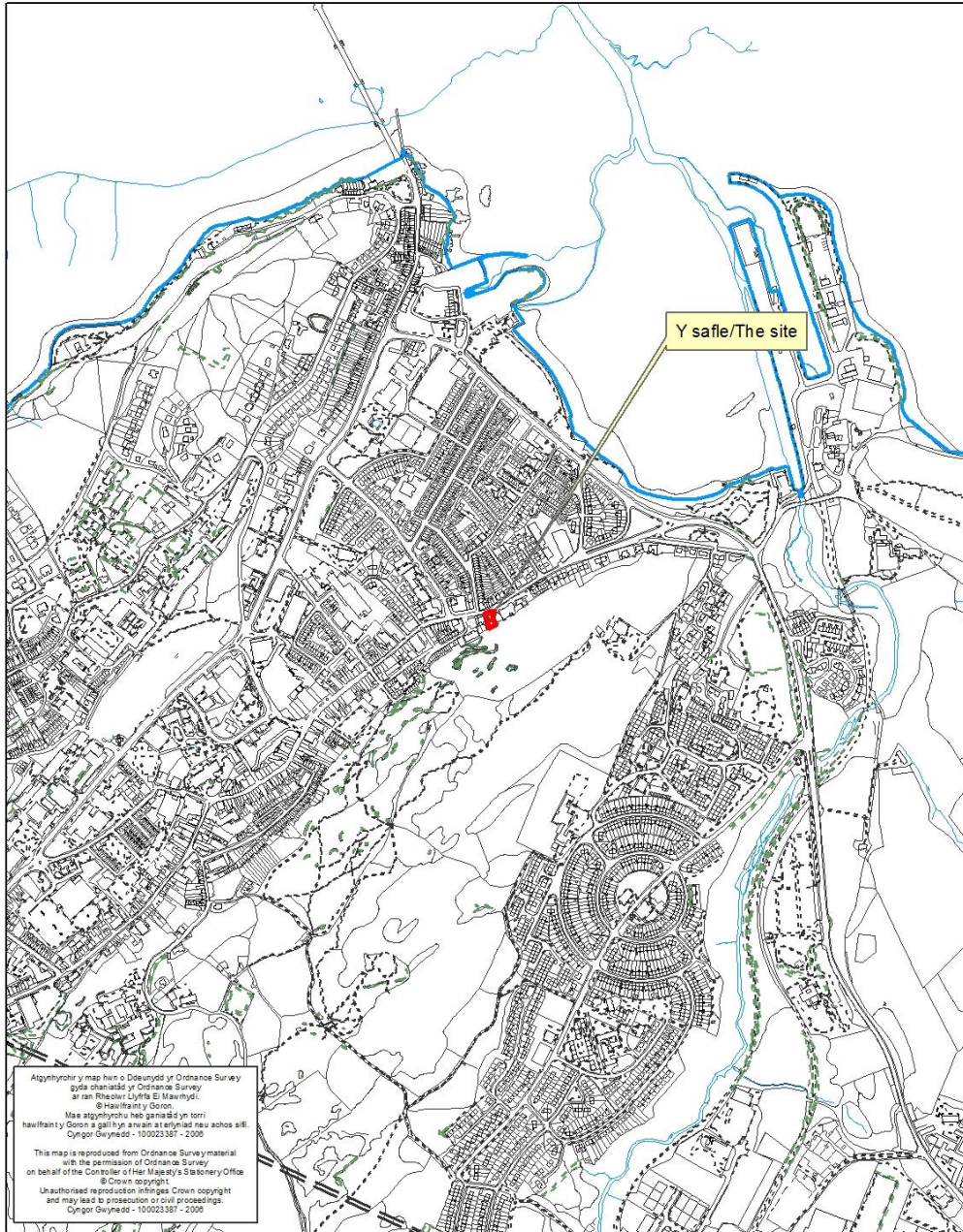


Number: 7



Rhif y Cais / Application Number : C15/0507/11/LL

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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| PLANNING COMMITTEE | DATE: 19/10/2015 |
| REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER | DOLGELLAU |

Application Number: C15/0507/11/LL
Date Registered: 28/07/2015
Application Type: Full - Planning
Community: Bangor
Ward: Hiracl

Proposal: APPLICATION TO DEMOLISH EXISTING BUILDING TOGETHER WITH THE CONSTRUCTION OF A FOUR-STOREY BUILDING WHICH PROVIDES 7 SELF-CONTAINED LIVING UNITS AND THE PROVISION OF AN ACCESS AND ASSOCIATED PARKING

Location: 390, HIGH STREET, BANGOR, GWYNEDD, LL57 1NT

Summary of the Recommendation: TO REFUSE

1. Description:

1.1 This is a full application to demolish an existing building and associated structures at the rear of the site and construct a new four-storey building which would provide 7 self-contained living units. By demolishing the existing building, the existing entrance would also be widened.

1.2 The proposed development site is located on the 'lowest' part of the High Street in Bangor and within the city's development boundaries which has been designated as a sub-regional centre in the Gwynedd Unitary Development Plan (2009).

1.3 The existing site is described in relation to its use as the applicant's roofing business centre with the building being used as offices and the yard to the rear is used to park vehicles and to store materials and equipment. There is an electricity sub-station opposite the site on its eastern boundary and the striking Plas Meuryn building beyond that, while a terrace of sizeable and striking houses (which are grade II listed buildings) abuts the western boundary.

1.4 The location of the site directly abuts the High Street with mainly residential use surrounding it, but there is also various trading use here.

1.5 Briefly, the proposed development intends to:

- Demolish all existing buildings and structures
- Construct the new building
- Provide one two-bedroom unit on the ground floor, and two units each on the first, second and third floor in the form of two one-bedroom units on each floor
- Provide parking spaces for six vehicles at the rear of the site

1.6 The living units are completely self-contained as they include a kitchen/living room, bedrooms, a bathroom and a storeroom.

1.7 The following information has been submitted to accompany the application:

- Design and Access Statement
- Planning Statement
- Language and Community Statement

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- Viability details

1.8 The details of the proposed development were not submitted through the pre-application advice procedure before the formal planning application was submitted. The application is submitted to Committee as the size of the proposed development is greater than that which can be dealt with under the delegated procedure.

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:

DESIGN STANDARD – STRATEGIC POLICY 4 - Development will be expected to be of a good design in order to ensure that it makes a positive contribution, wherever possible, to the landscape, the built environment and sustainable development.

REDEVELOPING AND REUSING PREVIOUSLY USED LAND – STRATEGIC POLICY 6 - High priority will be given to making appropriate and suitable use of previously developed land, which is suitable for development, or buildings that are vacant or not used to their full potential. Development should make the most efficient and practicable use of land or buildings in terms of density, siting and layout. A development should make the best and most effective use of land or buildings in terms of density, location and setting.

A1 – ENVIRONMENTAL OR OTHER IMPACT ASSESSMENTS - Ensure that sufficient information is provided with the planning application regarding any environmental impacts or other likely and substantial impacts in the form of an environmental assessment or assessments of other impacts.

POLICY A2 – PROTECT 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 B2 – ALTERATIONS TO LISTED BUILDINGS OR BUILDINGS IN THEIR CURTILAGE - Ensure that proposals do not cause substantial damage to the special architectural or historical character of Listed Buildings.

POLICY B3 – DEVELOPMENTS AFFECTING THE SETTING OF A LISTED BUILDING - Ensure that proposals have no adverse 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 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.

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B22 – BUILDING DESIGN - Promote good building design by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

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

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.

C1 – LOCATING NEW DEVELOPMENTS – Land within town and village boundaries 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.

C3 – RE-USING PREVIOUSLY DEVELOPED SITES - Proposals that give priority to re-using previously developed land or buildings and are located within or adjacent to development boundaries will be permitted provided the site or the building and use are appropriate.

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 DWELLINGS ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON UNALLOCATED SITES THAT BECOME AVAILABLE WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES – Approve proposals to develop housing on sites that have been allocated for housing or ad hoc sites for five units or more within the development boundaries of the sub-regional centre and the urban centres that provide an appropriate element of affordable housing.

POLICY CH30 – ACCESS FOR ALL - Refuse proposals for residential/business/commercial units or buildings/facilities for public use unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

POLICY CH33 – SAFETY ON ROADS AND STREETS - Development proposals will be approved provided they can 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.

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In addition to GUDP policies, full consideration is given to Gwynedd Design Guidelines as well as Supplementary Planning Guidance (SPG), which are material and relevant planning considerations. The following are relevant in this case:

SPG: Planning and the Welsh Language

SPG: Affordable Housing

2.3 National Policies:

Planning Policy Wales – version 7, 2014

Technical Advice Note 12: Design

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 20: Planning and the Welsh Language

Welsh Office Circular 61/96: Planning and the Historic Environment

3. Relevant Planning History:

3.1 Application no. 3/11/361 – conversion of a shop into a dwelling – approved 26.04.93

3.2 Application no. 21/70/24A - amended application to install a roof over an existing open yard - approved 17.09.71

3.3 Application no. 21/70/24 - install a roof over an existing open yard - approved 29.06.70

4. Consultations:

Community/Town Council: Refuse on the grounds of an overdevelopment, a lack of amenity and parking space, is not in-keeping with the area (next to a listed building).

Transportation Unit: No objection, recommend including standard conditions and advice.

Natural Resources Wales: Record of bats within adjacent building and therefore additional information will be required to assess the proposal in the form of a bat survey, no concern in relation to drainage matters as indicated.

Welsh Water: Standard conditions and advice.

Biodiversity Unit: Need to submit a bat and birds survey.

Trees Officer: No obvious concerns on the development's impact on trees although care should be taken when erecting a retaining wall at the rear, but no objection.

Housing Strategic Unit: It is requested that 2 of the 7 units are affordable; a discount of approximately 20% needs to be considered if they are not affordable in the first place.

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Archaeology Service: Not received.

Conservation Officer: The site is located within the city of Bangor; near Friars Terrace which contains grade II listed buildings. The proposal involves demolishing a two-storey building (which is attached to the listed building) and erecting a new four-storey building. The Design and Access Statement notes that the development would reflect the character and pattern of residential developments in the area, which mainly involves Friars terrace and Plas Meuryn. I disagree with this statement, as the Friars terrace and Plas Meuryn are traditional buildings in appearance, and the new development is completely modern. The statement also refers to the fact that the new development is an acceptable addition which adds to the listed building in relation to character and scale, but it is considered that the proposal is too large for the site and does not add to the listed terrace, but rather undermines the character. The existing building is relatively traditional in appearance and is in-keeping with the area, but it is considered that erecting a new four-storey building on the same site would dominate the site and would have a detrimental impact on the character and setting of the listed terrace.

Not received.

Civic Society:

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and correspondence was received objecting on the following grounds:

- The design of the proposed building affects the existing street scape
- The building would be insensitive to existing massing
- The finishes of the front of the building would detract from the character and design of nearby buildings, including buildings of historic interest

5. Assessment of the material planning considerations:

5.1 The principle of the development

5.1.1 This proposed development site is located within Bangor city's development boundaries, and is considered a previously developed site which forms part of the built up setting of the local area. The principle of re-developing sites like this is supported, and it is considered that the proposal in terms of its principle complies with the standard requirements of policies C1 and C3, and strategic policy 6 of the GUDP.

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- 5.1.2 In the same manner, acceptable reports and assessments have been received in relation to standard information on the application (however it must be noted that a bat and birds survey is also required). In this respect, it is believed that the basic requirements of policy A1 have been met.
- 5.1.3 The basic requirements of policy CH3 approve new houses on unallocated sites within the development boundary of the sub-regional centre. In the same manner, policy CH6 approves housing developments on windfall sites for five units or more within the development boundaries of a sub-regional centre which provide the appropriate element of affordable housing.
- 5.1.4 The Council's Strategic Housing Unit has stated that there is a general demand for these types of living units in the area. It is recommended that two of the seven units are allocated as affordable, with a discount of 20% to secure, unless the units are acknowledged as affordable due to their size/price.
- 5.1.5 Based on Policies CH3 and CH6 there is no objection in principle to re-developing this site for completely residential use (subject to ensuring an appropriate number of affordable units), its location and the types of units which are likely to be developed here are acceptable in principle. But this does not justify permitting a development on the site which creates a concern in relation to other relevant planning matters which are discussed in this assessment.
- 5.1.6 Based on the above, it is believed that the principle of developing the site and the basic elements of the application itself are acceptable, subject to full consideration of all other relevant planning matters, including observations received and compliance with all other relevant policies.

5.2 Visual amenities

- 5.2.1 The site is located in a relatively prominent location, adjacent to the lowest part of Bangor High Street. The site is surrounded by buildings of various sizes, design and appearances which have a mainly residential use.
- 5.2.2 It is inevitable that developing this site will have some impact on the area's visual amenities, and it is fair to say that any development on this site would have an impact on the area's visual amenities. This is based on comparing the physical scale with what already exists on the site, namely buildings and structures which are relatively low in height. It is acknowledged that there are adjacent buildings of significant size, but the proposal in this case would see a difference of approximately 6 additional metres in height compared with the height of the existing building.
- 5.2.3 It must be accepted that the layout of the proposed building is intentional in order to ensure that sufficient access and parking spaces are provided to the rear of the site. However, it is true to say that the proposed building would appear nearer than the existing building as its size and form would be very high in comparison to what already exists there, and because of that, it is believed that it would dominate local views. It is acknowledged that some effort has been made to convey existing views within the local area, namely inclusion of a hip roof and including more modern elements to what already exists, namely bay windows. But it is not believed that this works in this case, and that the appearance together with the size of the building means that the building would be inconsistent with the existing streetscape.

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- 5.2.4 The building's finishes would consist of render finish, with a combination of slate roofing and flat roofing. These finishes reflect the general finishes of the neighbouring area to some extents, but it is not considered that other common elements are sufficiently conveyed.
- 5.2.5 The success of developing the site depends on full consideration of the impact of any building on existing views, including the adjacent listed buildings, it is considered that it is possible to create a suitable and striking building that would not dominate the streetscape of the adjacent listed buildings, but it is not believed that this has been achieved in this case.
- 5.2.6 It is accepted that the statements submitted seek to justify the building within this site, but officers have not been convinced in this case that the size and form of the building are appropriate and acceptable for this site. The building needs to better reflect and add to the existing character, grain and interest of the local area in order to enable the development to contribute to the character of the area as well as enable it to integrate into the pattern and character of the local area, as well as not having a damaging impact on the nearby listed buildings. It is not considered that the design or the current information conveys this and therefore the development cannot be supported in the form it was submitted. Therefore, it is considered that the proposal is contrary to the requirements of policies B22 and B25 of the UDP.
- 5.2.7 The building to be demolished is attached to a part of the gable end and front elevation of 1, Friars Terrace, which forms part of a row of three striking grade II listed buildings. A separate application has been submitted for listed building permission to undertake this work.
- 5.2.8 The Senior Conservation Officer has expressed that Friars Terrace and Plas Meuryn are traditional buildings in appearance, and the new development would be completely modern. It is considered that the proposal is too large for the site and that it would not add to the value and character of the listed terrace, but would rather undermine the current character. Erecting a new four-storey building would dominate the site and would have a detrimental impact on the character and setting of the adjacent listed terrace.
- 5.2.9 Due to this, it is believed that the proposal is unacceptable and that it is contrary to the requirements of policies B2 and B3 of the UDP, as well as the basic requirements included in chapter 6: Conserving the Historic Environment within Planning Policy Wales.

5.3 **General and residential amenities**

- 5.3.1 What is proposed here must be compared with what already exists, and it must be considered whether this proposal is acceptable in relation to its impact on the area's general and residential amenities.
- 5.3.2 The principle of re-developing a site with a residential use is not unacceptable. It is clear that the majority of nearby buildings have a relatively intensive residential use. The building includes windows at its front and there would be a distance of approximately 10 metres between the building and other existing buildings near the site. It is accepted that a distance like this is relatively common in urban areas and due to this it is not likely to cause significant concern in relation to overlooking. There is an existing window on the gable end of 1, Friars Terrace and there would be

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windows on the side of the new building although it appears that they would be relatively high. It is believed that there would be some impact on the residents of this property compared with what already exists in relation to the height and form of the new building, the location of windows and its relationship with the nearby buildings.

5.3.3 It is accepted that there would be some disturbance for nearby residents during the construction period and on occasion on the grounds of any proposed re-development, but this would be likely to happen whatever would be constructed on the site or even if the current industrial/trading use intensified. It can never be ensured that a new development would have no impact on an area's amenities.

5.3.4 The site has historically been used for industrial/trading use and has been located opposite an existing public road. It is acknowledged that it is a town centre area, but it is part of an established urban/suburban area and therefore is within a varied and intensive built up form. It is therefore not an area with a low density of buildings, and areas like this are the priority to be developed rather than expanding beyond our towns' traditional and established boundaries. However, it is not considered that what was submitted was acceptable in terms of scale or design and that, in relation to size and mass, was excessive to the site meaning that the proposed development as it was submitted was an overdevelopment of the site. It is therefore not believed that this development, due to the reasons already referred to, would be acceptable in relation to complying with all the requirements of policy B23 of the UDP.

5.4 Transport and access matters

5.4.1 Although concerns have been highlighted by the City Council in relation to the parking element, the Transportation Unit does not object to the proposal. The Unit acknowledges that parking provision is expected to include one space for each unit, but 6 units are provided and given its location relatively near to the city centre and existing services, the proposal is considered acceptable.

5.4.2 As a result, it is considered that the proposal complies with the general requirements of policies CH30, CH33 and CH36 of the UDP in terms of transport and access matters.

5.5 Biodiversity Matters

5.5.1 Observations were received from Natural Resources Wales stating that there was a historic record of the presence of bats in the nearby area, and that they used nearby buildings. It is therefore noted that the Council's ecologist should be consulted with to discover the range of necessary details to be included in the bat survey.

5.5.2 The Council's Biodiversity Unit confirmed that it would be necessary to submit a bat and bird survey due to the intention to demolish the building. It is believed in this case, as there are basic concerns about other aspects of the application, that there would be no reasonable justification at present to ask the applicant to submit these necessary surveys. In order to satisfy the requirements of policy B20, it would be necessary to submit an appropriate survey before deciding on the application and as this adequate survey is not to hand, it is considered that there is a lack of information with the application to assess it against policy B20 of the UDP.

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5.6 Linguistic and Community Matters

- 5.6.1 In compliance with current requirements, a Linguistic and Community Statement was submitted with the application. In the report, recent statistics on the language's situation within the local area were noted, together with what is hoped will happen as a result of approving this information, namely providing affordable and accessible housing which will appeal to local requirements.
- 5.6.2 A formal assessment of the Joint Planning Policy Unit's statement had not been received at the time of writing this report, but it is expected that it will be received before the date of the committee. On receipt of the results of the assessment, it can be confirmed whether the proposal complies with the requirements of policy A2, Supplementary Planning Guidance and relevant Technical Advice Note.

6. Conclusions:

- 6.1 The site is located within Bangor City's development boundaries, and is considered a brownfield site because of its previous use and historic use.
- 6.2 As already noted, the principle of the development is not unacceptable, but significant amendments need to be made in terms of the design and scale of the building in order to create a plan which is suitable and acceptable for this specific site and which responds to officers' concerns as noted in the above assessment.
- 6.3 In light of the above and having given full consideration to all relevant planning matters including the responses to consultations, it is considered that the proposal is unacceptable and that it does not comply with the requirements of local and national policies and guidance as noted.

7. Recommendation:

- 7.1 To Refuse – reasons
1. The proposal is contrary to all requirements of Policies B22, B23 and B25 of the GUDP as the design does not incorporate good design principles while using methods consistent with the nature, design and scale of the development.
 2. The proposal, due to its design, size, height, scale, form and location next to the listed buildings would appear an incongruous feature and would have a detrimental impact on the appearance, character and setting of the historical site. The proposal is therefore contrary to policies B2 and B3 of the Gwynedd Unitary Development Plan and advice within chapter 6 of Planning Policy Wales and paragraph 11 of the Welsh Office circular 61/96 which states that proposals should not cause significant harm to the architectural or special historic character of listed buildings or their settings.