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PLANNING

**FORMER SPORTS COURT SITE, OAK DRIVE,
COLWYN BAY
DESIGN, ACCESS AND PLANNING STATEMENT
NORTHFIELD PROPERTY DEVELOPMENTS LTD
SEPTEMBER 2023
2020.001_07**

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Design, Access and Planning Statement



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1. Introduction

- 1.1 This Design, Access and Planning Statement accompanies a full planning application by Northfield Property Development Limited for a residential development at the former sports court, Oak Drive, Colwyn Bay.
- 1.2 The scheme is a resubmission to a previously withdrawn planning application (ref: DC/0/50192) for a development of the same description. The amended layout proposed under the current application has been developed through detailed discussions with planning officers, conservation officer and tree officer within the Council.
- 1.3 Following the enactment of the Planning (Wales) Act 2015 (the Act) the requirement for pre-application consultation on major development schemes was implemented. This includes the provision of residential developments for over ten dwellings. The proposed development exceeds the ten unit threshold.
- 1.4 The requirement to carry out pre-application consultation falls under Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) as amended by the 2016 Order. Guidance on carrying out the pre-application consultation requirements within the Act has been provided by the Welsh Government set out in Article 1 of the Town and Country Planning DMPWO (Amendment) 2016 'Guidance on Pre-application Consultation'.
- 1.5 This Design, Access and Planning Statement is issued as part of a suite of documents for a Pre-Application Consultation (PAC) prior to the submission of a formal planning application.
- 1.6 This PAC relates to the provision of 11 residential units on the site only; a planning application for a further three units (plots 1 – 3) will be submitted to the Local Planning Authority at a later stage. The plans provided with the PAC show the proposed location of these three additional units on the site for reference; they appear hatched out as they do not form part of the current scheme for 11 dwellings.
- 1.7 Nonetheless, the proposal for the additional 3 dwellings has also been assessed within this Statement as both schemes would read as a combined development when the formal planning applications are submitted to the Local Planning Authority.
- 1.8 As required by the Town and Country Planning (Development Management Procedure) (Wales) Order (Amendment) 2016 the statement aims to address the following matters;

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- Explain the design principles and concepts that have been applied to the development;
 - Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - Explain the policy or approach adopted as to access, and how policies relating to access in the development plan have been taken into account; and
 - Explain how any specific issues which might affect access to the development have been addressed.
- 1.9 The adopted development plan consists of the Conwy Local Development Plan (LDP) 2007-2022, which was adopted in October 2013.

2. The site and context

- 2.1 The application site comprises of the former sports court that were formerly used by Rydal Penrhos School, prior to being sold as part of a redevelopment of facilities at Rydal Penrhos to provide a twenty-first century education for its pupils. Rydal Penrhos is a private school and therefore the tennis courts were only available for use by Rydal Penrhos pupils and were not a community facility. All weather tennis courts provision is now being provided elsewhere by Rydal Penrhos for its pupils and therefore the application site was surplus to requirements.
- 2.2 The tennis courts lie on the western part of the site whilst the eastern part provides a small area of woodland which is located on the corner of Oak Drive (to the south) and Walshaw Avenue (to the east).
- 2.3 Oak Drive runs broadly east to west on the hillslope to the south of the West End of Colwyn Bay. Above it and to the south are Pwlycrochan Woods, and to the north, the playing fields of Rydal Penrhos School. Apart from the school buildings and facilities, the site is situated in a predominantly residential area, with the dwellings generally being large detached properties sat within large garden plots.
- 2.4 The following aerial photograph identifies the application site in the context of its surroundings.

Figure 2.1 Aerial image of application site in the context of its surroundings



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- 2.5 The site lies within the settlement boundary of Colwyn Bay, as identified within the LDP Proposals Map. The application site lies within the Pwllcrochan Conservation Area and close to the Grade II listed Walshaw House (35 Oak Drive) which lies approximately 30m to the south.
- 2.6 The site is located to the north of, and below Oak Drive, and slopes down to the north. The following photographs identify views of the site and its surroundings.

Figure 2.2 View of application site from Oak Drive looking towards the east



Figure 2.3 View of application site from Oak Drive looking towards the west



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- 2.7 Two residential properties directly adjoin the application site; Greenbank on land to the west and 30 Walshaw Avenue on land to the north. Relevantly recent residential dwellings at Oakwood lies on higher ground to the south on the opposite side of Oak Drive.

3. Policy context

- 3.1 National and local planning policy guidance considered relevant to the principle of this development is set out in this section.

National planning policy and guidance

- 3.2 National and local planning policy guidance considered relevant to the principle of this development is set out in this section.

- 3.3 The proposal relates to a residential development, and relevant national planning policy is set out in:

- Future Wales: the national plan 2040, (2021);
- Building Better Places (July 2020);
- Planning Policy Wales (PPW) Edition 11, (2021);
- TAN 2: Planning and Affordable Housing;
- TAN 5: Nature Conservation;
- TAN 12: Design;
- TAN 15: Development and Flood Risk;
- TAN 18: Transport;
- TAN 20: The Welsh Language; and
- TAN 24: The Historic Environment.

- 3.4 PPW Ed. 11 aligns national planning policy strategy with the objectives of the Well-being of Future Generations (Wales) Act 2015, which is centred around achieving sustainable development. The proposed development is in line with PPW as it provides housing in a highly sustainable location.

- 3.5 PPW and more recent guidance set out in 'Building Better Places – The Planning System Delivering Resilient and Brighter Futures' (July 2020); emphasises the importance of where we live and the quality of the environment around us. This provides further emphasis on the 'Placemaking' principles and in particular the eight following issues that need to be resolved:

- Staying local: creating neighbourhoods
- Active travel: exercise and rediscovered transport methods
- Revitalising our town centres
- Digital places – the lockdown lifeline

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- Changing working practices: our future need for employment land
- Reawakening Wales' tourism and cultural sectors
- Green infrastructure, health and well-being and ecological resilience
- Improving air quality and soundscapes for better health and well-being

3.6 Relevant national planning policies are listed in Table 4.1.

Table 4.1 Summary of national planning policy and guidance

Policy	Summary of policy
PPW - Assessing the Sustainable Benefits of Development	<p>Paragraph 2.27 advises that; <i>“Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.”</i></p> <p>Paragraph 2.28 goes on to advise that the key factors in an assessment relate to social considerations, economic considerations, cultural considerations and environmental considerations.</p>
PPW - Housing	<p>Paragraph 4.2.2 advises that; <i>“The planning system must:</i></p> <ul style="list-style-type: none"> • <i>identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;</i> • <i>enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and</i> • <i>focus on the delivery of the identified housing requirement and the related land supply.”</i> <p>Paragraph 4.2.1 advises that; <i>“New housing development in both urban and rural areas should incorporate a mix of market and affordable house types, tenures and sizes to cater for the range of identified housing needs and contribute to the development of sustainable and cohesive communities.”</i></p> <p>In terms of Housing Delivery, paragraph 4.2.10 guides that; <i>“The supply of land to meet the housing requirement proposed in a development plan must be deliverable. To achieve this, development plans must include a supply of land which delivers</i></p>

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	<p><i>the identified housing requirement figure and makes a locally appropriate additional flexibility allowance for sites not coming forward during the plan period. The ability to deliver requirements must be demonstrated through a housing trajectory. The trajectory should be prepared as part of the development plan process and form part of the plan. The trajectory will illustrate the expected rate of housing delivery for both market and affordable housing for the plan period.”</i></p> <p>In terms of density Paragraph 4.2.22 guides that; <i>“Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links.”</i></p>
PPW - Access	<p>Paragraph 3.50 states that; <i>“A broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. Planning authorities should adopt policies to locate major generators of travel demand, such as housing, employment, retailing, leisure and recreation, and community facilities (including libraries, schools, doctor’s surgeries and hospitals), within existing urban areas or areas which are, or can be, easily reached by walking or cycling, and are well served by public transport.”</i></p> <p>Paragraph 3.6 advises that; <i>“Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport.”</i></p>
PPW - Amenity	<p>Paragraph 3.21 states that the planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity.</p>

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<p>PPW - Design</p>	<p>Section 3 relates to design and Placemaking In Action. It considers that Good Design Making Better Places. Paragraph 3.3 advises that;</p> <p><i>“Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.”</i></p> <p>Paragraph 3.4 goes on to state that;</p> <p><i>“Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales. These objectives can be categorised into five key aspects of good design”.</i></p>
<p>TAN 2: ‘Planning and Affordable Housing’</p>	<p>Technical Advice Note 2 ‘Planning and Affordable Housing’ provides guidance on the role of the planning system in delivering affordable housing.</p> <p>Paragraph 10.11 states that:</p> <p><i>“Local planning authorities and applicants for planning permission should work collaboratively in order to establish an appropriate and well-integrated mix of housing types and tenures which will contribute to the identified need for affordable housing, and to the objective of achieving mixed and sustainable communities. Applicants should demonstrate and justify how they have arrived at a particular mix of housing having regard to development plan policies”.</i></p>
<p>TAN 5: ‘Nature Conservation and Planning’</p>	<p>Technical Advice Note 5 ‘Nature Conservation and Planning’ provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.</p> <p>Paragraph 1.6.1 states that;</p> <p><i>“Biodiversity conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife. Past changes have contributed to the loss of integrity of habitat networks through land-take, fragmentation, severance, disturbance, hydrological changes and other adverse impacts. But development can also present</i></p>

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	<p><i>significant opportunities to enhance wildlife habitats and the enjoyment and understanding of the natural heritage.”</i></p>
<p>TAN 12: 'Design'</p>	<p>The guidance in TAN 12 has been considered in formulating the proposal and in reporting on the Design and Access issues. The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales. Paragraph 5.5.1 of TAN 12 identifies that an understanding of landscape and townscape quality, including its historic character, is fundamental to the design process.</p> <p>The relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.</p> <p>Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and, provides buildings and environments that are convenient and enjoyable to use for everyone.</p> <p>Paragraph 5.5.1 of TAN 12 states; <i>“The distinctive settlement patterns which characterise much of Wales have evolved in part in response to the country’s diverse landscape and topography. The way in which development relates to its urban or rural landscape or seascape context is critical to its success. Because of this, an understanding of landscape quality, including its historic character, is fundamental to the design process.”</i></p> <p>Paragraph 5.8.1 states; <i>“The special qualities of the rural landscape and coastline of Wales should be recognised. The qualities should be enhanced through conservation of the character of the countryside and by achieving quality in new development.”</i></p> <p>Paragraph 5.8.2 states; <i>“Policies and guidance should take account of the need to steer activity to avoid negative impact on distinctive rural landscapes and the best agricultural land and to conserve and enhance diversity of species and habitats. Managing change by means of a landscaping strategy based on a thorough landscape assessment is one means of safeguarding a rural sense of place. This should analyse key issues and put forward guidelines for design themes, palettes of materials, and briefs for specific sites.”</i></p>

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<p>TAN 16: 'Sport, Recreation and Open Space'</p>	<p>The TAN provide guidance on the role of planning in respect of the provision of sport and recreational facilities and informal open spaces. It seeks to ensure that adequate, well located facilities are provided to serve the local area., and also seeks to protect and enhance existing facilities.</p>
<p>TAN 18: 'Transport'</p>	<p>TAN 18 has also been taken into consideration. The main aim of TAN 18 is ensuring that new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimising the need for travel and fostering social inclusion.</p> <p>Paragraph 2.4 of TAN identifies that the inter-relationship between land use planning and transport is complex and varied. The development of land is dependant, in part, upon transport infrastructure and services to function efficiently. By influencing the location, scale, density and mix of land uses and new development, land use planning can help reduce the need to travel and length of journeys, whilst making it easier for people to walk, cycle or use public transport.</p> <p>TAN 18 also considers people with disabilities. TAN 18 identifies that it is important to consider their needs in terms of parking, ensuring that adequate numbers of suitably designed parking spaces are provided in appropriate locations.</p> <p>TAN 18 expands on the importance of accessibility in future developments. TAN 18 provides guidance on providing good accessibility with objectives such as; <i>'ensuring new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimising the need for travel and fostering social inclusion;'</i> and;</p> <p><i>'ensuring that new development and major alterations to existing developments include appropriate provision for pedestrians (including those with special access and mobility requirements), cycling, public transport, and traffic management and parking/servicing;'</i></p> <p>TAN 18 focuses on ensuring future developments consider the importance of the relationship between land use and transport. TAN 18 places an emphasis on reducing the need to travel and the need to provide sustainable modes of transport such as cycling, walking and public transport.</p> <p>TAN 18 also considers people with disabilities. TAN 18 identifies that it is important to consider their needs in terms of parking, in particular ensuring that adequate numbers of suitably designed parking spaces are provided in appropriate locations.</p>
<p>TAN 20: 'Planning and the Welsh Language'</p>	<p>TAN 20 provides guidance on how the planning system considers the implications of the Welsh language when preparing LDPs and</p>

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	<p>making decisions. The LPA should consider the needs and welfare of the Welsh language, and in so doing, contribute to its well-being. Recent changes introduced in the current version of TAN 20 are as a result of bringing into force provisions contained in the Planning (Wales) Act 2015.</p> <p>The main changes relate to the following matters:</p> <ul style="list-style-type: none">• The link between planning for the Welsh language through land-use planning and community planning;• Providing clarification that decision makers may take the language into account where it is material to the application;• Allow language impact assessments in certain specified circumstances.
TAN 24: 'The Historic Environment'	<p>Provides guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning applications that impact on the historic environment. It provides specific guidance on how the various aspects of the historic environment should be considered during this process.</p>

Local planning policy and guidance

- 3.7 The adopted development plan consists of the Conwy Local Development Plan (LDP), which was adopted in October 2013.
- 3.8 The following LDP policies are identified as relevant to the proposed development:
- 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 Housing Need
 - HOU/2 Affordable Housing for Local Need
 - HOU/4 Housing Density
 - HOU/5 Housing Mix
 - CFS/1 – Community facilities and services
 - CFS/11 Development and Open Space
 - NTE/3 Biodiversity
 - NTE/8 Sustainable Drainage Systems
 - NTE/9 Foul Drainage

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- NTE/10 Water Conservation
- CTH/1 – Cultural heritage
- CTH/2 – Development affecting heritage assets
- CTH/5 The Welsh Language
- STR/1 Sustainable Transport Development and Accessibility
- STR/2 Parking Standards
- STR/3 Mitigating Travel Impact
- STR/4 Non-motorised Travel

3.9 Conwy County Borough Council (CCBC) also provides the following Supplementary Planning Guidance (SPG) which are relevant to the proposed development:

- LDP01 Design for Householders;
- LDP04 Planning Obligations;
- LDP05 Biodiversity;
- LDP09 Design;
- LDP06 Welsh Language;
- LDP13 Affordable Housing;
- LDP14 Conservation Areas; and
- LDP40 Trees and Development.

3.10 An assessment of the relevance of the above policies and how the proposal complies with them is provided within section 5 of this statement.

4. The proposed development

Planning history

- 4.1 The current scheme is a resubmission to a previously withdrawn planning application (ref: DC/0/50192) for a development of the same description.
- 4.2 The scheme has been amended several times since first being submitted as a pre-application enquiry (PPE) to the Local Planning Authority in 2019 (ENQ/28813). Following the initial PPE discussions, an initial PAC for the site was undertaken for erection of 11 detached houses and an apartment block (Figure 4.1).

Figure 4.1 Original proposed site layout under initial PAC



- 4.3 It had been established at the first PPE stage that as the site is within the settlement boundary of Colwyn Bay, the proposal was acceptable in principle, subject to sustainability principles, and impact on heritage assets, visual amenity, residential amenity, biodiversity/nature conservation, trees/landscaping, highway safety etc.
- 4.4 Following the initial PAC, it came to light that the location of the apartment block was subject to a covenant, restricting the area covered by trees to be occupied by a single dwelling only.
- 4.5 The applicant then involved Penrhyn Homes in the scheme, and the site was redesigned again to adhere with this restrictive covenant. A layout of the site was

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amended to a linear formation and a single dwelling was located in the wooded area in the eastern part of the site. This scheme underwent a PAC, and following this, the formal planning application (ref: DC/0/50192) was submitted to the Local Planning Authority.

4.6 Figure 4.2 shows the former layout proposed under that said application.

Figure 4.2 Extract of the previously proposed site layout under DC/0/50192



4.7 However, the planning application was withdrawn due to concerns raised by the conservation officer, tree officer and planning officer with the proposed layout of the scheme, noting the cramped spacing between houses, the single, linear formation of development and the impact on important trees within the woodland area in the eastern part of the site.

4.8 Following the withdrawal of DC/0/50192, the applicant engaged in Pre-Planning Enquiry discussions with the Council to develop an amended scheme which would be acceptable to the Council. The current scheme has been designed taking into account the feedback from the Council; it now reflects a site layout more reflective of the initial layout, but with no buildings proposed within the woodland area in the eastern part of the site.

4.9 The current proposal relates to the erection of nine detached houses and two semi-detached houses (plots 4-14), together with the creation of an access road to serve the site. It is proposed to develop plots 1-3 as a separate phase of development, making

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a total of 14 in total. A planning application for the additional three plots will be submitted to the Local Planning Authority at a later stage.

The proposed development

- 4.10 The proposal relates to a residential development, the current scheme comprising of a total of 11 dwelling units, including nine detached dwellings and a pair of semi-detached dwellings. The housing mix comprises of:

Table 4.1 Proposed housing mix

Dwelling type	Number of beds	No. of storeys	Number of units
The Tudor – detached dwelling	4	3	1
The Oakwood – detached dwelling	4	3	1
The Hathaway – detached dwelling	4	3	2
The Cherrington – detached dwelling	4	3	1
The Cherrington V1 – detached dwelling	4	3	2
The Westbury V1 – detached dwelling	4	2	1
The Westbury V2 – detached dwelling	4	3	1
Affordable - semi detached dwelling	3	3	2

- 4.11 Two of the units are proposed as affordable dwellings, these being two 3-bed semi-detached dwellings.
- 4.12 A further three dwellings would be provided by way of a separate planning application, to be submitted at a later date. This would amount to a total of 14 dwellings to be provided.
- 4.13 An extract of the proposed site layout is provided in Figure 4.3.

Figure 4.3 Extract of the current site layout plan proposed



- 4.14 The dwellings would form a cul-de-sac, with the dwellings themselves located in the middle of the site and the private garden areas facing out towards the north, west and south boundaries. The adjacent small woodland area at the corner of Oak Drive and Walshaw Avenue is proposed to be retained; no dwellings are proposed in this part of the site. Additional planting and landscaping will also form part of the scheme.
- 4.15 A new tarmac vehicular and pedestrian access is proposed from Oak Drive to serve the development, flanked by a 1.8m wide pedestrian footway on both sides. A beech hedge is proposed along the frontage of the site along Oak Drive, with a hawthorn / blackthorn / hazel hedge along the northern boundary of the site.
- 4.16 The dwellings would be a combination of two and three storeys with a variety of designs. All dwellings will have a facing brick elevation with differing detail in terms of the render, brick plinth detail, headers and cills. The full materials specification accompanies this application. Each dwelling will have two parking spaces, and plots 5-9 would be served with detached/attached garages. All of the dwellings would benefit from private garden areas to the rear. Figures 4.4 to 4.11 show the proposed front and rear elevations of the dwellings.

Figure 4.4 The Tudor elevations



Figure 4.5 The Oakwood elevations



Figure 4.6 The Hathaway elevations



Figure 4.7 The Cherrington elevations



Figure 4.8 The Cherrington V1 elevations



Figure 4.9 The Westbury V1 elevations



Figure 4.10 The Westbury V2 elevations



Figure 4.11 Affordable dwellings elevations



4.17 Some trees are proposed to be removed; some due to their poor quality and others in order to facilitate the development. However, where possible, all efforts have been made to retain existing trees. The proposal incorporates a tree and landscaping scheme with additional trees proposed for the site including along the northern boundary, along with a biodiversity enhancement scheme. Further details are provided within the Landscape Masterplan and Woodland Management Plan submitted with this application.

5. Main considerations

Principle of development

- 5.1 In line with PPW, the Conwy LDP sets out policies to promote sustainable development within the Plan area. The application site lies within the development boundary of Colwyn Bay, where residential development is encouraged. Policy DP/2 and HOU/1 set a presumption in favour of residential development on suitable sites within the urban areas as these are considered to be sustainable locations with good access to services and facilities. The principle of residential development is therefore acceptable, subject to sustainability principles and other material planning considerations which are discussed in turn.

Housing density

- 5.2 Policy HOU/4 seeks a density of 30 dwellings per hectare on allocated sites and large windfall sites (10 dwellings above), except in cases where natural and/or built environment or infrastructure constraints impact on the site layout.
- 5.3 The application site together with the area proposed for the three additional dwellings measures 0.84 ha and could potentially accommodate 25 dwellings when applying the above ratio. The proposal provides for nine detached dwellings and two semi-detached dwellings, providing a total of 11 units, and a further three units are proposed (plots 1-3) at a later date. A total of 14 dwellings would be lower than the expected ratio of 30 dwellings per hectare expected by policy HOU/4, however it reflects the site's location within a conservation area, the existing woodland at the eastern end and the topography of the site. In accordance with PPW, the proposal seeks to make efficient use of land for the provision of a mixture of dwellings whilst taking into account the historic and natural environment.

Housing mix

Proposed scheme for 11 dwellings

- 5.4 Policy HOU/5 states that housing developments should reflect the requirements for tenure, house types and sizes as set out in the Local Housing Market Assessment (LHMA) and the Affordable Housing/First Steps Registers, unless it can be

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demonstrated that local circumstances suggest a different housing mix would better meet the local needs.

- 5.5 Due to the reduction of average household size, the Conwy LHMA recommends a mix of 10% one bedroom, 20% two bedroom and 35% each of three and four (or more) bedrooms.
- 5.6 Policy HOU/2 requires an affordable housing provision of 20% in Colwyn Bay, which equates to 2.2 dwellings in this instance. It is proposed to provide two no. three bedroomed affordable dwellings on the site.
- 5.7 Housing need figures received from Housing Services at Conwy County Borough Council identify the following demand for affordable housing:

Table 5.1 Affordable housing need (October 2020)

Tenure	1-bed	2-bed	3-bed	4-bed
Social	167	100	59	36
Intermediate	10	27	28	2

- 5.8 The intermediate demand can be broken down into the following property type:

Table 5.2 Intermediate housing need (October 2020)

House type	1-bed	2-bed	3-bed	4-bed
Bungalow	0	2	1	0
Flat	6	18	0	0
House	4	7	27	2

- 5.9 The social housing demand can be broken down into the following property type:

Table 5.3 Social housing need (October 2020)

House type	1-bed	2-bed	3-bed	4-bed
General needs	129	90	58	33
Older persons	38	10	1	3

- 5.10 Pre-application discussions with Housing Services indicated that the affordable housing provision at the site should comprise of a 50/50 split between social and intermediate units. In light of this, one of the affordable dwellings is proposed as a social housing unit and the other as an intermediate unit.

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- 5.11 Therefore the proposed housing mix is considered to be acceptable as per discussions with the Housing Service.

Proposed scheme for 3 additional dwellings

- 5.12 Policy HOU/2 states that off-site provision or commuted payments for affordable housing will be acceptable for development proposals consisting of 3 or less dwellings.
- 5.13 The three additional dwellings proposed on plots 1-3 (to be submitted via a separate planning application at a later date) would be provided as open market dwellings, and a financial contribution would be provided for affordable housing, in line with Policy HOU/2.

Planning obligations

- 5.14 In line with Policy DP/5, all new development will be expected to make adequate contribution towards new infrastructure to meet the additional social, economic, physical and/or environmental infrastructure requirements arising from the development.

Public open space

- 5.15 Policy CFS/11 of the LDP states that new housing development of 30 or more dwellings should provide on-site recreational open space, in line with the Council's standards for open space of 3 hectares per 1000 population. The explanatory text of the policy states that for residential developments of 30 or more dwellings, the Council will seek the provision of on-site children's play facilities and a financial contribution to off-site outdoor sports space.
- 5.16 The proposal is for 11 units, with a further three units proposed separately. Therefore, there is no requirement to provide public open space on site and therefore a commuted sum towards the provision of off-site public open space is proposed.
- 5.17 Pre-application discussions with the Council have also confirmed the need for planning obligations towards waste, allotments and libraries as part of the scheme for 11 dwellings.

Residential amenity

- 5.18 Policies DP/3 and DP/4 of the LDP seek to protect the amenity of local residents. CCBC's Design guide for householders SPG provides minimum separation distances between dwellings, in order to protect the amenity of existing and future occupiers of dwellings.
- 5.19 There are two residential dwellings which directly adjoin the boundaries of the application site; Greenbank to the west and 30 Walshaw Avenue to the north. Due to the topography of the site, proposed levels and separation distances, there would be minimal overlooking.
- 5.20 Within the proposed development, all properties would be sited in the middle of the site, with the front elevations facing out over the proposed access road. The rear elevations would face out towards the site boundaries to the north, west and south, and the rear gardens would back out towards these boundaries accordingly. By virtue of their layout, separation distances and orientation, no overlooking is expected between these dwellings.
- 5.21 The privacy of the neighbours is retained through the layout of the site, orientation of the proposed dwellings and the provision of suitable boundary treatments that would separate the properties from one another.

Visual amenity and impact upon heritage assets

- 5.22 The application site lies within the Pwllcrochan Conservation Area. Special consideration must be given to the desirability of preserving or enhancing the character and appearance of the conservation area.
- 5.23 There are also a number of listed buildings in the surrounding area. Of these, due to the distance, intervening topography, vegetation and buildings, the only one that is considered to have the potential to be affected by the proposal is Walshaw which is located to the south of the application site. Walshaw is a large Grade II listed building built of mostly of red brick, with distinctive detailing, under a red tile roof. It sits above the application site, on the opposite side of Oak Drive.

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- 5.24 The application is accompanied by a Heritage Impact Assessment which considers the potential effect of the development on historic assets including the Pwllcrochan Conservation Area and the Grade II listed building of Walshaw.
- 5.25 Whilst there will be an impact of the setting of Walshaw, this has already been compromised by the previous residential development adjacent to the house. The proposed scheme will not impact on the existing setting of Walshaw, which is that of a large dwelling in an elevated position in a predominantly residential area.
- 5.26 In addition to this, it is not considered that the proposed scheme will have an unacceptable detrimental impact on the Conservation Area and that it offers the opportunity to improve elements such as the streetscene along Oak Drive and Walshaw Avenue.
- 5.27 There is a balance to be achieved between the development of this site, which comprises previously developed land in the main, and protecting the historic environment. As demonstrated in this report and accompanying documents, it is considered that the proposal is in line with the relevant policies and guidance and will provide an appropriate new use for the site.
- 5.28 The amended layout for the site has been developed in discussions with the local planning authority, conservation officer and tree officer who were supportive of the amended site layout. Design amendments have also been incorporated into the proposed dwellings, especially to their rear elevations in order to provide more character to their design which would better integrate the scheme into the Conservation Area.

Trees

- 5.29 A small area of woodland is present within the eastern part of the application site. The application is accompanied by an Arboricultural Impact Assessment which has informed the layout of the proposal and considers the potential effect of the proposed development on trees.
- 5.30 Concerns were raised by the tree officer during the course of the previous application for the site (DC/0/50192) that too large a number of important trees were being removed to accommodate the proposal. In response to the concerns raised, the scheme has been amended so as to remove all buildings from the woodland area in the eastern part of the site.

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- 5.31 Some trees are still proposed to be removed as part of the proposal, but the majority of these are due to their poor condition or small size or to alleviate damage or excessive nuisance. All significant boundary tree cover will be retained and no category A or B trees are proposed to be removed; the only trees to be removed are category C (low quality) trees.
- 5.32 The construction activity and proposed changes have the potential to affect the trees to be retained, unless appropriate protective measures are taken to protect them. However, if the appropriate precautions to protect the retained trees as specified and implemented through the arboricultural method statement included in the Arboricultural Impact Assessment report, the overall impact of the proposal on local character will be limited to the short term only, with no significant visual impact in the wider setting. Tree planting is proposed as part of the landscaping scheme.
- 5.33 Discussions with the tree officer have been undertaken during the development of the amended site layout through the pre-application enquiry discussions. Feedback received has been incorporated into the proposed scheme.

Loss of playing pitches

- 5.34 The application site along with the additional site for the three dwellings on plots 1-3 comprises of the former sports court that were formerly used by Rydal Penrhos School prior to being sold as part of a redevelopment of facilities at Rydal Penrhos to provide a twenty-first century education for its pupils. Rydal Penrhos is a private school and therefore the tennis courts were only available for use by Rydal Penrhos pupils and was not a community facility. All weather tennis courts provision is being provided by Rydal Penrhos for its pupils and therefore the application site was surplus to requirements.

Water conservation

- 5.35 Policy NTE/10 of the LDP states that development shall be required to incorporate water conservation measures where practicable, and that all major development proposals should be accompanied by a Water Conservation Statement.
- 5.36 A Water Conservation Statement is provided for the scheme by way of the Drainage Strategy submitted as part of this application, which provides details of the proposed SuDS surface water drainage and foul drainage for the site.

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- 5.37 The Drainage Strategy proposes that runoff will be discharged to Welsh Water sewer via a flow restrictor and attenuation storage (underground tank/pip/permeable paving). Attenuation storage will be required on site in order to restrict surface water discharge to 5 l/s.
- 5.38 In terms of foul drainage, foul flows are proposed to discharge to a Welsh Water public sewer network in the vicinity of the site.

Welsh language

- 5.39 CCBC has demonstrated its support towards safeguarding the Welsh language through the planning system by developing policies which seek to ensure that all forms of development support the character and language balance of predominantly Welsh speaking communities. The planning system also seeks to defend such communities from inappropriate development which has the potential to undermine the Welsh language.
- 5.40 Policy CTH/5 of the LDP requires the preparation of a Community and Linguistic Impact Assessment (CLIA) to accompany planning applications for housing applications for 20 units of more within the Urban Development Strategy Area.
- 5.41 In accordance with the above policy, a CLIA has been prepared and submitted as part of the planning application for the proposed 11 dwellings.
- 5.42 By virtue of the nature of the proposed development, the CLIA concludes that it is not anticipated that the proposal would result in a significant increase of the local population in a way which could negatively affect upon the Welsh language characteristics of the area of Colwyn Bay. The provision of the affordable housing units will aid in meeting the local housing needs for local people, and the proposed open-market units would provide housing for families and the working age population meeting an identified need for three- and four- bed family dwellings in the area.
- 5.43 When considering the overall effect of the proposed development on the Welsh language in Colwyn Bay, an important consideration, is the effect on the proportion of Welsh speakers.
- 5.44 The site lies in the built-up area of Colwyn Bay where 19.6% of the population spoke Welsh in 2011. It is expected that there would be in-migration of people from other areas within Conwy (which as a whole has a higher proportion of Welsh speakers

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(27.4%) than Colwyn Bay (19.6%)), as well as neighbouring areas such as Gwynedd (which recorded 65.4% of its population as Welsh speakers in 2011).

- 5.45 This has the potential to positively contribute towards the absolute number of Welsh speakers in Colwyn Bay. However, this is not expected to have a noticeable effect on the use of Welsh within the community.
- 5.46 On balance, the development is not expected to have a detrimental effect on the proportion of Welsh speakers in the community of Colwyn Bay.

Biodiversity

- 5.47 Policy NTE/3 of the LDP requires development proposals that may have an impact on protected species or designated sites of nature conservation to be accompanied by due assessment of the potential impacts of development, including mitigation proposals.
- 5.48 As part of this application, a Preliminary Ecological Appraisal has been undertaken for the site, and forms part of the documents submitted with this application. The findings of the surveys demonstrated that the woodland copse area and scrub have the potential for amphibians, badgers, bats, hedgehogs and nesting birds.
- 5.49 These areas have limited potential for reptiles, due to the dense shade. The poor improved grassland and amenity grass have potential for foraging badgers and some potential for reptiles. These areas and the woodland copse area support a range of invertebrates, which provides a good food-source for birds and for foraging bats.
- 5.50 Some trees and vegetation will need to be removed to facilitate the proposed development, which will result in some loss of habitat. The outlier badger sett is to be retained. A post-construction landscaping scheme including new tree and hedge planting and grassed areas, has been prepared (see Woodland Management Plan), to compensate for any loss of habitat and to enhance the site. The hedges on site do not qualify as 'important' with regards to the Hedgerow Regulations 1997, made under Section 97 of the Environment Act 1995.
- 5.51 The majority of the mature trees on the East and South boundaries of the woodland copse area will be retained and special measures implemented to protect the retained trees. New hedge and tree planting on the northern, southern and western boundaries and elsewhere on the site will provide wildlife corridors.

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- 5.52 Biodiversity enhancement is proposed by way of bat and bird boxes installed in mature trees and on the proposed dwellings.
- 5.53 By incorporating mitigation and Reasonable Avoidance Methods (RAM), the proposed development should have no detrimental effect on the favourable conservation status of bats, great crested newts and other amphibians, reptiles, badgers or other mammal species.

6. Other design considerations

Design and materials

- 6.1 Following a review of the scheme, eight different house types are proposed for the dwellings. The Tudor, Oakwood, Hathaway, Cherrington, Cherrington V1, Westbury V2 and Affordable house types are three storey dwellings, whilst the Westbury V1 house type is a two storey dwelling. (All the dwellings have a steep pitch to the roof and features which reflect the Victorian nature of the surrounding dwellings.
- 6.2 In terms of materials, the details vary between the design however the key elements are proposed as follows:
- Roof – Marley small concrete plain roof tile in English dark red
 - Walls – Forterra Hampton rural blend facing brick, ivory K rend (where applicable)
 - Windows – white PVCu
 - Fascia/sofits – white PVCu Gutters/RWP: black PVCu
 - Front door – black composite
- 6.3 In keeping with other buildings in the Conservation Area, red roof tiles are proposed for the roofs of the new buildings. Whilst PVCu is not a traditional material that is found in Conservation Areas, it has been allowed in the nearby development of Oakwood on the opposite site of Oak Drive, and on the apartment block at 53-55 Oak Drive, both sites being located within the Conservation Area. A precedent has therefore been set in this respect, and PVCu can be acceptable in some new developments within Conservation Areas, provided the detail, profile, design and colour are appropriate.

Environmental sustainability

- 6.4 Careful consideration has been given to sustainability of the proposed development, in accordance with Strategic Policy DP/1 of the LDP.
- 6.5 The provision of on-site affordable dwellings would provide housing for the local community. The commuted sum proposed with the application for plots 1-3 would contribute towards the provision of affordable housing off-site.
- 6.6 Suitable methods of drainage have been explored and the scheme utilises sustainable drainage methods for surface water disposal foul drainage within the area. Further

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details on the drainage scheme are provided within the Drainage Strategy submitted as part of this planning application.

- 6.7 The proposal helps to secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area with the added economic benefits of employment during the construction phase.

Community safety

- 6.8 The proposed development has been designed with the safety and well-being of future residents being a key consideration as well as the need to protect and enhance the safety of the surrounding community.
- 6.9 The development would be easily accessible by private and public transport, as outlined within section 7 of this Statement, with the nearest bus stop located an approximate 6-minute walk away from the site.
- 6.10 Natural surveillance of the proposed internal street is provided through the orientation and layout of the development. Therefore, it is not considered that the proposed development will have any detrimental effect on community safety or on the amenity of nearby residents or uses.

7. Accessibility

Planning policy

- 7.1 The relevant national policies and guidance relating to accessibility are set out within:
- Planning Policy Wales, Edition 11, (2021); and
 - Technical Advice Note 18 'Transport' (2007).
- 7.2 The relevant planning policies within the adopted LDP are as follows:
- Policy STR/1 Sustainable Transport Development and Accessibility;
 - Policy STR/2 Parking Standards;
 - Policy STR/3 Mitigating Travel Impacts;
 - Policy STR/4 Non-motorised Travel

Movement to, from and within the development

- 7.3 A new vehicular access is proposed from Oak Drive to serve the dwellings proposed, flanked by a 1.8m wide pedestrian footpath on both sides, where the new houses will be located. The internal access road would run broadly east to west within the site, providing direct access for each dwelling.
- 7.4 The internal access road is not expected to be adopted, but rather to be a private access road.
- 7.5 The site access could achieve visibility splays of 2.4m x 199m to the east and 2.4m x 68m to the west which exceeds the requirement for the 30mph speed limit of the road as per the guidance set out in TAN 18.
- 7.6 The above information and further details are provided within the Transport Assessment submitted as part of this planning application. It is considered that the proposal could be accommodated within the proposed location.

Sustainability

- 7.7 PPW supports the transport hierarchy, which prioritises sustainable means of transport, including walking, cycling and public transport, over travelling by private car. TAN 18 encourages development to take place in areas which would reduce car dependency and increase social inclusion.

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- 7.8 At a local level, policy STR/1 advises that development will be located so as to minimise the need to travel. Policy STR/4 seeks to support non-motorised travel, including cycle use and walking, by ensuring that travel generating developments are located and designed to facilitate and encourage short distance trips between home, work, schools and colleges, other suitable destinations and for leisure.
- 7.9 The Active Travel (Wales) Act 2013 focuses on walking and cycling as a mode of transport and highlights the importance of planning and building walking and cycling infrastructure as well as encouraging behaviour change in Wales.
- 7.10 The Transport Statement presents an assessment of the site's accessibility for pedestrians. Numerous facilities are located within Colwyn Bay town centre (approximately 0.7 miles walking distance) to the north east of the application site including retail, health, employment and leisure amenities. Generally, the topography of the area is conducive to walking. Well-surfaced and street-lit footways are provided along both sides of Oak Drive, Walshaw Avenue, Pwllcrochan Avenue and Conway Road, which connect the site with Colwyn Bay town centre approximately 0.5 miles walk from the site.
- 7.11 In terms of cycling accessibility, National Cycle Route (NCR) 5 is located approximately 0.9 miles to the northeast of the site and provides a traffic free route to nearby locations including Colwyn Bay, Penrhyn Bay, Llandudno, Rhyl and Prestatyn.
- 7.12 In terms of public transport, the nearest bus stops to the site are located on Lansdowne Road 0.3 miles north of the site. These bus stops provide services to Colwyn Bay and Old Colwyn town centres, which provides the opportunity for interchange and access to a number of additional services offering access to a wider range of destinations. The stops on Conway Road provide access to a wider range of services and are within 0.4 miles walk of the site.
- 7.13 Colwyn Bay Railway Station is located approximately 0.8 miles from the site and is therefore within an acceptable cycling distance. Colwyn Bay Railway Station provide regular services throughout the week to locations including Shrewsbury, Rhyl, Holyhead, Chester, Warrington, Cardiff, Manchester, Manchester Airport and Birmingham.
- 7.14 Overall, the site is located in a location which provides good opportunities for sustainable travel.

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7.15 Further details are provided within the Transport Assessment submitted as part of this planning application.

Parking

7.16 Policy STR/2 of the adopted Conwy Local Development Plan (LDP) and the Parking Standards Supplementary Planning Guidance (SPG) provide guidance on the level of parking provision required for development.

7.17 The guidelines indicate maximum standards of 1 space per bedroom (maximum requirement 3 spaces) for residents and 1 visitor space per 5 units for houses and apartments in Zones 2-6, including the site location.

7.18 The scheme provides a minimum of two parking spaces per dwelling for all plots (1-14), and plots 5-9 would have detached/attached garages to serve the properties.

7.19 The Transport Assessment submitted as part of this planning application provides that the parking provision proposed for the development would be acceptable, particularly taking into account that there are opportunities to walk to bus stops, and the wide range of services and facilities within the town centre of Colwyn Bay.

8. Conclusion and summary

- 8.1 This Design, Access and Planning Statement accompanies a full application for residential development at the former sports court, Oak Drive, Colwyn Bay.
- 8.2 The current proposal comprises 11 residential units to be provided, comprising of nine detached dwellings and two semi-detached dwellings. A separate planning application will be submitted at a later date for three additional residential units for plots 1-3, as demonstrated on the proposed plans.
- 8.3 The site was previously used as tennis courts by Penrhos Rydal School, prior to becoming surplus to requirement and subsequently sold as part of a redevelopment of facilities at Rydal Penrhos to provide a twenty-first century education for its pupils. Rydal Penrhos is a private school and therefore the tennis courts were only available for use by Rydal Penrhos pupils and was not a community facility.
- 8.4 The proposal would provide a good range of housing types to include three and four bed family dwellings. Two affordable housing units would be provided on site. The affordable units would provide a mix of intermediate and social units as per discussions with the Council's Housing Services Team. Furthermore, a commuted sum towards affordable housing provision would be provided by way of the separate planning application for the three additional dwellings.
- 8.5 A new vehicular access is proposed off Oak Drive with a new private internal access road. There is a small area of woodland along the site's boundary with Walshaw Avenue and whilst some trees are proposed to be removed due to their poor condition and in order to facilitate the development, these would comprise of Category C trees only and all efforts have been made to retain the existing trees. No buildings are proposed within the woodland area following the latest feedback from the Local Planning Authority. Additionally, a landscaping scheme incorporates additional tree planting to include biodiversity enhancement.
- 8.6 The application site lies within the Pwllcrochan Conservation Area and the proposal is not considered to have an unacceptable detrimental impact on the Conservation Area and offers the opportunity to improve elements such as the streetscene along Oak Drive and Walshaw Avenue. There is a balance to be achieved between the development of this site, which comprises previously developed land in the main, and protecting the historic environment. It is considered that the proposal would provide an appropriate new use for the site.

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- 8.7 By virtue of the siting and design of the scheme, the proposal would not result in any adverse impacts upon the character of the surrounding landscape, residential amenity or highway safety.
- 8.8 As demonstrated throughout this report, the proposal is considered to be in accordance with the adopted policies and guidance within the LDP, as well as the overarching principles of the PPW and the new national guidance Building Better Places. We therefore consider that the proposed development is acceptable.

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