



Janet Finch-Saunders MS|AS

Aelod Senedd Cymru dros Aberconwy
Member of the Welsh Parliament for Aberconwy



Ms Paula Jones,
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By Email

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Re: Planning Application 0/48610

Dear Head of Planning, Paula,

I am writing further to the letter I sent dated 15 July 2021 formally objecting to planning application 0/48610.

Given the number of amended documents submitted by the applicant, I think it important to comment further and reiterate my point that the Planning Committee should refuse the application, and stand with a significant number of the elected representatives of Llandudno – from Town Council to Senedd Cymru – who are opposed to the scheme.

Please note that this letter should be read in conjunction with my previous correspondence, and rather than reiterate points, I only aim to offer additional comments for consideration here.

1. Local Housing Market Assessment (LHMA)

As previously outlined, Table 47 of the LHMA notes that the recommended mix of market housing types on residential sites is 30% 1 and 2 beds; 35% 3 beds; and 35% 4 beds or more. The development under consideration remains in conflict with the LHMA. Indeed, having considered the numbers in the amended *Design and Access Statement*, I believe that there are 11 one beds, 11 two beds, 20 three beds, 7 four beds, and 2 five beds (51 in total). That equates to 43% 1 and 2 beds; 39% 3 beds; and 18% 4 beds or more. Deviation from the LHMA should not be considered appropriate. As such, it remains highly likely that the application is in breach of:

- Policy HOU/5, LDP – Housing mix:
‘Development proposals should reflect the requirements for tenure, house types and sizes as set out in the Local Housing Market Assessment and the Conwy Affordable Housing and First Steps Registers, unless it can be demonstrated by evidence that the local circumstances of the particular settlement or location suggests a different mix of housing which would better meet the local needs. A proposed mix of dwellings which results in a negative residual value and lower affordable housing provision will be discouraged’.

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I was extremely disappointed to read the following: 'CCBC Housing accepted that on this basis the proposed open market mix was acceptable via email dated 16th September 2021'. I encourage Planning Committee members to take steps so to ascertain why CCBC Housing is apparently supporting an acknowledged deviation from the LMHA. More so, please note that Policy HOU/5, LDP – Housing mix states that deviation is only allowed if it is 'demonstrated by evidence that the local circumstances of the particular settlement or location suggests a different mix of housing which would better meet the local needs'. So far I have not seen any clear evidence which demonstrates that a different mix of housing to that recommended by the LMHA would better meet local needs. As such, the application is, contrary to the advice of CCBC Housing, in breach of Policy HOU/5, LDP – Housing mix.

2. Landscape

The *Landscape and Visual Technical Report* concludes that there are no issues arising with regards to landscape and visual matters that would undermine the feasibility of the scheme. However, as I have previously advised, the site is a Registered Historic Landscape. In fact the aforementioned report states that the Principal Management Recommendation for the Historic Landscape is 'Discourage urban sprawl eating into this countryside block'. It seems reasonable to suggest that the development would be contrary to the management recommendation.

I remain of the opinion that the development is contrary to:

- strategic policy CTH/1 – Cultural Heritage, LDP: 'The council is committed to protecting and, where appropriate, enhancing its cultural and heritage assets. This will be achieved by... Seeking to preserve and, where appropriate, enhance conservation areas, Conwy World Heritage Site, historic landscapes...';
- policy CTH/2 – Development Affecting Heritage Assets, as it is unclear how the development will preserve and enhance the historic landscape.

3. Ysgol y Gogarth

I remain of the opinion that the development is not in line with:

- DP/3, LDP: 'Have regard to the impact on adjacent properties'. In particular, I am concerned about potential noise, disturbance, and nuisance that may be caused to Llys Gogarth;
- Policy STR/3, LDP: 'New developments will be required to mitigate the undesirable effects of travel such as; noise, pollution, impact on amenity and health and other environmental impacts';
- Policy DP/4, LDP: 'Planning permission will not be granted where the proposed development would have an unacceptable adverse impact... e) On environmental conditions arising from noise, lighting, vibration, odour, noxious emissions or dust';
- Policy NTE/1, LDP: 'In seeking to support the wider economic and social needs of the Plan Area, the Council will seek to regulate development so as to conserve and, where possible, enhance the Plan Area's natural environment, countryside and coastline. This will be achieved by... Preventing, reducing or remedying all forms of pollution including air, light, noise, soil and water, in line with Policy DP/6';
- Policy DP/3, LDP: 'Have regard to the impact on adjacent properties'.

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4. Highways

It was with interest that I read *Highways Technical Note 1: Response to Pre-Application Comments*. It is noted, and I quote:

'Alternative access to serve the site direct to Bodafon Road to the south would be inappropriate, due to the narrow rural lane character of this route, which is not capable of being improved to meet modern standards'.

I agree, and must take this opportunity to remind you that any children living on the new estate would have to travel along Bodafon Road to reach Ysgol Bodafon. As such there is a potential that the proposal is in conflict with:

- PPW 4.1.10: *'make it possible for all short journeys within and beyond the development to be easily made by walking and cycling'*;
- PPW 4.1.1: *'The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport'.*

The aforementioned report also acknowledges that the CCTV survey on Nant-Y-Gamar Road 'were undertaken whilst Wales was still subject to a level of Covid restrictions, which may have influenced travel patterns'. Whilst discussions with the school may have enabled the report to note that Ysgol y Gogarth was operating at 90% capacity at the time, this does not mean that the information collated by the survey is reliable. I strongly recommend that the applicant arrange for another CCTV survey to be undertaken. Indeed, whilst the report uses the evidence to try and suggest that there is no reason to be concerned about Nant-Y-Gamar Road, the following is noted:

'Some on-street parking was observed to take place to the western side of Nant-y-Gamar Road in the immediate vicinity of the school access... this parking did result in the requirement for informal one-way shuttle-working between parked areas'.

Further reason to be concerned about Nant-y-Gamar Road is highlighted by the Play Development Officer, who stated:

'Play Development would be concerned about the proximity of the road. This area during school drop off and pick up can become very difficult for children and young people to navigate. We therefore think it vital that sustainable traffic crossing and pathways are put in place to enable residents to move around Nant Y Gamar Road and Bodafon Road safely. We feel this is important as it will allow children from the new development to walk to school as well as provide access to the nearby green space and play area on Queens Road. A road crossing and pathways would therefore enable children's freedom, physical activity and encourage community cohesion by providing safe routes to different places'.

Additionally, I would ask that you give careful consideration to paragraph 3.4.3 of *Highways Technical Note 1* which highlights that a range of routing options exists to accommodate traffic, including Roumania Drive, St Margarets Drive, Tany-Y-Bryn Road, and Bodafon Road. It is noted that these wider routing options are not likely to regularly accommodate more than half of the total development trips identified (no more than 20 trips per hour, or 1 vehicle every 3 minutes). More so, it is noted that the journey to work trend could be expected to equate to 63.1% on Roumania Drive / Tan-Y-Bryn Road. As you will

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know, I have serious concerns especially about the latter highway, and as such I would be grateful if the applicant and Environment, Roads, and Facilities could arrange for the safety of the four aforementioned roads to be assessed so that we can have clarity as to whether the expected increase in traffic would result in a development which is contrary to:

- PPW: *'Ensuring ease of access for all'*;
- Point 4.8.4.2, LDP: *'Equally important is the need to ensure that road safety is not jeopardised by allowing proposals which would generate levels of traffic beyond the capacity of the surrounding road network'*.

5. Parking

STR/2 – Parking Standards, LDP, requires that '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'. One space is required per bedroom (maximum 3). 39% of the development are to be 3 beds and 18% 4 beds or more. Having looked at the drawings, it is not clear to me that 57% of the properties have been allocated the maximum of 3 parking spaces. As such, it remains reasonable to suggest that the application is in breach of STR/2, LDP.

It is noted in paragraph 2.19 of *Highways Technical Note 2: Response to Preliminary CCBC Highways Comments* that the applicant would rather wait until the commencement of the development to determine whether charging points might be offered to prospective residents. I believe that such a refusal to incorporate electric vehicle charging points in the design is contrary to:

- PPW 4.1.40: *'To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development'*;
- PPW 4.1.41: *'The provision of electric vehicle charging points should be planned as part of the overall design of a development'*.

6. Children's Playing Space

In my previous letter I highlighted concerns that the development did not include the provision of children's play equipment. It is apparent from the latest *Design and Access Statement* that concerns have been listened to and that the design now incorporates a location for play equipment. This is welcome progress, however, please note the observation of the Play Development Officer that:

'The proposed location of the play area may prove problematic due to two key features firstly the lack of oversight from houses to the play area may reduce permission to access. Secondly the water/flooding collection being so close to the proposed play equipment. Without careful planning this area may become unusable due to the condition of the ground in winter months considering wheelchair and pram user access'.

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7. Historic Environment

I would like to acknowledge the proactive approach taken by the developer to exploring the concerns raised about the historic environment. According to the *Archaeological Evaluation* dated September 2021, within Trench 6 two archaeological features were excavated, a large pit and a gully. Also, it is possible that the trench had an imbrex tile with a date range of Roman to post medieval.

Given the findings in Trench 6, I believe that the proposal, if approved, could still be in conflict with:

- Policy DP/4, LDP: 'Planning permission will not be granted where the proposed development would have an unacceptable adverse impact... on archaeological interests and the built form';
- Strategic Policy CTH/1: 'The council is committed to protecting and, where appropriate, enhancing its cultural and heritage assets. This will be achieved by... seeking to preserve and, where appropriate, enhance... areas of archaeological importance in line with Policy DP/6'.

I maintain that the Local Authority recommended refusal.

Yours sincerely,

Janet Finch-Saunders MS/AS