

<b>PLANNING COMMITTEE</b>	<b>DATE: 29/07/2024</b>
<b>ASSISTANT HEAD OF DEPARTMENT REPORT</b>	

**Number: 6**

**Application Number: C24/0436/11/LL**

**Date Registered: 07/06/2024**

**Application Type: Full**

**Community: Bangor**

**Ward: Dewi**

**Proposal: Proposal to erect 10 no. affordable housing and associated developments**

**Location: Former Ysgol Babanod Coed Mawr, Bangor, LL57 4TW**

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

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## 1. **Description:**

- 1.1. This is a full application to erect 10 intermediate affordable dwellings together with associated work on the dormant site of the former Ysgol Babanod Coed Mawr, located in a residential area south of Bangor city centre, between Caernarfon Road and Penrhos Road. The application can be split into several different elements, which include: -
- Providing intermediate affordable housing in the form of 4 two-storey semi-detached houses with two bedrooms and two terraces of three two-storey, three-bedroom houses, all with shared equity tenure.
  - Provision of off-road parking spaces.
  - Creating garden areas, pavements and private curtilages.
  - Alterations to existing access and provision of a road and paths for pedestrians within the site.
  - Hard and soft landscaping including planting a variety of trees and shrubs.
  - Creating a play area for children.
  - Installation of a foul water drainage system to serve the dwellings together with a surface water managing system.
- 1.2. This proposal is a re-submission of a development approved on 13/04/2023 under reference C22/0525/11/LL. The plan had to be adapted to allow changes in the design to respond to draining requirements and this meant that the layout of the development had changed. As a result, the applicant had to ask for permission again for the development, as it meant material change from what has already been approved. However, there is no change in the total of units or the tenure method for the proposed housing compared to the development that had already been approved.
- 1.3. The current site is dormant and includes remains of the former school building which includes hard (concrete) and soft (grassland) surfaces. North of the site are the backs of the dwellings on Ffordd Coed Mawr, to the east are the backs of the dwellings of Toronnen, to the south are the backs of the dwellings of Lôn y Bedw and to the west is the unclassified county highway and the dwellings of Bron y De. The land slopes downwards from Bron y De in the west to the backs of the dwellings at Toronnen to the east.
- 1.4. The site is located within the Bangor development boundary, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP) but it has not been allocated for any specific use. To support the application, the following documents were submitted:
- Planning Support Statement
  - Statement on the Need for Housing and Affordable Housing
  - Community and Linguistic Statement;
  - Design and Access Statement
  - Arboriculture Impact Assessment
  - Updated Ecological Survey
  - Biodiversity Improvement Plan and Green Infrastructure Statement
  - Water Conservation Strategy
  - Geotechnical Report, Land Permeability and Contamination Audit
  - Pre-planning Application Consultation Report (PAC)
- 1.5. It was confirmed that the applicant had undertaken a pre-application consultation in accordance with the requirements of Article 1 of the Town and Country Planning (Development Control Procedure) (Wales) (Amendment) Act 2016, as the proposal is a development that is defined as major by the Welsh Government (10 dwellings or more).

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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 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 7 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: -**

PS 1 - The Welsh Language and Culture.

PS 2 - Infrastructure and developer contributions.

ISA 1 - Infrastructure provision.

ISA 5 - Provision of open spaces in new housing developments.

TRA 2 - Parking standards.

TRA 4 – Managing transport impacts.

PS 4 - Sustainable transport, development and accessibility.

PS 5 – Sustainable development.

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 17 - Settlement strategy.

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

TAI 8 - An appropriate mix of housing.

TAI 15 - Threshold of affordable housing and their distribution.

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AMG 5 - Local biodiversity conservation.

Supplementary Planning Guidance (SPG)

SPG: Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable housing.

**2.4 National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Notes (TAN)

TAN 2: Planning and Affordable Housing.

TAN 5: Nature Conservation and Planning.

TAN 12: Design.

TAN 18: Transport.

TAN 20: Planning and the Welsh Language.

**3. Relevant Planning History:**

3.1 C22/0525/11/LL: To erect 10 intermediate affordable dwellings and associated works - Approved 05/09/22.

3.2 C21/0125/11/HD: Application for an advance notice for proposed demolition work - Approved 19/03/21.

**4. Consultations:**

Community/Town Council: No response had been received

Transportation Unit: No objection. Request conditions to ensure that the estate road is built to the appropriate standard and to receive a building management plan to ensure appropriate arrangements during the construction period.

Offer guidelines for the developer.

Natural Resources Wales: No objection - advice for the applicant

Welsh Water: Observations regarding the need to protect sewerage and water

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system assets and specific guidelines for the applicant

Biodiversity Unit:	No response received
Public Protection Unit:	Note that construction work could cause noise and dust problems to nearby residents. Ask for conditions to manage working hours and ensure a detailed plan to manage dust, noise and vibration as a result of the construction work before starting work on the site
North Wales Fire and Rescue Service	No response received
Water and Environment Unit:	Due to the size and nature of the development, it is likely that an application will need to be provided to the SDS Approval Body for approval before construction work commences.
Housing Strategic Unit:	No response received
North Wales Police:	No response received
Education Information Officer:	No response received
Language Unit:	Express concern that the appropriate current information has not been included in the linguistic statement
Tai Teg:	No response received
Footpaths Unit:	No response received
Public Consultation:	Notices were posted on site and in the press and nearby residents were informed. Correspondence was received expressing support to the plan.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 It is important to remember that planning permission already exists for a development of the same nature and scale on this site. The only practical difference between the two plans is the change to the site's arrangement to facilitate an amended surface water drainage system. It is acknowledged that it has been necessary to update the supporting information to support the development, however there is no significant change between the considerations in terms of the principle of this application and the previous application.
- 5.2 The principle of constructing houses on this site is based on Policies PCYFF 1, TAI 1, TAI 15, PS 5, PS 17 and PCYFF 2 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the LDP, national planning policies and other material planning considerations. As noted above, this site is located within the development boundary of the Bangor sub-regional centre.
- 5.3 Bangor is identified as an Urban Service Centre in Policy TAI 1 and this policy supports housing developments to meet the LDP's Strategy (Policy PS17) through housing designations on suitable windfall sites within the development boundary based on the indicative provision contained

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within the LDP itself. The indicative housing supply for Bangor over the LDP period amounts to 969 units, which includes a slippage allowance of 10% - 393 on designated sites and 576 on windfall sites. During the 2011-2024 period, a total of 737 units have been completed in Bangor (266 on designated sites and 471 on windfall sites). In April 2024, the windfall land bank (i.e. sites with current planning permission on sites not designated for housing) stood at 296 units, with further permission for 70 units on sites designated for housing. It is noted that the LDP 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.

5.4 Given the information above, it is noted that the provision in Bangor is met through the sites that have already been completed together with sites in the land bank. However, as the permission for 10 units exists on this site, this proposal would not add further units to the land bank. As such, it was not necessary to present further justification with this application based on the fact that Bangor is already (based on units completed together with units in the land bank) over its indicative supply level. However, a Statement on the Need for Housing and Affordable Housing was submitted with the application, noting the following information: -

- The development would offer a provision of 10 two-storey residential dwellings, that are 100% intermediate affordable on an accessible brownfield land site within the development boundary, with the tenure of the dwellings in the form of shared equity.
- The development, if approved, would be undertaken by Cyngor Gwynedd via its Tŷ Gwynedd campaign to meet the identified gap in this type of provision in the Plan's area in the Gwynedd Housing Strategy (2019 - 2024).
- The majority of affordable housing currently provided in Bangor are social rental housing with a lower number being offered on an intermediate discount set on private developments. This has left a gap for those who require a shared ownership arrangement. The occupiers of these houses would be able to buy most of the value of the house (setting a mortgage at a significant discount of the open market value) with the Council retaining the remaining value.
- Documents such as Supplementary Planning Guidance: Housing Mix (2018); Gwynedd Local Housing Market Assessment (2018); Gwynedd General Housing Strategy (2019-2024); Gwynedd Households Projections, Welsh Government (2018) together with the Tai Teg Register confirms that a need for this type of housing exists in Gwynedd and, more specifically, in the city of Bangor based on the housing mix, size of households (with a high percentage of 3, 4 and 5 person households in Bangor), local need, type of tenure (high number of rented and social housing in Bangor) and an accessible and sustainable location within the development boundary.
- To this end, there would be justification, if needed, to go beyond the Bangor indicative growth level in this case as the plan would meet a specific local need.

5.5 The proposal would mean providing 100% affordable residential units and Policy TAI 15 states that as Bangor is situated within the housing price area of the South and North Arfon Coastal Area in the LDP, it is noted that providing 20% of affordable housing in this area is viable, which is the equivalent to providing three affordable units in the context of this application. As the proposal involves providing 100% affordable units, and provided there is a need for this type of units, the proposal meets the requirements of Policy TAI 15 and TAI 8 in relation to housing mix in the LDP.

5.6 Policy PS5 states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including reusing sites located in appropriate locations. In this case, it can be considered that the location of the application is a site that has previously been developed (brownfield) which is suitable for residential use in an area including established residential dwellings of high density and is accessible to alternative modes of travel instead of using a private car.

5.7 Criterion 3 of Policy PCYFF 2 states that proposals should make the best use of land, including a minimum density of 30 units per hectare in terms of residential developments (unless there are

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local circumstances or restrictions on the site that determine a lower density). In this case is 27.5 living units per hectare proposed and justification was submitted for the low density based on: -

- (i) site restrictions (retaining mature trees and safeguarding the main public sewer that runs across the eastern section of the site); and
- (ii) provision of public (including a children's play area) and private (gardens of the prospective occupiers) amenity spaces; and
- (iii) provision of surface water drainage features to meet the sustainable drainage requirements.

Therefore, given this, it is believed that the proposal complies with the requirements of Criterion 3 of Policy PCYFF 2.

- 5.8 Given all the above information, it is believed that this current application is consistent with the previous application and the development of ten intermediate affordable housing on this site continues to be acceptable in principle. Despite this, there is also a need to ensure that the proposal as amended continues to comply with other relevant policies and these are discussed below.

#### **Visual amenities**

- 5.9 As referred to above, the site is located within an extensive existing residential area, south of the city centre, and this proposal is to provide 10 two-storey houses laid out in two rows (four blocks) on either side of the "cul-de-sac" entrance road within an existing dormant site. The majority of the nearby dwellings are single-storey dwellings or two-storey semi-detached dwellings. It is considered that the design and form of the proposed houses reflect traditional designs but with contemporary elements within the designs. The dwellings will have natural slate roofs, upvc grey-coloured openings and brickwork walls and it is proposed to install solar panels on the roofs. Each house will be set in its own private curtilage that will include parking spaces to the side, open gardens to the side/front along with private gardens at the rear that reflect the pattern and built form of the nearby area.
- 5.10 Although the proposal will result in the loss of some of the existing trees on the site, the main trees which are of a high quality such as oak, cherry and silver birch will be retained, there will also be a soft landscaping scheme that includes trees, shrubs, privet/hedges and a variety of wildflowers.
- 5.11 Considering the above assessment, it is believed that the proposal is acceptable on the grounds of the impact on visual amenities and it is envisaged that the proposal will ultimately make a positive contribution to the character of this part of the streetscape. Planning Policy Wales, Edition 12, 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. Therefore, considering this, it is believed that the proposal is acceptable based on its visual impact and based on landscaping and that it complies with the requirements of Policies PCYFF 3, PCYFF 4 and AMG 5 of the LDP.

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

- 5.12 As referred to above, residential dwellings are located around the application site with their back gardens abutting the site's boundary. As the land slopes downwards from the west to the east, the setting of the proposed dwellings will be higher than the setting of those dwellings that are opposite Toronnen and Coed Mawr. The setting of the houses within the site (along with the location of the windows/openings) mean that there will be private amenity spaces (in the form of gardens) between the backs of the proposed dwellings and the backs of the existing dwellings that surround the application site, which vary from 17m to 22m. Considering the distance that will be between the houses, setting and orientation of the proposed dwellings in relation to the nearby

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dwellings and the current and proposed trees and shrubs that will be along the site's boundaries, it is not believed that the proposal, should it be approved, would create oppressive structures and will not entail overlooking and significant loss of privacy at the expense of the amenities of nearby occupants.

- 5.13 The Public Protection Service noted that the site is surrounded by residential houses and the construction work could cause noise and dust problems to nearby residents. They believe that it is important, therefore, to impose conditions to protect local residents as the construction work progresses.
- 5.14 Ultimately, it is important to remember that this is an urban site in a dense housing area and it is inevitable that there would be some inter-visibility, noise impacts and general disruption between housing properties in the area, however it is not believed that this would be unreasonable or unexpected in such a location, especially considering the previous public use of the site. It is therefore believed that the development would not cause significant harm to the amenities of local residents and, therefore, the proposal is acceptable under the requirements of policy PCYFF 2 of the LDP as it relates to the protection of amenities near development sites.

#### **Transport and access matters**

- 5.15 The proposal would result in changes to the existing entrance from the unclassified county road and, within the estate, parking spaces will be provided for each house off a new estate road and will be constructed to the Council's adopted standards. Subject to conditions to ensure the appropriate standards, the Transportation Unit was satisfied with the arrangement proposed. It is therefore believed that the proposal complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

#### **Biodiversity matters**

- 5.16 As part of the application, an Ecological Survey, Biodiversity Improvement Plan (including a Green Infrastructure Statement) and Arboricultural Impact Assessment from qualified advisers was submitted. At the time of writing this report, no response had been received to the amended plans by the Biodiversity Unit. However, considering the rather short period between the time of considering the previous application and this application, it is not believed that the biodiversity situation will have changed significantly in the meantime and, from imposing conditions to ensure that the recommendations of the reports submitted are reached, it is believed that the proposal would be acceptable based on the requirements of Policy AMG 5 of the LDP.

#### **Sustainability matters**

- 5.17 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need 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.
- 5.18 To support the application, a Water Conservation Statement and a Design and Access Statement were submitted along with confirmation that the proposed dwellings will be designed to reduce the energy with extensive insulation and the use of technology and efficient energy fittings e.g. solar panels on the roofs. The Water Conservation Statement states that the proposal would include measures to harvest and control surface water. Therefore, considering this, it is believed that the proposal complies with the requirements of Policies PS 5, PCYFF 5 and PCYFF 6 of the LDP.

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### **Educational Matters**

- 5.19 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. The SPG adopted to support the previous Development Plan continues to be a material consideration when determining planning applications until they are replaced by new ones. To this end, it is material to consider the contents of SPG: Housing Developments and Educational Provision together with SPG: Planning Obligations document when discussing this application. As part of the previous application, the Education Department confirmed that there was enough capacity in the local schools for the number of children anticipated that would derive from this development, however this has not been confirmed yet as part of this application. From receiving the appropriate confirmation, it is believed that the proposal would comply with the requirements of Policy PS2 of the LDP. An update was given to the Committee on this matter.

### **Open space matters**

- 5.20 According to Policy ISA5 of the LDP, proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed housing development should offer suitable provision of open spaces in accordance with the Fields in Trust benchmark standards. The information submitted with the application confirms that a provision of 70m<sup>2</sup> is provided as part of this development and this more than meets the need for play areas and play equipment for children within the area, without the need for a financial contribution. Based on this advice, therefore, it is believed that the proposal complies with the requirements of Policy ISA 5 of the LDP.

### **Linguistic matters**

- 5.21 As this is a new application, in accordance with criterion (1b) of Policy PS 1 'The Welsh language and culture' as this development would provide more than the indicative provision for Bangor (also considering the additional number of houses offered compared with the figure in the Plan), normally a Welsh Language statement should be submitted with the application. However, considering that planning permission already exists for a development of the exact same nature and scale and that this is not an unexpected windfall site, it is not believed that it is necessary to submit a linguistic assessment in this case as changes in the number of dwellings in the land bank would not derive from its approval. Nevertheless, a Community and Language Statement was submitted with this application and the Statement refers to a number of possible mitigation and improvement steps, including:

- Use of Welsh names within the development
- Local marketing
- Provision of affordable units
- Information packages for future residents
- Construction step and after construction signs to be bilingual and,
- Use of local contractors

- 5.22 Noting the assessment above, the Language Unit raised questions regarding the sources used for the information as a basis to the document's findings. Acknowledging these concerns, it is noted that much of the background evidence had been included in other supporting documents, such as the Housing Needs Assessment, and ultimately, it is believed that sufficient information has been included with the application to support the findings of the Linguistic Statement and therefore, it is not reasonable to ask for an amended statement as the evidence is to hand.
- 5.23 Considering the above, and by imposing appropriate conditions to ensure the use of the Welsh language in the development, it is believed that the proposal complies with the requirements of Policy PS 1 of the LDP.

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## **Legislative Change**

- 5.24 On 20 October 2022, the Town and Country 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 a 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. As this proposal has been assessed against the expected growth level of Bangor to prepare C3 residential units to address the needs of the local community in accordance with Policy TAI 8, it is considered that it would be appropriate therefore to impose a condition that the houses are restricted to C3 class use only, namely dwellings used as the sole or main residence.

## **6. Conclusions:**

- 6.1 Having considered the assessment above, it is believed that the proposal, as submitted, would improve the visual appearance of the site which is currently dormant. Furthermore, it is believed that the fact that 100% of the proposed residential dwellings would be affordable and respond to the identified needs of the community, means that this plan would contribute significantly to the city centre's affordable housing needs. In assessing the current proposal as a whole, no substantial harmful impact was identified that is contrary to local planning policy and relevant national advice. As a result, therefore, it is believed that the proposal is acceptable subject to including relevant conditions.

## **7. Recommendation:**

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:
1. Five years.
  2. In accordance with the plans/details submitted with the application.
  3. Compliance with the landscaping plan along with future maintenance work.
  4. Secure a plan/arrangements to provide the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
  5. Compliance with the recommendations of the Ecological Survey, Arboricultural Impact Assessment and the Biodiversity Improvements Plan.
  6. Ensure a Welsh name for the development and for the dwellings together with signs that advertise and promote the development.
  7. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sundays and Bank Holidays.
  8. Submission of a Construction Method Statement to the LPA to include measures to reduce noise, dust and vibration, parking of development operators vehicles, loading/unloading goods, storage of equipment on the site, security fences, facilities to wash wheels and a recycling/litter disposal plan.

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9. Relevant conditions from the Transportation Unit.
10. Agree on the external materials for the dwellings.
11. Natural slate roofing.
12. Ensure timely provision of the play area.
13. Restrict the occupation of the Dwellings to C3 use.

Notes: Sustainable Drainage System

Welsh Water

Natural Resources Wales

Transportation