

**CODE No:** 0/51353

**EXPIRY DATE:** 16/02/2024

**APPLICANT:** Ms Natasha Green

**PROPOSAL:** Proposed development of 23 no. apartments (affordable homes) on land at former Guys Cliff Nursing Home, including demolition of former nursing home

**SITE:** Guys Cliff Care Home, 79-81 Conway Road, Colwyn Bay, Conwy, LL29 7LN

**WARD:** Rhiw

## **RECOMMENDATION**

- A) Minded to refuse planning permission.
- B) To authorise the Development and Building Control Manager to determine the application under delegation.

## **SITE/LOCATION**

1. The application relates to a plot measuring just under 0.2 hectares on the corner of Conway Road and Alexandra Road. The plot accommodates a building which was last occupied as a nursing home but previously constituted two separate dwellings which were subsequently linked together by a first floor corridor.
2. The existing buildings appear to date from the early 20<sup>th</sup> century. The 1911 revision of the OS six inch map identifies the building on the western end of the application site and some of the buildings on both sides of Alexandra Road and along the northern side of Conway Road. The 1937-38 revision shows both of the buildings on the application site and buildings forming continuous frontages along both sides of Alexandra Road and Conway Road.
3. Both buildings comprise two storeys but differ in appearance. The building on the western part of the site has a dominant front gable with canted bay windows. It has a slate roof, whilst the walls are clad with extensive areas of brickwork with intricate detailing and mock-Tudor timber features. The other building has a hipped tiled roof with rounded bay windows and is predominantly clad with painted render with a period canopy above the front door. Both the Conway Road and the Alexandra Road frontages have lawned gardens with trees and shrubs behind a stone boundary wall.
4. The neighbouring buildings on Alexandra Road comprise two storey dwellings, which are predominantly brick clad. Although these dwellings vary in detail, they are generally consistent in their form and appearance, being set back approximately 13m – 15m from their respective front boundaries, with their frontages comprising gardens and driveways behind stone boundary walls.

5. The neighbouring building along Conway Road comprise a mixture of two and two and a half storey dwellings and commercial buildings. They are generally consistent in their form and appearance, apart from the two storey apartment block at Appleton Court which is situated almost immediately opposite the application site. The commercial centre of West End is situated immediately west of Appleton Court and includes the Lidl store and the West End Medical Centre.

## PROPOSAL

6. It is proposed to demolish the existing buildings in their entirety and construct a new apartment block. The building would have an L-shaped form with a slightly longer wing (approximately 35m long) running parallel to Conway Road, and a shorter wing (approximately 35.5m) along Alexandra Road. There would be a single vehicular driveway from Alexandra Road which would provide access to the rear car park, and a pedestrian access off Conway Road.
7. The eaves and ridge heights and elevational treatment of the building have been amended during the course of the application, with the more recent drawings showing that the main ridge height would vary between 12.6m and 14.2m above ground level. The second floor would extend into the roofspace, with part-dormer windows extending above the eaves levels. Two gables are included in both the northern and eastern elevations, which would be lower in height than the main ridges.
8. The materials would comprise a mixture of brick, self-coloured silicone render and cast stone surrounds around the windows and vehicular entrance. The building would be roofed with interlocking concrete tiles and solar panels.
9. One of the apartments would be provided with 2 no. wheelchair accessible bedrooms, whilst the remaining apartments would have 1 no. bedroom each. Access to the upper floors would be by 2 no. stairwells, with deck access to the apartments.
10. Parking for 13 no. cars and a bike/motorcycle parking area would be provided at the rear of the building. The bin area would be provided along the southern boundary and would be accessible from Alexandra Road and from the car park. There would be narrow landscaped areas along both frontages, with yew and privet hedges planted behind the existing stone walls. The existing hawthorn, laurel and yew shrubs are to be retained and 3 no. cherry trees planted near the junction of the two roads.

## **APPENDIX – 0/51353**

### **ADDITIONAL INFORMATION**

#### Planning Statement

1. Policies DP/2 and HOU/1 set a presumption in favour of residential development on suitable sites within the urban areas. Over the plan period, 85% of the housing development will be located primarily within, and on the fringes of, the urban areas to reflect the spatial priorities of contributing to the creation of stable communities.
2. In terms of the housing mix, the comments made by the Council during pre-application discussions have been taken on board. The Council were supportive of the 100% affordable element of the proposals, but noted a demand for wheelchair accessible units. One of the units proposed will be wheelchair accessible.
3. In terms of amenity, the Planning Statement notes that no. 77 Conway Road is in commercial use and maintains some distance from the south-east elevation of the proposed apartment block. It considers that the proposed development will not have significant impact on this property.
4. No. 83 Conway Road and nos. 1, 3 and 5 Grosvenor Road consist of two storey dwelling houses adjoining the western boundary. Although the western elevation of the proposed apartment block will have increased width and height compared to the existing, the Planning Statement considers that there will be no increased overshadowing or loss of privacy due to the separation distances and the retained and new landscaping. The western elevation has reduced openings to reflect its relationship with the adjacent properties. Although the open dining/living room windows on the upper floors in the north-west facing elevation also fall short of the advised minimum separation distances in the Householder Design SPG, they will be fitted with obscure glazing and non-opening/restrictive opening mechanism.
5. No. 2 Alexandra Road consists of a two storey dwelling house adjoining the south-western boundary and has a number of windows on the side (north-eastern) facing elevation. The upper floor windows on the gable of the proposed apartment block are closer to the shared boundary and will therefore be fitted with obscure glazing and non-opening/restrictive opening mechanism. The shared boundary will largely be free from development and the location for parking/landscaping areas within the proposed site layout.
6. Of the remaining neighbouring dwellings (nos. 116 and 118 Conway Road, Appleton Court and nos. 1 and 3 Alexandra Road), the Planning Statement notes that they are all situated at a significant distance on the opposite sides of the respective roads.
7. The Parking Standards SPG requires the provision of one resident parking space per bedroom (subject to a maximum of three for each apartment), together with one visitor space per five apartments, unless under-provision is justified by the sustainability score calculation. Even where the maximum sustainability standards are achieved, there is a minimum requirement of one resident parking space per apartment.
8. The Planning Statement acknowledges that the provision of 13 no. on-site parking spaces is below the parking standards. However, it considers that this is justified by the sustainability score calculation.

9. The scheme will provide secured sheltered cycle storage and ducting for the provision of charging points for electric cars in the future.
10. Foul and surface water disposal is proposed via discharge into public sewers; in the case of surface water, this is to be attenuated to allow discharge at a betterment to existing.

#### Transport Statement (TS)

11. The site provides a direct frontage to the A547 Conway Road. This forms the main local distributor road through the west end of Colwyn Bay and is characterised by almost continuous frontage development on both sides. Good standard continuous wide (circa 2.8m – 3.0m) segregated footways are provided on both sides of the route, as well as regular bus stops.
12. Recorded accident data demonstrates that no accidents have taken place in the immediate vicinity of the site. Three accidents have been recorded across the full study area over the five year search period. All of these incidents were of 'slight' injury class and all occurred to the east end of the West End local centre. Two of the recorded incidents involved right-turning traffic from the A547 to the B5113, with both incidents seemingly related to lack of driver attention, rather than any obvious clear geometric design issues. The other incident involved a late night U-turn manoeuvre on Conway Road and is therefore considered unlikely to be representative of typical route corridor operating conditions.
13. Based on the above, the TS concludes that there are no clear and substantive road safety issues that would call into question the proposed development or require additional highway safety mitigation measures.
14. The local bus stops offer regular frequency connections to Colwyn Bay town centre (nine per hour) and other destinations.
15. Vehicle access is proposed by a standard connection to Alexandra Road, at a broadly similar location to the existing rear driveway. A 4.8m wide driveway would provide access to 13 rear parking spaces via an undercroft route corridor.
16. The scheme would also deliver new tactile dropped crossing pavers at the Alexandra Road junction with Conway Road. These minor works would improve access to the westbound bus stop on Conway Road.

#### Response to Highway Authority

17. In response to the matters raised in the highway authority's initial consultation response of 21<sup>st</sup> January 2024 (summarised in the Consultations section of this report), the consultants note:  
In response to Point 1, the consultant notes that a detailed plan of the shared footway/cycle route along the site frontage is not yet available. However, they anticipate that CCBC could deliver these improvements within the existing footway or as part of a widened footway/cycleway scheme.  
In response to Point 2, the consultant has carried out surveys of parking demand at eight other comparable developments (two in Colwyn Bay and six in Wrexham). The surveys were carried out over three days, with data collected between 06:00 – 07:00 and after 19:00 in order to establish peak parking demand. This showed that car ownership (at the sites where this was known) averaged 42% of residents, whilst the maximum recorded parking demand averaged 46% of residents.



Data from the 2021 census shows that in the Conwy 008E super output area, 42% of households in the social rented sector did not have a car or van, 49% had one car or van, and 9% had two or more cars or vans. This statistic includes all social housing (i.e. houses and apartments). The report anticipates that apartments would result in a further reduced level of car ownership. Indeed, the size and nature of the apartments would be unlikely to attract family occupiers with children who are more likely to require cars.

On-street parking around the site was observed between 11:00 – 16:00 hours on Sunday 18<sup>th</sup> February 2024, and between 15:00 – 20:00 hours on Tuesday 20<sup>th</sup> February 2024 on the basis of parking 'beats' at intervals of 20 minutes. The dates and times surveyed cover anticipated peak residential parking periods.

Conway Road northern kerbline experienced an average of 15 parked vehicles throughout the weekday survey, reaching 19 vehicles during one of the beats, out of an estimated capacity of 20 spaces. The southern Conway Road kerbline experienced parking of no more than one to two vehicles at any point, of an estimated capacity of 12 vehicles.

Alexandra Road has an estimated capacity for 17 and 18 vehicles (eastern and western kerblines respectively). The weekday survey results identify that parking along this route is limited, with no more than six vehicles on the eastern kerbline and seven on the western kerb at any one time (i.e. only 37% practical capacity).

The Sunday survey results showed fewer parked vehicles on both roads.

The report concludes that there is currently ample spare parking capacity at Conway Road and Alexandra Road. Whilst it is not expected that the proposed redevelopment would result in any overspill on-street parking, it considers that the roads could safely accommodate occasional additional vehicle parking demand, if required.

The report compares the parking requirement of the proposal with that of the former care home. Up to 18 staff were employed, of which up to half could be expected to be on-site at any time. The care home provided parking for around six vehicles, and it is therefore expected that a level of overspill on-street parking regularly occurred. The report therefore considers that the scheme represents an improvement over the extant care home operation.

In response to Point 3 of the highway authority's comments, the appropriate visibility splays of 2.4m x 43m can be achieved from the proposed access on Alexandra Road. The immediate footway to the proposed site access is wide and therefore required sightlines are contained entirely within the highway without the need for lowering sections of wall.

In response to Point 4, the access gradient will remain as existing.

In relation to Point 5, the applicant will not be providing a ramped access to the front as this will need to be a larger structure and unsightly. There is one DDA flat which is accessed from the rear with its own private entry, scooter storage and parking space. The Welsh Government have confirmed this is acceptable to have one level access area. The main block of apartments is for general needs residents.

In response to Point 6, the consultant does not consider that any Traffic Regulation Orders (TROs) are required.

It also notes the remaining points (7 - 15) of the highway authority's response.

### Heritage Impact Statement (HIS)

18. Guy's Cliff is located in an area of early 20<sup>th</sup> century residential development. The settlement morphology and character of the area strongly reflects planned development whereby streets are set out in a grid pattern. Spacious plots were created to accommodate two storey detached dwellings which were set back from the street and complimented by surrounding gardens. Notwithstanding these settlement characteristics, the area is not afforded heritage protection, and the HIS considers that its character is arguably commonplace to mass early 20<sup>th</sup> century developments found in town and cities across the UK.

19. Guy's Cliff Care Home has been created from two properties which were originally built as dwelling houses. The two separate buildings are very much discernible in the composition due to their different appearance; specifically, one being rendered with plain tile roofing and the other being brick with slate roofing. The HIS considers that individually the buildings afford no particular housing merit, but that in built environment terms, some value may be seen to lie in how their scale, forms and general appearance accords, complements and reinforces the character of the neighbourhood.
20. The closest listed building is Wren's Nest, approximately 110m away at the opposite end of Alexandra Road. Other listed buildings include a milepost 140m to the west, and a lychgate and boundary wall to St John's Churchyard 230m to the east.
21. Guy's Cliff is located approximately 90m from the boundary of Pwllcrochan Conservation Area and 540m from the boundary of Colwyn Bay Town Centre Conservation Area.
22. Ordnance Survey maps show that no. 81 Conway Road was constructed by 1911 and no. 79 was constructed after 1911. Both buildings, in particular no. 79, have undergone alterations and a link has been constructed between them.
23. The HIS considers that the proposal has due regard to PPW and the LDP.

#### Drainage Strategy

24. Due to the lack of infiltration capacity on the site, it is proposed to connect surface water to the DCWW surface water sewer in Alexandra Road, as per the existing arrangement. However, the proposed site will have its flow attenuated to 3.6l/s. The drainage scheme proposes 4 no. hydroplanters and porous/impermeable paving over the car park above a 90m<sup>3</sup> tank.
25. Foul water would discharge to the DCWW foul water sewer on Alexandra Road.
26. In pre-application discussions, DCWW have stated that foul water flows can be accommodated within the public sewerage system. No problems are envisaged with the waste water treatment works for the treatment of domestic discharges from this site. Capacity is currently available in the water supply system to accommodate the development. Initial indications are that a connection can be made from the 180mm diameter watermain in Conway Road. However, DCWW states that it reserves the right to reassess its position at the planning application stage.

#### Preliminary Roost Assessment and Nesting Bird Check

27. The survey was completed on 21<sup>st</sup> July 2022. The building has a number of external features which could be used by roosting bats which could give access to small bats, and could give access to the soffits, wall cavities and roof voids.
28. There are a number of small wooden sheds and outbuildings which will be demolished. All outbuildings were inspected internally and externally, and have no roof voids or features which are suitable for use by roosting bats.
29. No indications of use by bats were present during the survey, either internally or externally.

30. The reports considers that the building has a low number of external features which could be used by roosting bats, and has low suitability for use.
31. The building is in an area which, in general, provides moderate quality habitat for foraging, commuting and roosting bats, and roosting bats are known to be present locally. Buildings immediately adjacent to good quality foraging habitat are less than 500m to the south. The lack of any evidence of use inside the roof void, such as droppings or feeding remains, reduces the likelihood of a significant roost being present. If bats were present inside the roof void, even in lower numbers, some evidence of use would be likely to persist.
32. No active bird nest sites or old nesting materials were present in the building during the inspection. However, trees and shrubs in the gardens are likely to be used by nesting birds.
33. A further survey was carried out on 12<sup>th</sup> August 2022 to assess the presence or absence of bats. Bat foraging activity was observed in gardens to the south of the site. No bats were seen or heard close to the buildings. The report concludes that no further survey or licensing work is required.

#### Tree Constraints Plan/Tree Survey Schedule

34. The Tree Constraints Plan and Schedule identify a total of 19 individual trees within or immediately outside the application site, consisting of apple, hawthorn, pear, willow, purple maple, scots pine, cherry, laburnum, Irish yew, ash, horse chestnut, sycamore and acacia. In addition, there is a group of 4 no. apple trees. The development would involve the removal of most of these apart from one specimen each of hawthorn, purple maple, scots pine and cherry, and possibly one specimen each of Irish yew and acacia. The trees to be removed would be within the C (low quality) or U (cannot realistically be retained for longer than 10 years) categories.

#### Community and Linguistic Assessment (CLIA)

35. The 2021 census recorded that 25.27% of Conwy's population are able to speak Welsh. This varies significantly between age groups, being more prevalent amongst those of school age. 44% of five to 15 year olds in Conwy are identified as speaking Welsh. Those between the ages of 60 - 79 are the age group where fewest people speak Welsh, although at 18%, the proportion who do is well above the national average of 13% in this age grouping.
36. The CLIA notes that the North Wales coastline is an established retirement destination and the proportion of the population aged 65+ within the County Borough at 27.8% is significantly higher than the national proportion of 21.3%. If the dwellings were to be all small scale, bungalow type developments available on the open market, this would potentially invite incomers of retirement age.
37. This application however relates to 22 one bedroom apartments and one two bedroom apartment. The form of units proposed reflects existing need within the area and these affordable dwellings will be allocated in accordance with the local authority housing register.
38. As has been established, it is the younger demographic that demonstrates the greatest proficiency in the Welsh language. However, there has been an increase in the proportion of young adults who can speak Welsh, and so the provision of affordable housing for younger adults, retaining these people within the community, will have a slight positive impact in reinforcing the continued use of the Welsh language post school age.

### Daylight and Sunlight Assessment (DSA)

39. The DSA relates to the third edition of the BRE guide 'Site Layout Planning for Daylight and Sunlight'.
40. Diffuse daylight is the light received from the sun which has been diffused through the sky. Even on a cloudy day, when the sun is not visible, a room will continue to be lit with light from the sky.
41. Diffuse daylight calculations should be undertaken to all rooms within domestic properties, where daylight is required, including living rooms, kitchens and bedrooms.
42. The Vertical Sky Component (VSC) is a measure of available skylight at a given point on a vertical plane. Diffuse daylight may be adversely affected if after a development:
  - i) The VSC is less than 27%; and
  - ii) The resulting VSC is less than 0.8 times its former value.
43. The BRE guide states that the total amount of skylight can be calculated by finding the VSC at the centre of each main window. If there would be a significant loss of light to the main window but the room also has one or more smaller windows, an overall VSC may be derived by weighting each VSC element in proportion of the total glazing area represented by its window.
44. In respect of sunlight, the BRE sunlight tests should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The tests should also be applied to non-domestic buildings where there is a particular requirement for sunlight.
45. Sunlight availability may be adversely affected if the centre of the window:
  - i) Receives less than 25% of Annual Probable Sunlight Hours (APSH), or less than 5% of APSH between 21<sup>st</sup> September and 21<sup>st</sup> March; and
  - ii) Receives less than 0.8 times its former sunlight hours during either period; and
  - iii) Has a reduction in sunlight received over the whole year greater than 4% of APSH.
46. The DSA assesses impacts as follows:

Property	Daylight	Sunlight
2 Alexandra Road (dwelling)	Post-development VSC would be at least 0.8 times existing VSC except for Window 8 (where it would still exceed the 27% threshold) and Windows 9, 10 and 11 which serve non-habitable areas.	No window would experience a reduction in APSH.
1 Grosvenor Road (dwelling)	Post-development VSC would be at least 0.8 times existing VSC for all windows.	All windows would receive more than 25% of annual APSH and more than 5% of winter APSH (except for three conservatory windows where there would be no change from existing APSH).
83 Conway Road (dwelling)	In three of the 25 windows, the existing VSC is less than 27%. Post-development, 11 windows would have a VSC of less than 27%. However, in each of these	All windows would receive more than 25% of annual APSH and more than 5% of winter APSH.

	windows, the post-development VSC would be at least 0.8 of the existing VSC.	
Appleton Court (flats)	Existing and post-development VSC would exceed 27% in each window.	All windows would receive more than 25% of annual APSH and more than 5% of winter APSH.
118 Conway Road (vet's surgery with flat above)	Existing and post-development VSC would exceed 27% in each window, apart from one of the windows serving the kennels and the windows serving the entrance lobby.	All windows would receive more than 25% of annual APSH and more than 5% of winter APSH, except for some of the windows serving the entrance lobby which would receive at least 0.8 times existing APSH.
116 Conway Road (dwelling)	Existing and post-development VSC would exceed 27% in each window, apart from windows serving the reception hall and two windows serving reception rooms (where the post-development VSC would be at least 0.8 of the existing VSC).	All windows would receive more than 25% of annual APSH and more than 5% of winter APSH, except for some of the windows serving the reception hall where there would be not change from existing APSH.
77 Conway Road (North Wales Sensory Loss Centre)	Existing and post-development VSC would exceed 27% in each window.	No window would experience a material reduction in APSH.
1 - 3 Alexandra Road (dwelling)	Existing and post-development VSC would exceed 27% in each window, apart from some ground floor windows where the post-development VSC would be at least 0.8 of the existing VSC.	No window would experience a material reduction in APSH.

47. In terms of overshadowing to gardens and open spaces, the BRE guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21<sup>st</sup> March. If as a result of new development an existing garden does not meet the above, and the area which can receive two hours of sunlight on 21<sup>st</sup> March is less than 0.8 times its former value, the loss of light is likely to be noticeable.
48. The DSA concludes that none of the gardens and open spaces of the properties listed above would experience a reduction in area receiving at least two hours of sunlight on 21<sup>st</sup> March.

## PLANNING HISTORY

49. The site has an extensive planning history relating primarily to its former use as a care home. The most significant planning permissions are as follows:
- 1/CBA/2995** – Use of premises as an old persons home; Approved 27<sup>th</sup> July 1978.
- 1/CBA/4500** – Increase number of residents in old persons home from eight to 10; Approved 18<sup>th</sup> April 1980.
- 1/CBA/6244** – Conversion of garage to staff accommodation in connection with elderly persons home; Approved 7<sup>th</sup> October 1982.
- 1/CBA/7876** – Erection of summer house; Approved 14<sup>th</sup> June 1995.



**0/36013** – Rear extension for additional accommodation and infill extension for lounge; Refused 16<sup>th</sup> July 2009 as it would have resulted in an unacceptably dominant and overbearing form of extension, resulting in significant overlooking and loss of privacy.

**0/36374** – Rear extension to residential home (13 no. additional bedrooms), central extension and car parking; Approved 24<sup>th</sup> November 2009.

**0/50505** - Proposed conversion of care home into 2 no. detached dwellings inclusive of part demolish of ground floor day room and first floor link passageway; Refused 12<sup>th</sup> April 2023 due to lack of affordable housing provision.

**0/50812** - Proposed conversion of care home into 2 no. detached dwellings inclusive of part demolish to ground floor day room and first floor link passageway; Approved 29<sup>th</sup> April 2024.

## SITE CONSTRAINTS

50. Affects the setting of Pwllcrochan Conservation Area.

## CONSULTATIONS

51. a) **Town Council** - No objections in principle but question the number of parking spaces allocated (13) to the number of apartments proposed (23). Members also questioned the size of the development and also building up to the building line – could it be set further back so as it is not so imposing?
- b) **Conservation Officer** -
- i) It is a shame that these suburban dwellings are to be demolished. They do contribute positively to the street scene despite late C20 accretions.
  - ii) The buildings are not listed, nor located in a conservation area. The nearest designated heritage asset is the Grade II listed Wren's Nest. The proposed development would have no impact on the setting of this listed building due to the buildings in between. The proposed development site is located close to the Pwllcrochan Conservation Area boundary, however, the proposed development would have minimal impact on the setting of the conservation area.
  - iii) The proposed development is a larger scale, generic housing development that would benefit from further architectural detailing. Retaining the existing trees/hedges would also be beneficial to the street scene.
- c) **Highways** -
- Initial response (21<sup>st</sup> January 2024):
- i) Notes that the footway/carriageway fronting the development forms part of a Future Active Travel shared footway/cycle route. Requests that the developer investigates how this 3m wide route could impact on the proposed development.
  - ii) Spaces allocated for car parking spaces can be no smaller than 2.6m x 4.8m (excluding disabled) in accordance with LDP2. Parking provision appears to be significantly below expected provision. For 23 bedrooms, the highway authority would expect over 23 parking spaces (including provision for visitors, maintenance/workmen vehicles, deliveries) as is practical in life. The highway authority has previously requested the agent to identify how parking demand will not spill onto the adopted highway. The Design and Access Statement states that the scheme will be "targeted at low car ownership tenants and which would be operated both with a) tenancy agreements that include policies directly aimed at encouraging car free living, and b) site specific Travel Plan initiatives to encourage maximum use of sustainable travel modes". Requests further explanation of these measures to understand how they will work in practice.

- iii) Requests dimensioned plan showing visibility splays.
  - iv) Access gradient not to exceed 1:20 for the first five metres back from the carriageway.
  - v) Requests re-design of pedestrian access and provision of tactile paving dropped crossing across the vehicular access.
  - vi) Notes procedure for making Traffic Regulation Orders.
  - vii) The highway authority concurs with the agent's sustainability scoring, subject to further understanding of point ii).
  - viii) The highway authority agrees with the full kerb replacement to match existing on Conway Road.
  - ix) Refuse/re-cycling area is noted.
  - x) The provision of a tactile dropped crossing at the junction of Conway Road/Alexandra Road is welcomed by the highway authority.
  - xi) The provision of a sheltered cycle/scooter parking provision is accepted by the highway authority.
  - xii) Requests condition re Construction Traffic Management Plan.
  - xiii) No occupation to be permitted prior to works being undertaken to highway authority's satisfaction.
  - xiv) Re-built or retained stone boundary walls and landscaping should not obstruct pedestrian or vehicular visibility.
  - xv) Existing bench to be repositioned as agreed with the highway authority.
- Further response (26<sup>th</sup> March 2024) in response to the transport consultant's comments:
- i) Notes that the applicant is aware that a future Active Travel route may front the property.
  - ii) Notes that the proposed car parking bay sizes comply with CCBC standards. The applicant has submitted documentation that evidences likely car ownership based on similar developments, and if information is accurate and provided in good faith, the application parking standards should be sufficient for development. The highway authority has been clear that traffic associated with the development shall be contained within the curtilage. The applicant's evidence implies that this will be achievable based on car ownership rates of targeted population of client base.
  - iii) The highway authority accepts the visibility splay for the vehicle access as shown on the drawing and that the applicant will comply with pedestrian access comments.
  - iv) Notes that access gradient will remain as existing.
  - v) Disappointing that the applicant is satisfied to provide a stepped access from Conway Road.
  - vi) Notes the other comments.
- d) **ERF (Flood Risk and Infrastructure) -**
- i) The site is located in DAM Zone A as defined within TAN15. NRW's surface water flood map identifies a low risk of flooding to the development site.
  - ii) Some SuDS elements are proposed to be introduced to the site with an overall betterment of discharge rates to the public sewer from the existing development. We therefore have no objection in principle subject to approval of the SAB.
  - iii) Notes that a culverted watercourse runs approximately 100m south-east of the site at the closest point. It is, however, unlikely to be a practical or appropriate discharge point.
  - iv) Details of this drainage strategy have been submitted to the SAB via a pre-application enquiry.
  - v) Advises on SAB requirements.
- e) **Education** – Given the low number of bedrooms for each dwelling it has little/no proposed effect on expected pupils if the development goes ahead.



f) **Housing Strategy -**

i) The current housing need for Colwyn Bay is:

	1 bed	2 bed	Total
Social General Needs	294	169	463
Sheltered	101	22	123
LCHO	5	49	54
Intermediate Rent	103	88	191
LCHO and Intermediate Rent	8	20	28
Total	511	348	859

- ii) Housing Strategy are supportive of 100% affordable units as there is a high demand for one bedroom social general needs units. There is a demand for two bedroom wheelchair accessible units (currently there are 13 applicants who need a two bedroom wheelchair accessible property).
- iii) Suggest that the one bedroom ground floor units have level access entry and there is an option to include an adapted bathroom (depending on the demand at the start of the development).

g) **Planning Policy -**

- i) The site is located within the Colwyn Bay settlement boundary which is a 20% affordable housing for local need (AHLN) area. A shortage of AHLN is one of the most pressing priority issues the county borough faces. The application proposes 100% AHLN through an RSL (Wales and West) and consultation with CCBC Housing Strategy is recommended in terms of housing mix and tenure. The future AHLN use should be strictly controlled. Other planning obligations to be confirmed by Strategic Planning Policy.
- ii) Policies DP/3 and DP/4 criteria requires (amongst other things) all new development to:
- Be appropriate to, and enhance, its locality in terms of form, scale, massing, elevation detail and use of materials;
  - Meet the Council's approved standards of open space provision and parking;
  - Have regard to the impact on adjacent properties, residential amenity and areas and habitats supporting protected species.
- iii) Policies DP/3 and DP/4 are also supported by the adopted Design SPG. In relation to design character Technical Advice Note (TAN) 12 Design says that new developments should sustain or enhance local character and promote legible development. In order to achieve this the design should respond to locally distinctive townscape patterns and forms of development, clear boundaries and established building lines.
- iv) The proposal will significantly interrupt the existing building lines of Conway Road and Alexandra Road and is therefore contrary to the design policies and guidance outlined above. The proposed scale and massing and subsequent amenity and character impact should also be carefully assessed in line with local and national planning guidance.
- v) The retention of the existing trees together with net benefit for biodiversity is also a major consideration in line with Policy NTE/3, Design SPG and national planning guidance, etc.

- h) **Public Protection** - Requests conditions re Construction Method Statement and hours of work (08:00 – 18:00 Monday to Friday; 08:00 – 13:00 Saturday).
- i) **Ecologist** -
  - i) The site has been suitably assessed for impacts on protected species (bats and nesting birds). No ecological objections to the application, but details (specifications, locations and maintenance regimes) of biodiversity enhancements need to be provided to the LPA for written approval. Suitable biodiversity enhancements could include integrated swift bricks, bird and bat boxes, native tree planting and diversification of native hedgerows, and pollinator friendly planting.
  - ii) The proposals indicate that several trees will be removed but do not show adequate replacement planting; as per PPW12 the compensation planting ratio is set at 3:1.
  - iii) Recommends a condition for a landscape maintenance and planting schedule which would be retained and maintained (including provision of like for like replacements for any failed plants) for a period of least 10 years.
- j) **Welsh Water** -
  - i) The site is located in the immediate vicinity of a separate sewerage system, comprising combined, foul and surface water public sewers, which drains to Ganol Wastewater Treatment Works.
  - ii) Some public sewers and later drains may not be recorded on our maps of public sewers.
  - iii) Notes requirement for SAB approval. Should it be determined that SAB consent is not required, the developer is required to explore and fully exhaust all surface water drainage options. Discharge of surface water to the public sewer is only to be made as a last resort.
  - iv) Foul water sewers can be accommodated within the public sewerage system.
- k) **Fire and Rescue Service** - Response awaited.
- l) **Health Board** - Response awaited.

## REPRESENTATIONS

52. The application has been publicised through site and press notices (as major development) and neighbour notification. To date, objections have been received from 79 householders and three businesses relating to the following matters:
- i) Would be preferable to retain the existing buildings and result in lower carbon emissions;
  - ii) Scale, height and appearance of the proposed building are overbearing/overdevelopment, would not respect the character of the area, and would have a negative impact on street scene;
  - iii) Would set precedence for similar development to the area;
  - iv) Traffic/highway matters, including under provision of parking spaces, parking beat survey does not record daytime weekday parking, proximity of the access to the junction of Alexandra Road and Conway Road, use of Alexandra Road by motorists avoiding the one way system on King's Road and Grosvenor Road, and access by emergency services;
  - v) Pressure on local health and pharmacy services;
  - vi) Loss of trees and green space along the frontages;
  - vii) Overshadowing/loss of light;
  - viii) Overlooking/loss of privacy;
  - ix) Noise/anti-social behaviour;
  - x) Light pollution;
  - xi) Pollution from traffic;
  - xii) Odour from bins;

- xiii) Construction impacts;
- xiv) More varied housing solutions would better meet the needs of the community on the housing register;
- xv) Questions need for development (there are already a large number of both affordable and open market houses being constructed in the locality);
- xvi) Surface water drainage;
- xvii) Groundwater displacement;
- xviii) Centre of Sign-Sight-Sound use a training/meeting room closest to the proposed development site.

53. Darren Millar MS objects on the basis of the proposal's impact on the character of the area, traffic congestion, drainage and on health and education services.
54. David Jones (MP at the time of the representation) requests that consideration is given to points raised by one of the objectors.

## PLANNING POLICIES

55. Future Wales - The National Plan 2040  
 Planning Policy Wales (PPW12)  
Technical Advice Notes (TANs)  
 TAN2 Affordable Housing  
 TAN5 Nature Conservation and Planning  
 TAN12 Design  
 TAN15 Development and Flood Risk  
 TAN17 Sport, Recreation and Open Space  
 TAN18 Transport  
 TAN20 The Welsh Language  
 TAN24 The Historic Environment

### Conwy LDP

- DP/1 Sustainable Development Principles
- DP/2 Overarching Strategic Approach
- DP/3 Promoting Design Quality and Reducing Crime
- DP/4 Development Criteria
- DP/5 Infrastructure and New Developments
- DP/6 National Planning Policy and Guidance
- HOU/1 Meeting the Housing Need
- HOU/2 Affordable Housing for Local Need
- HOU/4 Housing Density
- HOU/5 Housing Mix
- NTE/3 Biodiversity
- NTE/6 Energy Efficiency and Renewable Technologies in New Development
- NTE/8 Sustainable Drainage Systems
- NTE/9 Foul Drainage
- NTE/10 Water Conservation
- CTH/2 Development Affecting Heritage Assets
- CTH/5 The Welsh Language
- STR/2 Parking Standards
- STR/3 Mitigating Travel Impact
- STR/4 Non-Motorised Travel

### Supplementary Planning Guidance

- LDP1 Householder Design Guide
- LDP2 Parking Standards

LDP4 Planning Obligations  
LDP5 Biodiversity  
LDP9 Design  
LDP13 Affordable Housing  
LDP40 Trees and Development

## PLANNING CONSIDERATIONS

### Principle

56. There are a number of factors lending support for the proposal.
57. First, the site is located within the settlement boundary of Colwyn Bay, which forms part of the Urban Development Strategy Area (UDSA). Policy HOU/1 states that approximately 85% of the housing development will be located within the accessible UDSA.
58. Second, the site falls within the definition in PPW of Previously Developed Land (PDL). Paragraph 2.55 advises that PDL should be used, wherever possible, used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all PDL will be suitable for development.
59. Third, PPW also advises that planning authorities should reassess development sites which are highly accessible to non-car modes and allocate them for travel intensive uses (such as housing) of sufficient density to fully utilise their accessibility potential. The site is close to a regular bus route, large food store and other shops, health practice and primary school, and is reasonably accessible to other amenities by foot and cycle.
60. Fourth, Policy HOU/2 requires that all housing development in Colwyn Bay provides a minimum of 20% affordable housing unless a lower level of provision is justified on the basis of a viability assessment. The proposal would provide 100% affordable housing and address the significant need for affordable housing which the Housing Strategy Section has identified in Colwyn Bay, including for one and wheelchair accessible two bedroom dwellings.
61. However, these factors need to be balanced against the specific impacts of the proposal which are discussed further below.

### Design/Appearance

62. PPW states that the special characteristics of an area should be central to the design of a development. The layout, form scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, where appropriate, in a Design and Access Statement.
63. PPW further advises that in areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.

64. This part of Colwyn Bay was developed in the early 20<sup>th</sup> century. Alexandra Road in particular has a consistent character and its buildings have largely retained their original layout, form and appearance. The southern end of Alexandra Road is included in the Pwllcrochan Conservation Area. The application site is approximately 80m north of the conservation area boundary.
65. The buildings along Conway Road are somewhat more diverse in their form and appearance, and include a higher proportion of commercial uses. However, Conway Road has nevertheless retained a significant degree of consistency in its character. The 1970s built flats at Appleton Court are an exception; however, they do not intrude unduly on the street scene due to their low profile, setback distances from the road and the presence of trees along the frontage.
66. The two former dwellings on the application site differ from each other in their materials and details, but are consistent with the general character of the area. They respect the building lines of the neighbouring buildings along both frontages, apart from a small single storey extension along the Alexandra Road frontage.
67. The proposed building would occupy a footprint of approximately double that of the total ground floor area of the present buildings. The two storey element of the present building is set back at a distance of approximately 14 - 15m from the Alexandra Road boundary, whilst the single storey extension is approximately 8.9m from that boundary. The proposed building would be set back at distances of between approximately 3.4m and 6.0m from that boundary.
68. On the Conway Road frontage, the present building is set back at a distance of approximately 9.7m – 11m from the front boundary. The proposed building would be approximately 3.6m to 5.8m from that boundary. It would therefore protrude significantly beyond of the frontages of the existing buildings on the site and the frontages of the neighbouring buildings on both Conway Road and Alexandra Road. This impact on the street scene would appear particularly stark on Alexandra Road, where (with the exception of the single storey extension to no. 79) the buildings on both sides follow well defined building lines, but would also be evident on Conway Road.
69. The proposed building would also be significantly higher than the existing. The existing ridge heights vary between approximately 9.2m to 9.6m, and eaves vary between approximately 5.8m to 6.0m. The applicant has reduced both the ridge and eaves heights of the proposed building to address concerns. The proposed building (as amended) would have eaves heights of between 7.9m and 9.0m (depending on ground levels) whilst the ridge height would vary between 13.3m and 14.25m.
70. There would also be a noticeable change to the roof profile. Whereas the roof profiles of the former dwelling are broken up by a gap, the proposed building would have a continuous ridge along Conway Road extending for approximately 30m. Similarly, whereas the present building has a hipped roof facing Alexandra Road, resulting in a relatively unobtrusive impact, the proposed building would have an almost continuous ridge, extending for a distance of approximately 33.5m.
71. Notwithstanding the reduction in height, Officers consider that the scale and massing of the proposed building would be unacceptable, due to its height, footprint area, proximity to both road boundaries and the dominance of the ridges, resulting in a dominant and overbearing structure that would not respect the character of the locality.

72. Officers also expressed concerns that the elevational treatment of the building (as shown on the original plans) were bland and would not respect the detailing included in the existing buildings or the neighbouring buildings. The amended drawings show some enhancements to the elevational treatment, including the addition of two gables on the eastern elevation and cast stone heads and sills around the windows and the undercroft entrance. Following the Daylight and Sunlight Assessment, further minor amendments have been made to the roof profile. Whilst Officers consider that the amendments provide greater visual interest, they do not provide effective mitigation to the increased footprint, height and massing.
73. As noted in the Conservation Officer's response, the proposal would have a limited impact on the setting of the Pwllcrochan Conservation Area. Notwithstanding this, Officers still have concerns over its impact on the character and appearance of the streetscape outside the conservation area.
74. The applicant has drawn attention to a planning permission granted in 2009 for a 13 bedroom rear extension, which it considers to be extant. That permission related to a two storey extension to the rear of no. 81 that would not have been readily visible from Conway Road, and set back at a considerable distance from Alexandra Road. Accordingly, Officers consider that little weight can be given to that permission in providing a comparative assessment of impacts on the street scene.

#### Amenity

75. The proposal has the potential to affect neighbours' amenity through loss of privacy, daylight and sunlight.
76. The Council has adopted LDP1 Householder Design Guide as supplementary planning guidance, which is also used in relation to separation distances for new buildings. Where a proposed window to a lounge, dining room, bedroom or kitchen will directly face a similar window on a neighbouring property generally the distance between them should be at least 21 metres in a back-to-back situation. This can be reduced to 18 metres in situations where the windows are not directly facing. Where a wall containing windows of a lounge, dining room, bedroom or kitchen overlooks a wall with no windows on an adjacent property, the distance should be a minimum of 15 metres.
77. The closest dwelling to the western boundary is no. 83 Conway Road. The distance between the bay window on the side elevation of the existing building at no. 81 and the side elevation windows of no. 83 is approximately 13.2m. The existing separation distance is therefore below the guidance in LDP1, although the presence of vegetation along the boundary reduces the degree of mutual overlooking.
78. The distances between the side elevation of the proposed building and the side elevation of no. 83 is not materially different to the existing situation. Officers therefore consider that the proposal would not therefore result in a material loss of privacy to that dwelling.
79. The closest dwelling to the southern boundary is no. 2 Alexandra Road. The proposed building would not include significant south facing windows on the wing facing no. 2 Alexandra Road, and hence it would not be contrary to guidance in LDP1 in respect of privacy requirements. Impacts in terms of overbearing/dominance are assessed in the Design/Appearance section of this report.

80. All windows serving neighbouring residential properties would receive at least a post-development Vertical Sky Component of at least 27% and/or at least 0.8 times existing VSC, and almost all windows would either experience no loss of sunlight or would receive the threshold of Annual Probable Sunlight Hours. Neighbouring gardens would not experience a reduction in area receiving at least two hours of sunlight on 21<sup>st</sup> March.

Highways and Accessibility

81. The site is in a highly sustainable location being located on a bus route and close to the shops and medical centre at the West End.
82. TAN18 advises that maximum car parking standards should be used at regional and local level as a form of demand management. Planning authorities should give greater weight (than if considering non-residential uses) to impacts from on-street parking when the design and layout of the street is unlikely to satisfactorily cope with additional parking pressures. A site's location and its relative accessibility should inform guidance on maximum standards and the potential lifestyle of occupants should be considered.
83. Parking policies in Conwy are included in Policy STR/2 of the LDP and in the Supplementary Planning Guidance LDP02 Parking Standards. Policy STR/2 states:
- i) Car parking provision should be in accordance with the Council's maximum standards, to reduce dependency on the car and to promote more sustainable forms of transport.
  - ii) In locations with good accessibility to facilities and services, and served by high quality public transport, the Council will seek to reduce the amount of car parking provided, in line with the Conwy Parking Standards.
  - iii) Secure cycle parking should be provided in accordance with the Council's standards.
84. LDP02 provides that apartments shall provide one resident's parking space per bedroom and as well as one visitor's parking space per five units. These standards can be reduced by up to 30% depending on the number of sustainability points, but should not result in less than one parking space.
85. The application proposes 13 no. parking spaces and does not therefore meet the standards in LDP02 even if the full sustainability reduction is applied. However, the applicant's transport consultants have provided evidence, by way of local census data and survey data from comparable existing developments, which show that a significant proportion of the residents would not have cars or vans. They therefore advise that overspill on street parking as a result of the development is highly unlikely. Even if overspill parking were to occur, the parking beat survey shows the availability of on-street parking on both sides of Conway Road and Alexandra Road.
86. The highway authority considers that providing the surveys are accurate and provided in good faith, the parking provision should be adequate for the development.
87. Officers acknowledge that during the demolition and construction phase, it may not be possible to provide the full provision of staff and contractor parking on the site. However, a Demolition and Construction Management Plan would minimise the extent of on-street parking during these works.



88. The highway authority expresses disappointment that a ramp has not been provided at the entrance from Conway Road. Given that all of the ground floor apartments would have level access from Alexandra Road, and that the provision of a dogleg ramp at the front entrance would necessitate a loss of landscaping, Planning Officers are satisfied that the pedestrian access arrangements are satisfactory.

Biodiversity/Green Infrastructure

89. PPW advises that the quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. A Green Infrastructure Statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development and will describe how green infrastructure has been incorporated into the proposal. The step-wise approach ensures that any adverse environmental effects are first avoided, then minimised, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on-site, over and above that required to mitigate or compensate for any negative impact.
90. PPW further advises that permanent removal of trees will only be permitted where it would achieve significant and clearly defined public benefits. Where loss is unavoidable developers will be required to provide compensatory planting. Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the trees lost, and this must be preferably on-site, or immediately adjacent to the site, and at a minimum ratio of at least three trees of a similar type and compensatory size planted for every one lost.
91. The Tree Constraints Plan and Schedule identify a total of 19 individual trees within or immediately outside the application site, as well as one group of four apple trees. The schedule identifies the removal of each of these trees apart from one specimen each of hawthorn, purple maple, scots pine and cherry, and possibly one specimen each of Irish yew and acacia. However, Officers note that the purple maple identified for retention is located on a proposed parking space, and would therefore need to be felled. It is therefore likely that between 16 and 18 trees would be removed, either due to their condition, or in order to accommodate the development.
92. The proposed layout provides limited potential for landscaping, due to the proximity of the proposed building to the Conway Road and Alexandra Road frontages, and as most of the courtyard would be occupied by parking. The Landscape General Arrangement Plan identifies the retention of existing shrubs along the northern and western boundaries, and new tree planting in the form of 3 no. Japanese maple along the eastern boundary, and 1 no. field maple within the courtyard. It also proposes planting 2 no. lengths of English yew hedge along the northern and eastern boundaries, and the inclusion of ornamental and hydroplanter beds.
93. The extent of new tree planting would not be equivalent to the loss of existing trees and would be well below the minimum ratio proposed in PPW of three trees (of a similar type and compensatory size) for each tree lost. Although the Tree Schedule assesses the trees to be removed as being within the C and U categories, Officers consider that they nevertheless make a positive contribution to the street scene. As such, Officers consider that the proposal would not meet the requirements of PPW in respect of tree cover.
94. The ecological survey notes that the existing building has low potential for roosting bats, but that the trees and shrubs provide bat foraging and potentially bird nesting habitats. The Council's consultant Ecologist considers that biodiversity enhancement should be secured by planning conditions.

### Drainage

95. The Drainage Strategy considers that ground conditions preclude infiltration, and attenuated discharge to the surface water sewer is therefore the only feasible option. The ERF Department confirms that the surface water drainage arrangements are subject to SAB approval. It notes that some SuDS features are included, and that the proposal represents a betterment in terms of existing flows compared with the existing.

### Other Matters

96. A number of residents have raised concerns that the proposal would increase pressure on health services. LDP4 provides that contributions may be sought for health facilities where the number of dwellings is at or above a threshold of 100 dwellings. The scale of the proposal is far below that threshold. Furthermore, Officers note that the building has an existing use as a Class C2 residential institution. Depending on the precise nature of the use, this could potentially generate a higher level of demand on health services.
97. As the proposal comprises predominantly of one bedroom apartments, it is unlikely to generate additional pressure on education.

## **CONCLUSIONS**

98. There are a number of factors lending support for the proposal, including its location within the settlement boundary, its status as previously developed land, its highly accessible location by a range of travel modes, and the provision of 100% affordable housing in an area where a significant level of need has been identified.
99. There are no concerns in principle from statutory consultees in respect of highway and drainage impacts or from the Ecologist (except in respect of loss of trees). The DSA shows that the daylight and sunlight impacts would be within BRE guidance.
100. However, these factors need to be balanced against the specific impacts of the proposal. Although the site is outside the Pwllcrochan Conservation Area, the built fabric on both Conway Road and Alexandra Road has a reasonably high degree of consistency in terms of scale, layout, elevational treatment and materials, which provides a cohesive character. The proposal by contrast would introduce a building whose height, scale, massing and proximity to the road frontages would result in an overbearing feature that would significantly detract from that character.
101. Furthermore, Officers are concerned that the reduction in tree cover and open space within the plot would be detrimental to the character and appearance of the streetscape and the area generally and would be contrary to PPW, whilst the opportunity to provide equivalent replacement planting is constrained by the proposed site layout. Officers therefore recommend that planning permission be refused.

## **RECOMMENDATION**

- A) Minded to refuse planning permission.
- B) To authorise the Development and Building Control Manager to determine the application under delegation.

**Gwasanaethau Rheoleiddio a Thai /  
Regulatory and Housing Services**  
**Cynllun Pwyllgor / Committee Plan**  
**0/51353 – Scale 1:2500**

