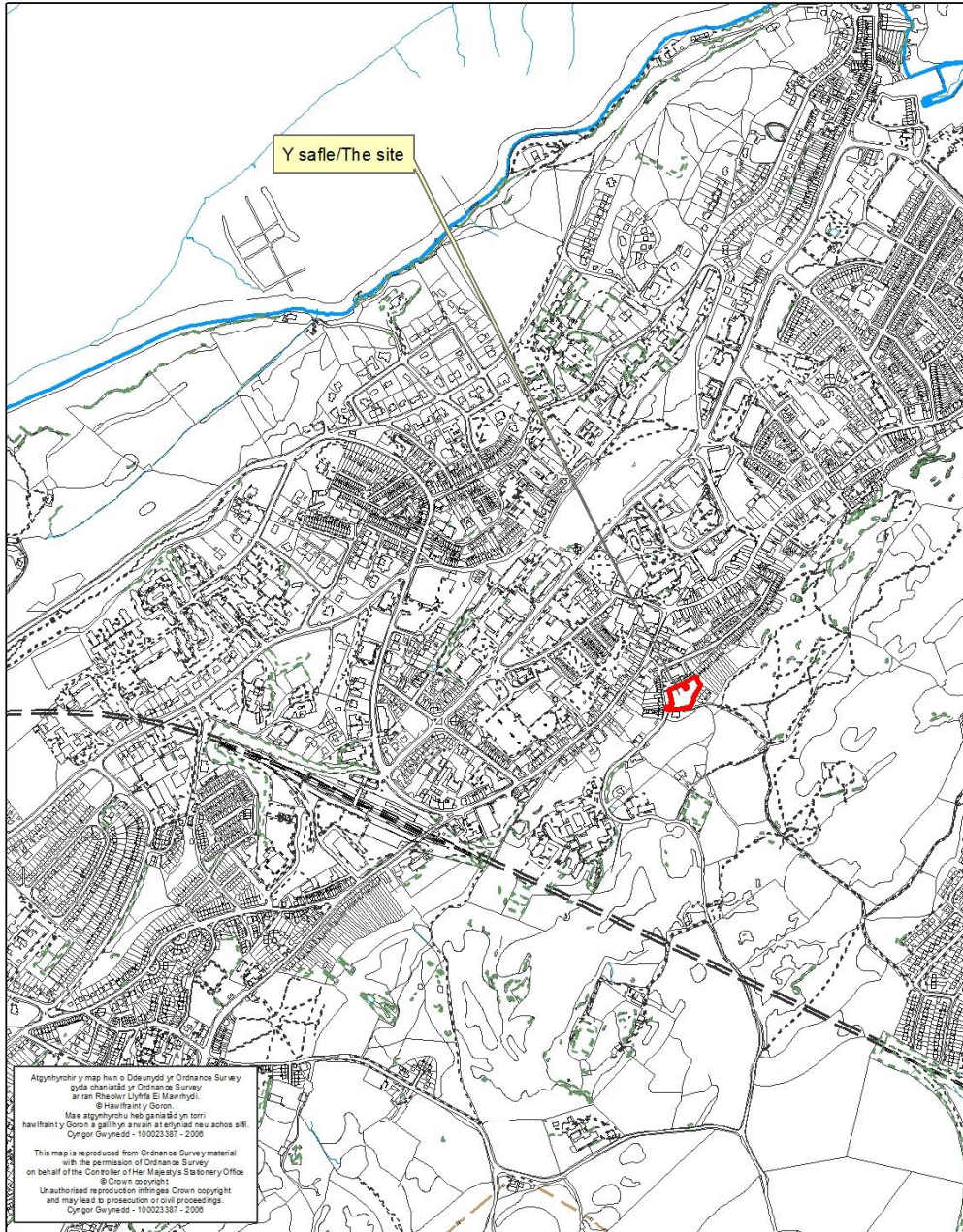


Number: 1



Rhif y Cais / Application Number : C13-1298-11-AM

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



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Application Number: C13/1298/11/AM
Date Registered: 15/05/2015
Application Type: Full - Planning
Community: Bangor
Ward: Deiniol

Proposal: FULL APPLICATION TO ERECT A TWO STOREY BUILDING PROVIDING 18 SELF-CONTAINED UNITS FOR STUDENTS, FELLING TREES PROTECTED BY A TREE PRESERVATION ORDER, AMENDMENTS TO EXISTING VEHICULAR ACCESS TOGETHER WITH CREATING A NEW ACCESS FOR PEDESTRIANS AND LANDSCAPING

Location: LAND ADJACENT TO LON POPTY, LÔN POPTY, BANGOR, GWYNEDD, LL57 1HR

Summary of the Recommendation:

TO DELEGATE THE RIGHT TO APPROVE SUBJECT TO SIGNING A SECTION 106 LEGAL AGREEMENT (CONTRIBUTION TO IMPROVE AN OPEN PLAY AREA)

1. Description:

- 1.1 This application is a full application for planning permission to erect a two-storey building to provide 18 self-contained units for students, felling trees protected by a tree preservation order, amendments to existing vehicular access together with creating a new access for pedestrians and landscaping.
- 1.2 The site is located within a residential area on the outskirts of Bangor City, but within the development boundary as shown in the Gwynedd Unitary Development Plan. The site is located on steep land near the Lôn Popty public road. In total, the site measures approximately 0.2 hectare and is empty but has been overgrown for some time.
- 1.3 Parallel to the site's boundaries is a row of houses (Tan y Bryn) which back onto the site, together with a row of houses (Lôn Melin Esgob) facing over the site, and a Grade II listed building (Bodifyr). There is a terrace of houses together with the Lôn Popty public road on a lower level than the site, as well as a fairly substantial stone workshop. Further up Lôn Popty is Bryn Eithin student accommodation together with the student accommodation site at the former St Mary's college.
- 1.4 The proposal involves the erection of a two storey extension measuring approximately 26m by 13m and 4.8m high to the eaves, and 8.5m high to the ridge. The building would provide 18 separate living units for students, together with two internal storage areas and a room for equipment such as a boiler etc. It is proposed to have a slate roof and to finish the building's walls with a white render with detailed sections of timber cladding.
- 1.5 It is proposed to improve the existing access by moving back the wall that borders with the junction and Lôn Popty. It is also proposed to provide four parking places together with a bin storage area. There is room for vehicles to turn within the building's curtilage with a level path that goes around the building.
- 1.6 The proposal also includes felling a number of trees on the site that are protected under a Tree Preservation Order as well as planting new trees in their place. A landscaping plan has been submitted to illustrate this.
- 1.7 As required with an application of this type, the following information was submitted as part of the application.

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- Design and Access Statement
- Language and Community Statement
- Landscaping Scheme
- Cross-section plans of the site and the proposal
- Ecological report

1.8 This application was originally submitted as an outline application to erect a building to provide 32 student flats. Following extensive discussions regarding the suitability of the site for this type of building, the proposal was reduced and submitted as a full application in order to enable the Local Planning Authority to deal with all the relevant matters.

2. Relevant Policies

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Gwynedd Unitary Development Plan 2009:

POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF LISTED BUILDINGS

Ensure that proposals have no effect on the setting of Listed Buildings and that they conform to a series of criteria aimed at safeguarding the special character of the Listed Building and the local environment.

POLICY B19 – PROTECTED TREES, WOODLAND AND HEDGEROWS

Proposals which will lead to the loss or damage of a protected tree, woodland or hedgerow will only be permitted when the development's economic and/or social benefits outweigh any harm.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals which are likely to cause disturbance or unacceptable damage to protected species and their habitats unless they conform to a series of criteria aimed at safeguarding the recognised features of the site.

POLICY B22 – BUILDING DESIGN

Promote good building design by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and character of the local landscape and environment.

POLICY B23 – AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B27 – LANDSCAPING SCHEMES - Ensure that permitted proposals incorporate high quality soft/hard landscaping which is appropriate for the site and which takes into consideration a series of factors aimed at avoiding damage to recognised features.

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POLICY B28 – UNSTABLE LAND

Proposals on land, or adjacent land, which is or is likely to be unstable, will be refused unless a series of criteria can be satisfied that aim to avoid harm to the development and the stability of the land or adjacent land.

POLICY C1 – LOCATING NEW DEVELOPMENT

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY B33 – DEVELOPMENT THAT CREATES POLLUTION OR NUISANCE

Protect human amenities, the quality of public health and the natural or built environment from high levels of pollution.

POLICY B35 – AVOIDING THE SPREAD OF INVASIVE SPECIES

Ensure that measures are taken to deal with invasive species where the development involves the disturbance of soil that is contaminated by invasive species.

POLICY CH3 – NEW HOUSES ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND URBAN CENTRES

Approve the construction of houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and the Urban Centres.

POLICY CH6 – AFFORDABLE HOUSING ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON SITES THAT BECOME AVAILABLE AND ARE UNALLOCATED WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES

Approve proposals for housing developments on sites allocated for housing or on random sites for five or more units within the development boundaries of the sub-regional centre and the urban centres, which provide an appropriate element of affordable housing.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council’s current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

POLICY CH39 – DEVELOP FURTHER EDUCATION AND HIGHER EDUCATION – Proposals for specific developments on a further or higher education site will be approved provided that specific criteria can be complied with relating to amenity and highway matters and in terms of the character of the area and the accessibility of the site to various modes of transport.

POLICY CH43 – PROVISION OF OPEN SPACES OF RECREATIONAL VALUE IN NEW HOUSING DEVELOPMENT

Expect that new housing developments of 10 or more dwellings in areas where the existing open spaces provision cannot meet the needs of the development provide suitable open spaces of recreational value as an integral part of the development.

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As well as the above, full consideration is given to the Authority's adopted Supplementary Planning Guidance (SPG), which are material and relevant considerations, and in this case the following are relevant:

SPG – Planning and the Welsh Language
 SPG - Housing developments and open spaces of recreational value

Gwynedd Design Guidance

2.3 National Policies:

Planning Policy Wales Version 7, 2014

Technical Advice Notes (TAN)
 TAN 4: Retailing and Town Centres
 TAN 12: Design
 TAN 18: Transportation
 TAN 20: Planning and the Welsh Language

3. Relevant Planning History:

3.1	C09A/0493/11/CC	Application to undertake maintenance to trees subject to a tree preservation order	APPROVED	17-Dec-2009
3.2	3/11/275C	Residential Development	REFUSED	1990
3.3	3/11/275B	Building five dwelling houses	APPROVED	05.02.1981
3.4	3/11/275	Residential Development	REFUSED	11.10.1976

A Tree Preservation Order exists on the site.

4. Consultations: (These responses reflect the plans submitted as part of the full application submitted only)

City Council: The proposal would entail felling trees that are subject to a Tree Preservation Order this would impair on the amenities, character and the area's visual amenities. Felling protected trees would be contrary to the requirements of the TPO to protect the site's woodland character and retain the site from development and the site's Biodiversity.

Transportation Unit No objection to the amended plans but note that it is important to agree on the finished levels of the footway and the access with the Highways Department prior to completion of the work.

It is necessary to include conditions/notes regarding providing these adaptations under a street work agreement and it has to be ensured that the applicant restores the surface of the junction as part of the work and also to re-paint any road markings.

A plan is attached that notes the area to be re-surfaced, the area to be included in an adoption agreement and the length of the yellow lines

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to be painted back.

In addition, it is recommended that notes should be included regarding providing a Building Method Statement to be approved prior to commencement to ensure that the site is developed safely with as little disturbance to the local road network as possible.

Natural Resources Wales:

No objection

Welsh Water:

No objection to connection with mains water and no objection to connect with the main sewer subject to general conditions.

Biodiversity Unit:

An ecological report has been submitted with the application by Clwydian Ecology (Ecological Assessment for Lôn Popty 20th January 2014).

We are satisfied with the report and a condition needs to be included that the recommendations in the report are followed exactly.

Specifically:

- Catch and remove reptiles from the site according to the method detailed.
- Follow reasonable avoidance measures for reptiles detailed in appendix 2.
- Clear the site outside the bird nesting season (March to September)

Tree Officer:

Trees

Satisfied with the amended tree planting plan that has been submitted (Tree Replacement Proposals drawing number: 13-078-1revA by Fairley arboriculture & landscape planning ltd)

Japanese Knotweed

Satisfied with the method statement submitted for dealing with these plants on the site (Works Methodology by Japanese Knotweed Solutions 10/12/2013)

Senior Conservation Officer:

The site is located in front of a grade II listed building in Bangor. The proposal is a significant improvement in terms of design, form and size that is now reduced to a two storey building. Due to the location of this development in front of a listed building it is considered that it is inevitable that this will have a little impact on its setting, bearing in mind that the listed building is located on a higher site that is fairly visible. However, considering the reduction in size and the lower location of the application site against the slope we are of the view that the proposal would not have a significant detrimental impact on the setting of the listed building. We believe that the use of slate on the roof will also reduce the potential of any detrimental impact on the setting of the listed building.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertisement period has expired and a number of letters of objection were received on the following grounds:

- Road safety, access and increase in traffic

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- Land stability
- Impact on the setting of the Bodifyr Grade II listed building
- Privacy – Velux windows and bathrooms at the rear of 1,2 and 3 Tan y Bryn, Bodifyr listed building
- Impact on light
- Existing Tree Preservation Order
- Bats and slow worms on the site
- Over-development
- Impact on adjacent watercourse
- Pollution and nuisance
- Building materials
- Impact on the Welsh language.
- Parking
- Concentration of students in the area
- The site’s planning history includes refused applications
- Impact on tap water flow

One of the objections submitted also noted that he/she partly supported the application on the following grounds:

- The revised plans are a significant improvement to the proposal.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is empty and overgrown and situated on a slope on Lôn Popty, behind Bangor High Street and within the City’s development boundary. It has not been designated for any specific use and falls outside the Town Centre, the Town’s Main Shopping Area and the Conservation Area designations. Therefore, it is considered that the principle of developing the site complies with the requirements of Policy C1 of the UDP.
- 5.2 The proposal concerns erecting a new building to provide student accommodation. There is no specific policy in the UDP that deals with this type of development and the UDP’s housing policies (specifically, policies CH3 and CH6) or policy CH39 (Further and Higher Education Developments) which refer to developments on a higher education site are not totally relevant.
- 5.3 Consequently, there is a need to weigh up material considerations when determining whether or not the principle of the proposed development in this particular location is acceptable. Specifically, bearing in mind what is stated in Policy CH39, the reasoning for not locating the proposed accommodation on the University campus needs to be considered.
- 5.4 Looking at the student figures for 2013/2014 from the Higher Education Statistics Agency it is noted that there are 8,705 full-time students at the University. The University states that 577 students have a home address on Anglesey and 970 in Gwynedd, but there is no information on how many are undergraduates or graduates, or if they are living at home or in student accommodation in Bangor.

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5.5 The University has 3,046 built bed-spaces and there is permission for 602 additional bed-spaces at the St Mary's site that is currently being developed. In the private sector there are approximately 600 built bed-spaces and 260 are currently being built.

5.6 The following tables/numbers indicate the latest situation concerning private purpose-built student accommodation developments in Bangor in September 2015:

Table 1 – Completed units in use

<u>Application No.</u>	<u>Location</u>	<u>No. of units</u>	<u>Ward</u>	<u>Comments</u>
C10A/0123/11/LL	110/114 High Street	97	Deiniol	<ul style="list-style-type: none"> Former N&F site
C06A/0862/11/LL	Former Plaza Cinema Site	200	Deiniol	
C04A/0497/11/LL	Former British Hotel site	173	Deiniol	
C13/0545/11/LL	Tŷ Glyn	60	Hirael	
C08A/0596/11/LL	Y Waun, Holyhead Road	27	Menai	<ul style="list-style-type: none"> Change of use development of existing building (had 2 residential units) and add a 3 storey extension to give a total of 27 units.
C10A/0041/11/LL	Brynfa, Holyhead Road	21	Menai	<ul style="list-style-type: none"> Change of use development of existing building (had 2 residential units) and add 3 storey extension to give a total of 21 units.
TOTAL		578		

Table 2 – Units that are being constructed

<u>Application No.</u>	<u>Location</u>	<u>No. of units</u>	<u>Ward</u>	<u>Comments</u>
C13/0995/11/LL	137 High Street	49	Deiniol	<ul style="list-style-type: none"> 2 shops on the lower floor. Existing building has just been demolished.
C12/0211/11/LL (App/Q6810/A/12/217 7709)	Dean Street	200	Deiniol	<ul style="list-style-type: none"> Newly completed for the next educational year.
C14/0004/11/LL	Former Public	3	Deiniol	<ul style="list-style-type: none"> Public house adjacent or

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<u>Application No.</u>	<u>Location</u>	<u>No. of units</u>	<u>Ward</u>	<u>Comments</u>
	House, Willis Hall			part of former British Hotel.
C14/0553/11/LL	Former garage near Belle Vue Upper Bangor	13	Menai	
TOTAL		265		

Table 3 – Units with Permission but work not commenced

<u>Application No.</u>	<u>Location</u>	<u>No. of units</u>	<u>Ward</u>	<u>Comments</u>
C13/0203/11/LL	Former Victoria Building Land, Plas Llwyd Terrace	36	Deiniol	<ul style="list-style-type: none"> • Permission for 2 buildings. • Work not commenced at this site.
C99A/0135/11/LL	Erw Goed, Deiniol Road	44	Deiniol	<ul style="list-style-type: none"> • This site is adjacent to Asda entrance. • Existing buildings on site have been demolished but not sure if work has taken place to keep this permission valid.
TOTAL		80		

Table 4 – Applications currently being considered

<u>Application No.</u>	<u>Location</u>	<u>No. of units</u>	<u>Ward</u>	<u>Comments</u>
C13/1298/11/AM	Near Lôn Popty	18	Deiniol	<ul style="list-style-type: none"> • Revised application numbers reduced by approximately 30 units.
C15/0016/11/LL	Former Three Crowns Public House	15	Deiniol	Appeal lodged
C14/0832/11/LL	196 High Street	65	Deiniol	<ul style="list-style-type: none"> • Former Debenhams building adjacent to the Cathedral
C15/0533/11/LL	Former Railway Institute Site	27	Hendre	
C15/0828/11/LL	Former Post Office	180	Deiniol	<ul style="list-style-type: none"> • Application just received
TOTAL		305		

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No. 5 – Other sites – for information

- 147/149 High Street – This development has been built and is at the rear of Kyffin Square car park and within Deiniol ward. However, having reviewed planning application (C12/1504/11/LL & C14/1029/11/LL) it refers to 11 self-contained units with 2 bedrooms and is not therefore a direct development for students.

No. 6 – Information on HMOs (Housing) and Not Paying Council Tax (September 2013)

- The following information has been collected by the Housing and Council Tax Department in September 2013, and these figures refer to the number of houses in different parts of Bangor registered by the Housing Department as housing in multiple occupation (note the Housing definition of houses in multiple occupation and the Planning definition) and/or those who do not pay Council tax.
- This information has been split into two categories firstly the whole of Bangor, and secondly Deiniol Ward within the town:
 - The whole of Bangor (based on the wards of Deiniol, Dewi, Garth, Glyder, Hendre, Hirael, Marchog, Menai and Pentir) :
 - 656 houses in Bangor are registered with the Housing Department as housing in multiple occupation (housing definition);
 - 809 houses in Bangor do not pay Council tax (note – we cannot be certain that all these are student accommodation but a full house of students do not pay Council tax);
 - 453 houses in Bangor are in multiple occupation and do not pay Council tax;
 - Therefore, 203 houses in multiple occupation do not pay Council tax and 356 houses do not pay Council Tax are not registered as multiple occupation houses;
 - Total of **1,012 houses** in Bangor are either in multiple occupation or do not pay Council tax (i.e. 453 + 203 + 356).
 - The total number of houses in Bangor is 6,597 and therefore 1,012 houses are either houses in multiple occupation or do not pay Council tax which is equivalent to 15.3% of the housing stock in the City.
 - Deiniol Ward
 - 120 houses in Deiniol Ward are registered with the Housing Department as housing in multiple occupation (housing definition);
 - 130 houses in Deiniol Ward do not pay Council tax (note – we cannot be certain that all these are student accommodation but a full house of students do not pay Council tax);
 - 82 houses in Deiniol Ward are in multiple occupation and do not pay Council tax;
 - Therefore, 38 houses in multiple occupation do not pay Council tax and 48 Houses who do not pay Council Tax are not registered as multiple occupation houses;
 - Total of **168 houses** Deiniol Ward are either in multiple occupation or do not pay Council tax (i.e. 82 + 38 + 48).
 - The total number of houses in Deiniol Ward is 606, therefore 168 houses are either houses in multiple occupation or do not pay Council tax which is equivalent to 27.7% of the Ward's housing stock.

5.7 Therefore it is clear that all student accommodation needs are not addressed within purpose built student accommodation.

5.8 It is noted that the Inspector in his appeal resolution in relation to an application to provide student accommodation on the former Jewson site, stated that 'there was an obvious need to

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provide more student accommodation in Bangor'. This observation was made following approval (on appeal in March 2011) of residential student accommodation at 110-114 High Street for 97 bedrooms.

- 5.9 Therefore it is considered that a clear need exists for purpose-built student accommodation. This has the potential of having a positive impact on the local housing market as it can release multiple occupation housing for use by local households that need such housing and provides quality student facilities and is formally regulated.

Open spaces

- 5.10 In accordance with the requirements of the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value' an open play area of 432m² will need to be provided for Youth and Adults associated with the proposal. In this case, an open play area cannot be provided within the site. There is a lack of open play spaces in Bangor to satisfy existing need and therefore in accordance with the guidance and policy CH43 of the UDP, it is necessary for the developer to offer suitable provision off the site that is accessible and close to the development or, where this is not practically possible, to contribute financially towards new facilities or improved facilities including equipment in another area. Long term aftercare should also be ensured and maintenance of open air play areas (including equipment) provided.
- 5.11 In this case it is considered that it is not possible to provide an open play area of this size within the curtilage of the development site or within the Bangor settlement. Therefore the only option is that the developer contributes financially to improving the existing facility that is local to the development site. The agent has confirmed that they agree with this in principle and the Local Planning Authority and the agent are awaiting confirmation from the Leisure Department of a suitable location and the facilities required at this location, in order to calculate the initial contribution and the aftercare contribution. The contribution will be secured via a 106 agreement.
- 5.12 Therefore, based on the above, it is considered that the proposal can conform with the requirements of policy CH43 and the UDP and the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value'.

Visual, general and residential amenities

- 5.13 As mentioned above the site is located within the Bangor City development boundary and is on a slope on Lôn Popty. Residential dwellings are situated above and below the site and a Grade II residential dwelling is also located further up. The original proposal, although an outline application, entailed providing accommodation for 32 students within the three storey building on the site. At the time it was considered that this development was an over-development of the site and the proposed building was likely to be too large and high and that it was not possible to accommodate as many students in a smaller building. Following extensive discussions regarding the location and size of the building, revised plans and sufficient information were received to submit a full application for the proposal.
- 5.14 A number of objections have been received referring to the size of the building and the impact it would have on local residents. It is considered that the size, design, location and height of the proposal is now in keeping with this steep area and does not entail an over-development of the site any more. The roof ridge is substantially lower and means that it will not impair on the houses above and although any building would surely have an

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impact on the houses below (Tan y Bryn) it is considered that this impact is not substantial due to the current level of the land and as bathrooms will be situated at the back of these houses facing the development. By now, it is considered that the proposal is more similar to a residential development in the form of terraced housing in terms of size and form of the proposed building, and it is considered that the building due to its location and the direction it faces, is unlikely to cause significant or unacceptable overlooking impact.

- 5.15 The site is located within a mixed area of residential, commercial and purpose built student accommodation (Bryn Eithin) and building in construction (St Mary's) and although it can be considered that purpose built student accommodation has a noise and disturbance impact that is more than expected from ordinary housing, the number of units in this case has been reduced from the original 32 to 18, and there is a possibility that residents will suffer at times from the impact of associated noise and disturbance as the site is close to the High Street, it is considered that there is no significant or unacceptable impact in this case.
- 5.16 Objections have been received based on the proposal's impact on the listed building situated above the application site and also the impact on its setting. 3D illustrative photographs have been submitted as part of the application to try to convey how the proposed building will be situated on the site and the land, and how it will compare with the surrounding houses, including this specific listed building. By now it is considered that the proposed building is a secondary element in the landscape compared with the previous proposal and it does not have a significant impact on this listed building or its character or setting.
- 5.17 The Senior Conservation Officer has confirmed that the proposal is now a substantial improvement in terms of design, form and size and the building is now two-storey and situated at a lower level than the listed building. He confirms that it is inevitable that the proposal will have a little impact on the listed building's setting as the proposal will be located in front of it, however it considered that this would not have a significant or detrimental impact.
- 5.18 It is proposed to finish the building in a rough white render with timber cladding and a slate roof. It is considered that the principle of using these finishes is suitable, subject to a formal agreement via a planning condition.
- 5.19 Based on the above, it is considered that the proposal is in compliance with the requirements of policy B22, B23, B25 and B3 of the UDP.
- 5.20 Detailed plans and information regarding landscaping on the site were submitted, and it can be ensured that these plans are implemented by imposing an appropriate condition on any planning permission granted. By ensuring that the work is carried out, it is considered that the proposal is in accordance with Policy B27 of the UDP.
- 5.21 Objections have been submitted based on the potential that land on the site is unstable. The site is located within a steep area with existing development on higher ground levels, on the same level or on a lower level than this site. Proposed and existing level plans have been submitted as part of the application that indicate that the proposal will level the site by reducing the back section by approximately 4m and will raise the central section of the site by approximately 2m. The section that will be reduced is approximately 20m away from the houses situated above and it is intended to place a retaining wall here. It is considered that the changes in the land level are not substantial and this would be unlikely to have a detrimental impact on local residents. The retaining wall together with the foundations of the building will also be assessed by the Building Control Unit. Therefore, it is considered that the proposal complies with the requirements of Policy B28.

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Transport and Access Matters

- 5.22 A number of objections have been received based on road safety, access and increase in traffic as a result of this development. The site is located within a residential area on the outskirts of Bangor City and on steep land with the existing access to the junction off Lôn Popty. The proposal entails improving the existing access by moving back the wall that borders with the junction and Lôn Popty. It is proposed to provide 4 parking spaces together with a vehicle turning area within the building's curtilage and there is a level path around the building. Nine units are situated on the bottom floor.
- 5.23 Following early observations from the Transportation Unit that requested an amended plan indicating the setting of the nearby roads and pavements in order to ensure that the access reaches the requirements. Further to receipt of the amended plan the Transportation Unit does not have any objection to the proposal subject to attaching notes on the planning permission to ensure that the developer is aware of his responsibility to accept a street works agreement and to agree on the finished levels of the highway and the entrance.
- 5.24 On the above grounds, it is therefore considered that the proposal complies with the requirements of policies CH30, CH33 and CH36 of the UDP.

Trees and Biodiversity matters

- 5.25 An ecological report has been submitted with the application by Clwydian Ecology that states that there is potential for reptiles on the site. The Biodiversity Unit has no objection to the proposal on condition that the recommendations included in the ecological report are followed. Therefore, it is considered that the proposal complies with the requirements of Policy B20 of the UDP.
- 5.26 The proposal also includes felling a number of trees on the site that are protected under a Tree Preservation Order together with planting new trees in their place. A landscaping plan has been submitted to convey this. Japanese knotweed exists on the site and a document outlining how it is proposed to dispose of it has been submitted as part of the application. The Biodiversity Unit have confirmed that the protected trees are in poor condition and therefore they have no value on the site. The Unit is also satisfied with the tree planting scheme submitted and the method statement to deal with Japanese knotweed. Therefore, it is considered that the proposal complies with the requirements of policies B19, B27 and CH35.

Language matters

- 5.27 A Linguistic and Community Impact Assessment was submitted with the application assessing whether or not the development will have a positive or negative impact, or no impact at all on existing communities and on the Welsh Language in particular.
- 5.28 The Policy Unit has confirmed that there are a fairly low percentage of Welsh speakers in Bangor, especially so in the Deiniol ward. However, it is not believed that the scale of the proposed development is likely to cause a significant growth in the population that could have a detrimental impact on the Welsh language. Bangor has a high population, especially in terms of student population. As a result, the size of the development and the following growth in population is unlikely to have a significant impact on the Welsh Language. In addition, this proposal does not mean any change in the City's population as students already exist and the availability of purpose built student living units is likely to release private housing on the open market and therefore to local residents.

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- 5.29 On the whole, therefore it is considered that the nature of Bangor, in terms of the size of the population, linguistic pattern, the variety of services and facilities available mean that the development should not have a detrimental impact on the Welsh language. Therefore it is considered that the proposal is in accordance with policy A2 of the UDP and the SPG – Planning and the Welsh Language as well as TAN 20: Planning and the Welsh Language.

Response to the public consultation

- 5.30 Concerns were highlighted regarding the impact of the proposed development on the local area, amenities of local residents, Grade II listed building, protected trees, wildlife, stability of land, highway safety, access and increase in traffic. We believe that full consideration has been given to these observations in the above report. Observations were also received regarding a nearby water course, however, Natural Resources Wales have not offered any comments/concerns relating to this in their response, and therefore it is considered that there are no real grounds for concern. Observations were also received on the impact of the development on existing residents' tap water flow in the area. Welsh Water has confirmed that they have no objection to the proposal and therefore it has to be considered that the proposal will not have an impact on the existing water supply in the area.

6. Conclusions:

- 6.1 Based on the above assessment it is considered that the application to erect a two-storey building to provide 18 self-contained student units, felling trees protected by a tree preservation order, amendments to the existing vehicular access together with creating a new access for pedestrians and landscaping is acceptable in terms of local and national policies. In addition, it is considered that the proposal will make suitable use of empty and untidy land in the centre of the City.
- 6.2 Consequently, and subject to relevant conditions and a 106 agreement to secure a contribution to improve the existing open play area in the City, the proposal is thought to be acceptable and conforms with the requirements of local and national policies and guidance, as noted above.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to signing a legal 106 agreement regarding a contribution to improve and maintain an open play area and in accordance with the following conditions:
1. Time
 2. In accordance with plans, ecological report and method statement to deal with Japanese knotweed
 3. Agree on all materials
 4. Welsh Water conditions
 5. Landscaping
 6. Parking
 7. Slate

Notes from Highways, Welsh Water, Party Wall