of Welsh speakers in Barmouth, which is lower than the Gwynedd average of 65.4%, therefore, it is important that any development meets the needs of the local community in order to ensure that there is no further negative impact on the Welsh language.

Public Protection Unit:

I have looked at the plan and the department will not object to the plan, but I suggest that the plan includes the following conditions:

Any construction work:

In order to safeguard the area's residents, any demolition or building work should be undertaken between the hours of 08.00-18.00 Monday to Friday, 08.30-13.00 on Saturday and not at all on Sunday or Bank Holidays.

During the demolition and construction work, the best practical methods should be used to reduce noise and vibration from the work and consideration should be given to the recommendations of 'BS5228: Control of Noise and Vibration on Construction and Open Sites'.

Waste:

The plan will have to consider how waste from the development will be treated (e.g. where will waste be stored and how litter generated by the property will be disposed). Waste will be stored within the curtilage of the property in bins with a lid to reduce the risk of nuisance.

Therefore, the department will be satisfied if the plan is approved with conditions that contribute towards the above points.

Highways and Municipal Unit:

Not received.

Public Consultation:

A notice was placed in the press, near the site, and nearby residents were informed. The advertisement period ended and an objection was received on the following grounds:

- Concern that the development will be another holiday accommodation block in Barmouth and the detrimental impact

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of this on the town and that it would become similar to areas such as Abersoch and Cornwall even though there is local demand for affordable rented housing.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is partially located within the Barmouth development boundary. In the JLDP, Barmouth has been identified as a Local Service Centre under Policy TAI 2. This policy supports housing developments to meet the Plan's strategy, through housing designations and suitable windfall sites located within the development boundary, based upon the indicative provision contained in the Policy.
- 5.2 From information submitted by the Joint Planning Policy Unit, it was noted that the indicative supply level for Barmouth over the Plan period is 91 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period 2011 to 2021, a total of 50 units have been completed in Barmouth. The windfall land bank, i.e. sites with extant planning permission, in April 2021, was 36 units. The proposal would create 5 additional living units and, therefore, this means that Barmouth will reach its indicative growth level with this development. Considering this information, it is believed that the development on this site can be supported against the indicative supply level for Barmouth. It is considered that the proposal is acceptable in terms of Policy TAI 2 of the LDP.
- 5.3 Policy TAI 9 permits the sub-division of existing properties to self-contained flats provided they conform to the criteria within the policy. Criterion (1) notes that the property should be suitable for conversion to the number and type of units proposed without the need for significant extensions and external adaptations. The proposal does not include extensions and substantial external adaptations and it is considered that the property is suitable for the development in question. Criterion (2) is irrelevant as it relates to houses in multi-occupation. Criterion (3) seeks to ensure that the development will not have a detrimental impact on residential amenities. The property is in existing residential use and it is not considered that converting it into flats rather than one living unit would not have a detrimental impact on local residential amenities. A mixture of dwelling houses, flats and Bed and Breakfast accommodation can be found nearby and it is considered that the use in question is in keeping with those uses. Criterion 4 of the policy should also be considered and the proposal must not exacerbate existing parking problems in the local area. There are no parking spaces within the curtilage of the property. However, it can be seen that the existing property has nine bedrooms and the flats would provide a total of six bedrooms. Therefore, from the observations of the Transportation Unit, this reduction in the number of bedrooms provided will lead to less demand for parking spaces locally. Therefore, the Transportation Unit considers that there would be a positive impact on local parking provision. Therefore, it is not considered that the proposal would exacerbate parking problems in the local area and that the proposal is acceptable in respect of criterion (4). It is considered that the proposal is acceptable in the context of Policy TAI 9 of the LDP.
- 5.4 Observations on the application were received by a third party concerned that the flats would be used as holiday flats and the impact of this on the town with the possibility that it would become similar to other areas in Gwynedd and further afield. On 20 October 2022, the Town and Country

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Planning (Use Classes) (Amendment) (Wales) Order 2022 came into force. This Order has made changes in terms of the use classes of residential units. C3 use class has now been noted as dwelling houses used as sole or main residence. Two additional use classes were added, namely C5 and C6. C5 use class is dwelling houses used in a different manner to a sole or main residence and C6 use class is for short-term lettings no longer than 31 days for each period of occupation. Therefore, it would be appropriate to include a condition that the flats to let are for C3 use class only, namely dwelling houses used as a sole or main residence.

Housing Mix

- 5.5 The proposal would provide six flats on the site which all have one bedroom. A Housing Mix Statement was received as part of the application. It is understood that the layout of the flats within the site has been done in a logical manner given the structural restrictions within the existing building. This in turn has affected the fact that all of the flats have one bedroom. Information was received about the local need in the Housing Mix Statement. From the viewpoint of a social landlord, this information shows that there is demand for 87 one-bedroom flats and by combining the data of the social landlord and private estate agents there is demand for 101 one-bedroom flats. The Housing Mix Statement concludes that the proposal would provide a mix of low priced and affordable homes for six couples / individuals in need of housing in the local area. The information submitted in the Housing Mix Statement indicates that there is a local need for one-bedroom flats and the observations of the Housing Strategic Unit state that the proposal would address the local need. It is also understood from the Community and Language Statement that local residents have already shown an interest in obtaining one of the flats and have contacted the applicant. Although all of the flats have one bedroom, it is considered that there is a local need for this type of unit and, therefore, given that the proposal meets this local need, it is deemed acceptable in terms of Policy TAI 8 of the LDP.

Affordable Housing

- 5.6 Policy TAI 15 requires an affordable housing contribution on residential developments of two or more housing units. As Barmouth is inside the 'West Coast and Rural Arfon' house price area of the Plan, it is noted that providing 10% of affordable housing is viable. This means that 0.5 of the new units should be affordable. The applicant has offered the basement level flat as an affordable flat and has agreed to sign a 106 agreement to this end. A valuation of the open market price of the proposed affordable flat was received, which was £95,000. It can be seen from the observations of the Housing Strategic Unit that the affordable price of properties in the area is approximately £99,184 and, therefore, it could be argued that the valuation of the flat is already affordable without the need for a further reduction. As the proposal before you offers one affordable house, this would be sufficient to satisfy the requirements of the criteria of Policy TAI 15 of the LDP. It is noted that the applicant has stated his willingness to sign a 106 agreement to bind the unit as an affordable unit. However, it can be seen that the price is affordable in itself without binding it to ensure a discount for a sale. An intention to let the affordable unit either via Gwynedd Housing Options Team or Tai Teg is noted in the Community and Linguistic Statement. In considering that it is currently uncertain as to how the affordable unit would be provided or if the rent would be affordable, under the circumstances it is considered that it would be more appropriate to impose an affordable housing condition that would require an affordable housing plan to be submitted detailing, amongst other things, the type of tenure offered and a 106 agreement arrangement if provided by a private developer and not a housing association. In doing so, it is considered that the proposal would be acceptable in terms of Policy TAI 15 of the LDP.

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Language Matters

- 5.7 As Barmouth has not reached the indicative housing figures, a Welsh Language Statement under criteria 1(b) of Policy PS 1 was not required. However, as it is a 5 unit development and no evidence of a demand for housing recorded in a Housing Market Assessment and other relevant local evidence sources were submitted with the original application, a request was made for a Welsh Language Statement. Later, when dealing with the application, the Housing Mix Statement was received which shows the local need for one-bedroom flats. Figures regarding the need for flats are based on information received by the Council's Housing Options Team and, therefore, this is considered as an acceptable evidence source in terms of indicating need. Therefore, there is now a question of whether a Welsh Language Statement under criteria 1(c) of Policy PS 1 is required. However, a Language and Community Statement was submitted as part of the application and an amended version was received in response to the original observations of the Language Unit. The Welsh Language Unit was consulted regarding this document but no response was received.
- 5.8 It is noted in the Community and Language Statement that the development would help to meet the local need for housing and that the type of units offered would appeal to local residents and, therefore, it is not anticipated that the proposal would affect the balance of Welsh and English speakers in the area, or lead to a reduction in the number of Welsh speakers in the area. It is a small development, which is relative to the size of the town. It is intended to market the units specifically for local residents and it is not considered that the proposal would encourage an influx. The intention to let the affordable unit either via Gwynedd Housing Options Team or Tai Teg is also noted, which gives priority to people with a connection to the local area. By providing housing of the highest standard for a reasonable price for residents, it is hoped that it will help to reduce the migration of young people from the area. Over the years, the percentage of Welsh speakers has reduced in the area and the percentage of Welsh speakers in the area is lower than the average for Gwynedd. It is anticipated that the development would maintain the same position by attracting local residents but who want better quality or more affordable housing. It is understood that everyone who has already contacted the applicant to be considered for the flats are local residents. It is understood that four families / couples have shown an interest in the units as a result of similar local schemes by the applicant. The proposal would make use of a large building that is underused to create smaller units where there is a demand for them within Barmouth. This in turn would help to maintain local services throughout the year. Also, that skills are available locally to undertake the construction and maintenance work and where local companies have the ability to communicate in Welsh.
- 5.9 Based on the above, it is considered that the proposal is acceptable on the grounds of the requirements of Policy PS1 and SPG: Maintaining and Creating Unique and Sustainable Communities.

Visual amenities

- 5.10 The external adaptations include replacing one window with a door and constructing a steel walkway frame at the rear on the ground floor level. It is also intended to excavate in front of the site to create a box structure to gain access to the flat, which would be created on a basement level. It is considered that the external changes that are proposed as part of the applications are ones that are in keeping with the building and the area and would not have a detrimental impact on the area's visual amenities. These external changes are also in keeping and suitable for the site that is within a Special Landscape Area and a Landscape of Outstanding Historic Interest. It is

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not considered that these external adaptations would affect the character and appearance of these designated sites. It is therefore considered that the proposal is acceptable in terms of Policy PCYFF 3, PS 19, AMG 2, PS 20 and AT 1 of the LDP.

General and residential amenities

- 5.11 The site is located in a terrace and is currently a dwelling house. There are individual houses, flats and bed and breakfast accommodation within the terrace. It is considered that the proposal in question is in keeping with nearby uses and that changing the use of the property to six flats would not have a significant impact on the amenities of the local neighbourhood. The door and window openings are already in the property and these will not have a different impact on nearby properties to that of the current situation where residential use already exists from the property. It can be seen from the observations of the Public Protection Unit that they recommend imposing a working hours condition for any construction work and to also ensure that suitable arrangements are in place to deal with waste / recycling from the property. It would be possible to impose a condition for construction working hours on the permission and a condition could also be included to submit and agree on the details of waste / recycling bins. In doing so, it is therefore considered that the proposal would not cause significant detrimental damage to the amenities of the local neighbourhood and that it is acceptable in terms of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.12 The proposal would convert one 9-bedroom house into six flats with a total of six bedrooms. Parking is not available within the site but on-street parking is available in front of the property and there is a car park opposite. The site is also within walking distance of the town centre where there is access to public transport. The observations of the Transportation Unit on the proposal were received and they had no objection. It was noted that there were excellent links to public transport provision, that there would be a net reduction in the number of bedrooms which therefore reduced the local demand for parking spaces and that it is unlikely that residents would use motor vehicles to access facilities in the town as all services were within walking distance. It was also noted that parking spaces were within walking distance of the development. It is not considered that the proposal would have a detrimental impact on road safety and this was a sustainable site where there would be no need to rely on a private car. The proposal is considered to be acceptable in terms of Policies PS 4, PS 5, TRA 2 and TRA 4 of the LDP.

6. Conclusions:

- 6.1 In considering the above and having considered all material planning matters in full, including local and national policies and guidance, it is believed that this proposal to change the use of the property into six flats complies with the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve – conditions
1. Five years.
 2. In accordance with the documents/plans submitted with the application.
 3. Any alterations to external elevations of the building to be finished to be in-keeping.

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4. Condition to agree on affordable housing scheme.
5. The flats hereby permitted to be for C3 use class only from the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 and not for C5 or C6 use.
6. Submit and agree on details of storage for waste / recycling bins.
7. Working hours.

Notes - Welsh Water, Party Wall Act