

<b>PLANNING COMMITTEE</b>	<b>DATE: 09/12/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 1**

**Application Number: C24/0074/11/LL**

**Date Registered: 09/02/2024**

**Application Type: Full**

**Community: Bangor**

**Ward: Bangor - East**

**Proposal: Change of use and conversion of building into nine residential units**

**Location: Bangor Independent School, Ffordd Gwynedd, Bangor, Gwynedd LL57 1DT**

**Summary of the Recommendation: To approve with conditions**

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## 1. Description:

- 1.1 This is a full application to change the use of the building and convert it to nine self-contained residential units (including two affordable units). The last and most recent use of the building was as an independent school which closed some time ago. It is proposed to modify the building to create 9 residential units, 3 two-bed units and 6 one-bed units that would include a kitchen, living room, bath and en-suite rooms. It is not proposed to carry out any work externally, there would only be internal alterations. There would be three units on the lower ground floor, two on the ground floor, two on the first floor and two on the second floor.
- 1.2 On the lower ground floor, there are external buildings attached to the building and also a separate detached building. It is proposed to use the separate building as a storeroom, and the room attached to the main property as an area for storing rubbish bins and recycling boxes along with storage for the owner and a garage.
- 1.3 The site is located within the development boundary in Bangor city centre and within the conservation area but outside the main shopping area and city centre as designated in the LDP. It is a very striking four-storey building within its own independent curtilage and is also a Grade II listed building. To the north of the site there is a public car park and the Tan y Fynwent garden, to the east lies the bus station along with the buildings of Neuadd Penrhyn and offices, the Diocese of Bangor is located to the south off of Waterloo Street and the Cathedral and Storiell museum and associated car park are located to the west. As the building is within its own curtilage, it is also proposed to provide five parking spaces.
- 1.4 A Design and Access Statement was submitted as part of the application, along with a Language Statement, Statement of Need, Traffic Construction Plan, Environmental Management Plan, Flood Consequence Assessment and Wildlife Survey (including an addendum).

## 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 considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:-**

PS1 - The Welsh Language and Culture.

PS2 - Infrastructure and developer contributions.

ISA1 - Infrastructure provision.

TRA2 - Parking standards.

TRA4 - Managing transport impacts.

PS4 - Sustainable transport, development and accessibility.

PS5 - Sustainable development.

PS6 - Mitigating the effects of climate change and adapting to them.

PS 20 - Preserving and where appropriate enhancing heritage assets.

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PCYFF1 - Development boundaries.  
 PCYFF2 – Development criteria.  
 PCYFF3 – Design and place shaping.  
 PCYFF4 - Design and landscaping.  
 PCYFF5 - Carbon management.  
 PCYFF6 - Water conservation.  
 TAI1 - housing in the Sub-regional Centre and the Urban Service Centres  
 TAI8 - Appropriate mix of housing.  
 TAI15 - Threshold of affordable housing and their distribution.  
 AT 1 - Conservation areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance (SPG): Housing Mix.  
 SPG: Planning for sustainable building.  
 SPG: Planning and the Welsh Language.  
 SPG: Affordable Housing.

#### 2.4 **National Policies:**

Future Wales: The National Plan 2040  
 Planning Policy Wales (Edition 12 - February 2024)

##### Technical Advice Notes (TAN)

Technical Advice Note (TAN) 2: Planning and Affordable Housing.  
 TAN 12: Design.  
 TAN 15: Development and Flood Risk.  
 TAN 18: Transport.  
 TAN 20: Planning and the Welsh Language.  
 TAN24: The Historic Environment.

#### 3. **Relevant Planning History:**

C17/0382/11/LL Internal and external alterations to change use of former museum into a restaurant, wine bar and 2 residential units - Approved 22/09/2017.

C17/0381/11/CR Internal and external alterations to change use of former museum into a restaurant, wine bar and 2 residential units - Approved 22/09/2017.

#### 4. **Consultations:**

Community/Town Council: Support it in principle but need more details on the parking matters for residents.

Transportation Unit: I refer to the above application and I confirm that the transportation unit does not have any objection to the proposal.

Natural Resources Wales: Observations dated 26/09/2024

We have the following technical advice to provide on flood risk for consideration by your Authority. We also refer you to our protected species advice below.

##### Flood Risk

The planning application proposes highly vulnerable development for

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the conversion of an existing highly vulnerable development into 9 residential units. We have not received confirmation whether your Authority considers this to be an intensification of highly vulnerable use. Our advice is provided on the basis that the application is not an intensification. There may be an increased risk to people from residential use (overnight occupancy) which your Authority should consider.

Our Flood Risk Map confirms the site to be within Zone A of the Development Advice Map contained in TAN15. However, the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls partially within Flood Zone 2/3 Rivers. As confirmed in the letter from the Welsh Government dated 15 December 2021, the FMfP represents better and more up-to-date information on areas at flood risk than the DAM.

It should be noted that the flood map for this area is currently under review by NRW and we have provided the Local Planning Authority with a photograph of flood waters adjoining the site.

We are providing technical advice with respect to flood risk at the site. Flood depths have been ascertained as a result of spot levels taken from the depths of flood waters from the previously provided photograph. It should be noted, based on the information which has informed the FCA, it is not possible to confirm whether that event was caused by fluvial or surface water flooding.

As stated in our previous responses, the reliance upon demountable flood defences and a flood warning system is not acceptable and does not comply with TAN15. Whether it be the occupiers of the property, a management company, or a risk management authority etc. who are responsible for erecting demountable flood defences, this is not effective and does not comply with TAN15. Furthermore, we are aware in recent years of risk management authorities not being able to put in place demountable flood defences in time and as a result has led to property flooding. The topographical information received prior to the second addendum presented to support the case related to site levels for the site itself. Those levels indicated a site level of approximately 11.76m Above Ordnance Datum (AOD) located to the main entrance of the site to the west, the site is shown to gradually rise to approximately 11.91m AOD before once again falling back down to the walls of the property at approximately 11.76m AOD.

Further topographical information was requested and has been received as part of the additional information contained within the second addendum. The second addendum demonstrates spot levels at the entrance of the car park adjoining the site to the north to be 11.77m AOD with additional spot levels within the car park at approximately 12.39m AOD. The plan titled Old Canonry Spot Heights and EFO (Sheet 1) demonstrates that flood flow routes would flow through the adjoining car park should flood barriers be in place.

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The plan also suggests that the estimated flood level would be 12.40m AOD. Therefore, if the flood barriers were not installed there would be likely to be a flood depth to the lower ground floor apartments of approximately 600mm and flood flow would enter the proposed development site. Please note, that these levels in the FCA have been ascertained as a result of spot levels taken from the depths of flood waters in the previously provided photograph. Once again, we highlight that it is not possible to confirm whether this event was caused by fluvial, or surface water flooding. We therefore cannot be certain whether this represents a 1 in 100 year flood event.

The only way to accurately establish flood extents and depths for this locality and the application site from the adjacent main river Adda, would be to hydraulically model the culvert for a range of events and scenarios. NRW is currently reviewing our modelling for the area, although we do not have any dates as to when information would become available. Without such information to inform an FCA (and associated addendums) it will be the author's opinion on risk that is presented in support of this application.

Further information/amendments have now been received in relation to flood resilience measures, namely the sealing up of all entrances to the building on the Lower Ground Floor up to the crest height of the demountable defences. As such we advise that if your Authority are minded to grant planning permission for this development, you do so on the basis that appropriately worded conditions are attached to any consent. We recommend the following condition:

Condition: All entrances, including windows, doors, air vents, service entry points to the Lower Ground Floor of the building must be permanently sealed up to the height of 900mm above external ground levels to prevent flood water ingress into the building.

We advise that it is ensured, to the satisfaction of your Authority, that no flood waters have the potential to rise up from under the property and appropriate measures taken to avoid this from happening.

Your Authority should also ensure that the flood barrier built into the door is permanently sealed in perpetuity.

We also note that a communal area on the ground floor is provided for those residing on the lower ground floor, however, it should be noted that this communal area is only a stairwell and landing area. Your Authority will need to ensure that the communal area is appropriate.

We advise that you also consider conditioning the use of demountable flood defences and the raising of the boundary wall height if you are minded to approve the application and consider whether the risks and consequences of flooding can be managed in accordance with TAN15.

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As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures, and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

#### Flood Risk Activity Permit

Please advise the applicant that the Environmental Permitting Regulations (2016) require them to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the River Adda, a designated “main river”.

#### Protected Species

We note the Bat Activity Survey for Canonry, Garth Road, Bangor (dated 10 July 2024 by Clwydian Ecology) submitted in support of the application has concluded that the site is not used as a bat roost but “...that low numbers of common/soprano pipistrelle bats are roosting somewhere in the local vicinity.” From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document ‘Natural Resources Wales Approach to Bats and Planning (2015)’. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended).

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

We recommend that the precautionary avoidance measures outlined in the report are implemented and that the report is included in the ‘approved list of plans / documents’ condition within the decision notice should consent for the project be granted.

Please consult us again if any further information shows that this is no longer a lower risk case.

#### Other Matters

Our comments above only relate specifically to matters included on

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our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Observations dated 20/08/2024

They are satisfied with the wildlife matters and to include the relevant documents within a condition, but more information is needed regarding the flood risk.

Observations dated 30/07/2024

We still have concerns regarding the application as submitted due to there being insufficient information to support the proposal. To overcome these concerns, you should ask for more information from the applicant regarding flood risk.

Observations dated 31/05/2024

We still have concerns regarding the application as submitted due to there being insufficient information to support the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk and protected species.

Observations dated 01/05/2024

We have concerns regarding the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should ask for more information from the applicant regarding flood risk and protected species.

Observations dated 28/02/2024

We have concerns regarding the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should ask for more information from the applicant regarding flood risk and protected species.

Welsh Water:

No objection, but a condition regarding the disposal of surface water from the site. In this case, such a condition is irrelevant as the proposal does not include the creation of new impermeable surfaces within the site.

Biodiversity Unit:

The bat activity survey has not followed the guidelines (2023) produced by Bat Conservation Trust. This building has high potential

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as a bat roost and it has many bat roosting features.

The report states:

“Two evening activity surveys were undertaken, one on the 14th May 2024 and a second on the 8th July 2024. Each survey was carried out by two surveyors with the surveyors positioned to ensure that all elevations of the building could be viewed. The first visit focussed on the rear area to include the coach-house while the second visit focussed on the eaves/roof areas of the main house.”

BCT guidelines states that buildings with high bat potential require 3 emergence surveys and it appears that the surveys only covered part of the building each time. The survey report does not include an assessment of the level of potential of the building to contain a bat roost as recommend in the BCT guidelines. Also the report does not include the surveyors bat licence reference.

The current development proposal will not alter the roof or attic in anyway. Therefore is unlikely to impact any roosting bats, however some works such as repairs to the roof or eaves could block any potential bat access points.

The previous planning application C17/0382/11/LL also provided a bat survey. This noted 32 nest of swifts on the building. The eaves of this building are full of swift nests during the summer. Swifts are known to be faithful to their nesting sites and return year after year. Swifts are now Britian’s fastest declining breeding bird in Wales, declined 66% in the since 1995 (BTO).

The bat survey report (Cambrian Ecology 2024) shows recommendation to put up 6 swift boxes. However I recommend that existing swift nesting features are retained where ever possible. Works to eaves must consult a specialist in swifts.

I recommend the following conditions:

1. Recommendations in the bat report Clwydian Ecology 2024 must be followed.
2. Before any works to eaves a swift specialist must be consulted.
3. An external lighting/illumination plan must be provided before the conversion is completed and in use.
4. A Swift nest Monitoring must be submitted each year for the 3 years, and then on the 5th and eighth year following the date of this permission.

With these conditions I have no objection.



Language Unit: Note that the statement does not reach a firm conclusion on the linguistic risk / impact of the development.

Housing Strategic Unit: See below for the number of applicants wishing to live in the area

Number of options on the Tai Teg register for intermediate properties: 741

Number of bedrooms	Need as a %	rent	buy
1 bed	8%	6%	1%
2 beds	52%	35%	17%
3 beds	38%	20%	18%
4+ beds	2%	1%	1%

Number of applicants from the common housing register waiting for a social property: 195

Number of bedrooms	Need as a %
1 bed	42%
2 beds	41%
3 beds	12%
4 beds	4%
5 beds	1%

\*Note that figures may be duplicated between the social and intermediate need and between the rent and buy need.

GAPS: Need confirmation whether the proposal involves any excavation work. (Have received confirmation there is no work).

Public Consultation: Notices were posted near the site and nearby residents were notified. One item of correspondence was received, stating:

- Think it would make better use for an indoor market with various outlets as well and obv keep the cafe there too we need something to draw the people back into Bangor before Bangor gets more of a ghost town such a shame

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## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 As referred to above, the site is located within the development boundary of Bangor sub-regional centre and the application conforms with the requirements of Policy PCYFF1 of the LDP. Policy TAI 9 permits the sub-division of existing properties into self-contained flats provided they meet the relevant criteria:

- Criterion 1 - the property should be suitable to be sub-divided for the type and number of units proposed without having to make substantial alterations and extensions - there is no intention to extend the building and the only changes to the building will be made internally.
- Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - given the location and nature of the site in the centre of the city where other uses could have an impact and the fact there are not many residential dwellings located near the site, it is not considered that the proposal is likely to have a detrimental impact on amenities (based on overlooking and noise disturbance). It is also noted that no response was received from the public following the statutory notification period in terms of amenity or residential matters.
- Criterion 4 - the proposal should not exacerbate existing parking problems in the local area - considering the central location of the site in the city and its proximity to local facilities such as car parks and public transport, it is not anticipated that the proposal would contribute towards parking problems within the local area. It must also be borne in mind that the site lies within its own curtilage, and there will be parking provision for 5 cars on site.

5.2 The indicative housing supply level for Bangor over the Joint Local Development Plan period amounts to 969 units - 393 on designated sites and 576 on windfall sites. During the period between 2011 and 2023, a total of 722 units were completed in the city and the windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, stood at 287 units as of April 2023, with further permission for 70 units on sites designated for housing in the JLDP. It is noted that the Plan notes an indicative figure of 115 houses on two further sites that have been designated for housing in Bangor but have not received planning permission.

5.3 Taking all of the above information to account, it is noted that the provision is met through the sites in the land bank. In such circumstances consideration will be given to the units that have been completed thus far within the Key Centres tier where there is capacity. Policy PS 17 in the LDP states that 53% of the housing growth will be located within the Sub-regional Centre and Urban Service Centres. A review of the situation in relation to the windfall provision within the Sub-regional Centre and Urban Service Centres in April 2023 indicated that, based on the 1983 units foreseen on windfall sites, 1,108 units have been completed, and there are 627 additional units in the land bank (which are likely to be completed). This therefore means there is a shortfall of 248 units in terms of the windfall provision within this tier.

5.4 Given the above assessment, it is believed that the proposal is acceptable based on the requirements of Policy TAI 9 of the LDP.

### General and residential amenities

5.5 As referred to above, there is a mix of land uses in the vicinity of the application site including commercial/business uses and residential uses alongside historic uses such as the Cathedral and it is not believed there are many residential dwellings surrounding the site. Given there will be no external alterations or any additions to the existing window openings, it is not believed that the

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proposal is going to significantly undermine the amenities of the residents of any nearby properties on grounds of overlooking and loss of privacy.

- 5.6 Taking the above assessment into account, it is therefore believed that the proposal is acceptable based on the residential and general amenities of nearby residents and it complies with the requirements of Policies PCYFF 2, PCYFF 3 and TAI 9 of the LDP.

#### **Transport and access matters**

- 5.7 As referred to above, the site is located within its own curtilage and already has parking provision. It was last used as an independent school where school staff used to park within the curtilage using the existing vehicular access. There is no intention to change this in any way. The Transportation Unit has no concerns regarding the impact of the development on any highway. Although there is parking provision with the site, the location is still in a central location within the city that offers a number of nearby public and private car parks, and public transport and it is believed that it is in a sustainable location. It is believed that the proposal is acceptable based on parking and road safety needs and it complies with the requirements of Policies TRA 2 and TRA 4 of the LDP along with relevant national advice.

#### **Sustainability matters**

- 5.8 Policies PS 4 and PS 5 of the LDP state that developments are located to reduce the need to travel by private transport and encourage opportunities for all users to travel as required and as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport.
- 5.9 The building is located in the centre of the City of Bangor and within a site that can be described as sustainable. One of the most important aims of Welsh Government is to ensure that educational developments/commercial and employment use are directed to the town centres in the first instance, namely the most sustainable and accessible locations for the use. As well as the advantage of having sustainable and accessible links, directing developments to towns and cities is advantageous as a springboard for urban regeneration. Furthermore, the importance of securing developments that serve a town, city, catchment area or entire region benefiting from active travel infrastructure and public transport is noted. The principles included in 'Future Wales' are supported by the 'Building Better Places: The Planning System Delivering Resilient and Brighter Futures' (July 2020). The document in question notes as follows:

*"The planning system must ensure the chosen locations and resulting design of new developments support sustainable travel modes and maximise accessibility by walking and cycling. New developments should improve the quality of place and create safe, social, attractive neighbourhoods where people want to walk, cycle and enjoy. We should not be promoting sites which are unlikely to be well served by walking, cycling and public transport. Urban design skills must be brought to bear and better space and capacity built on existing routes as well as new ones."*

- 5.10 Within the above context, it is believed that this application site is accessible to different modes of transport where there will be no extensive reliance on the use of the private car. The advice contained in TAN 18: Transport, together with the Active Travel (Wales) Act 2013 states the importance of walking and cycling as a mode of transport has an emphasis on building sustainable and accessible infrastructure and structures in Wales. Bangor bus station is close to the site with a frequent public transport service, the shops are within comfortable walking distance of the site and the train station is approximately 15-20 minutes walking distance and is also served by public transport and taxis. Given the above, it is believed that the proposal complies with the requirements of Policies PS4 and PS 5 of the LDP.

#### **Affordable housing**

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- 5.11 Policy TAI 15 identifies the threshold for affordable housing as two or more residential units for developments within Bangor Sub-regional Centre. In this case, it is proposed to create 9 residential units including 2 affordable units. Taking into account the location and size and type of units proposed, it seems very likely that a high percentage of them will be affordable in any case. Nevertheless the agent has confirmed a willingness to do this and to note that the two units on the lower ground floor will be affordable. This can be secured by attaching a suitable condition to the planning permission and it is therefore considered that the proposal complies with policy TAI 15.

### **Linguistic matters**

- 5.12 As this development, accumulatively, provides more than the indicative housing provision, in accordance with policy PS 1 a language statement is needed to support the application. A Welsh Language Statement was received with the application but the Language Unit has highlighted that the statement does not reach a firm conclusion in terms of the linguistic risk / impact of the development. Nevertheless, no evidence was received to show that the development is likely to be damaging to the language and given that this proposal includes 2 affordable units, it is not considered that the proposal is entirely contrary to PS 1.

### **Biodiversity matters**

- 5.13 Policy AMG 5 of the LDP relates to protecting species and their habitats and protecting or enhancing the natural environment and is relevant in this case. To update the ecological information submitted with the application, additional information was submitted in the form of an activity survey where it was noted that the area is used by a small number of bats without any evidence of the building being used. The survey identified mitigation measures and improvements that could be followed to reduce any impact on the biodiversity of the application site. NRW has confirmed there is no objection to the proposal provided the reports are included within a condition. However, the Biodiversity Unit was concerned as bats were recorded at the site within a report on a previous application in 2017. Nevertheless, the application must be dealt with in terms of the information submitted and the 2017 report is now outdated. In light of this, the Biodiversity Unit offered conditions to be included, and should they be followed, there would be no objection to the application. The application also intends to install swift boxes as part of the application which comply with the requirements of the biodiversity unit.
- 5.14 Chapter 6 of Planning Policy Wales (PPW) deals with green infrastructure, net benefit to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. A Green Infrastructure Statement was submitted as part of the Ecological Assessment and this notes steps to avoid and reduce the impact on biodiversity, as well as offering improvements by providing appropriate habitats for a variety of species.
- 5.15 Given this statement, as well as the other improvements and mitigation measures included in the Initial Ecological Assessment, it is believed that there are no additional biodiversity matters arising which have any material influence on the decision and, therefore, by imposing an appropriate condition to ensure that the recommendations of the submitted documents are achieved, it is believed that the application meets the requirements of Policy PS 19 of the LDP.

### **Flooding and drainage matters**

- 5.16 Policies PS 5 and PS 6 of the LDP refer to the need to alleviate and adapt to the effects of climate change. In addition, applications must include flood risk mitigation measures where appropriate. The site is located within Zone A of the Development Advice Map in TAN 15 and the Flood Map for Planning indicates that part of the site is within Fluvial Flood Zone 2/3, namely the parking space to the rear of the building. As confirmed in the letter from Welsh Government dated 15 December 2021, the Flood Map for Planning represents better and more up-to-date information about areas that are at risk of flooding than the DAM.

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- 5.17 Both the most recent lawful use of the building as a school and the use of residential units have been designated as *highly vulnerable developments*, and therefore, in this case there will be no change in the development's status in terms of flood risk. The building's footprint would remain more or less the same and it is likely that there would be a reduction, if at all, in the number of people who will use the site compared to its use as a school. On the whole, it is not believed that the use of the site for residential units would equate to a significant increase in the site's density of use and therefore there will be no significant additional damage in the flooding risk for those who use the site.
- 5.18 In response to the flooding matters, a Flood Consequence Assessment was submitted with the application, along with several addenda to it following the continuation of objections from NRW. In response to these concerns at NRW's request, the rear door on the lower ground floor of the property which opens out onto the parking area will be permanently sealed from the inside as a flood prevention measure. A revised plan was submitted to show this, and NRW notes the need to also propose a condition to this end.
- 5.19 Given the above assessment, it is believed that the proposal is acceptable subject to the ability to manage flood risk for the occupants of the proposed units and that it would not cause additional risk in other areas. It is therefore considered that this application complies with the requirements of Policies PS 5 and PS 6 and the content of the current TAN 15: Development and Flood Risk (2004).

### **Heritage Matters**

- 5.20 The building in question is a listed building, and the impact on the character of the listed building is also considered as part of the listed building application. Nevertheless, the site is also within the Bangor conservation area and is within very close proximity of several other listed buildings including the Diocese building, Neaudd Penrhyn, Llys Gwynedd and the library. Nevertheless, as it is not proposed to undertake any external alterations to the building, it is not believed there will be any impact on the setting of these buildings or on the conservation area. It is therefore believed that this proposal is acceptable under the requirements of policies PS 20 and AT 1 of the LDP.

### **Use Class**

- 5.21 As this proposal has been assessed against the JLDP's housing policies which are relevant to the C3 use class (Dwellings, used as sole or main residences), it is considered that it would be reasonable to impose a condition on the permission removing the permitted development rights within Class C to prevent the change use to Class C5 (Dwellings not used as sole or main residences) or Class C6 (Short-term lets) without applying for planning permission.

## **6. Conclusions:**

- 6.1 Given the above assessment, particularly in the context of the specialist information submitted regarding flood risk, it is accepted that this development will not exacerbate the situation in terms of material planning matters compared with what may happen under the site's present legal planning use. Ultimately, this is a proposal to create residential units with two affordable units and it also saves a striking listed building within the City Centre and it is believed that the scheme is acceptable in principle and that it complies with the requirements of relevant local and national planning policies regarding all the relevant material planning matters.

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**7. Recommendation:**

7.1 To approve the application subject to the following conditions :-

1. 5 years
2. In accordance with the plans.
3. Natural Resources Wales conditions in relation to flooding - close the lower ground floor access.
4. Details of any vents and flues to be agreed beforehand.
5. Welsh Water conditions relating to safeguarding the sewers.
6. Agree on details regarding Welsh names for the development together with advertising signage informing and promoting the development
7. Restrict the use to dwellings within the C3 use class.