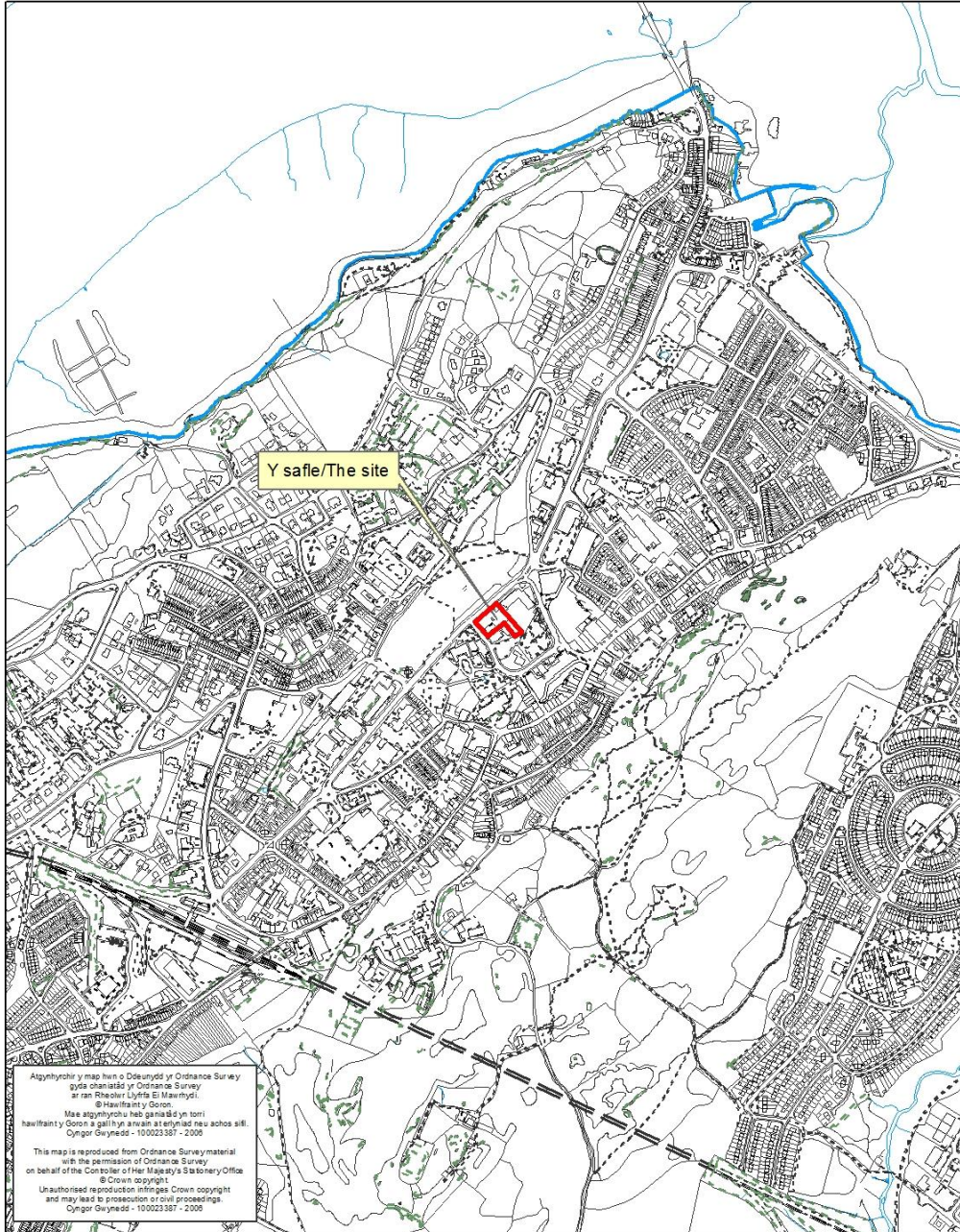


Number: 9



Rhif y Cais / Application Number : C15-0828-11-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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Application Number: C15/0828/11/LL
Date Registered: 19/08/2015
Application Type: Full - Planning
Community: Bangor
Ward: Deiniol

Proposal: CHANGE OF USE OF EXISTING BUILDING TO CREATE A CAFÉ AND RESTAURANT AND CREATE 29 SELF-CONTAINED STUDENT LIVING UNITS, TOGETHER WITH THE PARTIAL DEMOLITION OF REAR BUILDINGS AND ERECTION OF NEW BUILDING TO CREATE 116 SELF-CONTAINED STUDENT LIVING UNITS WITH ANCILLARY FACILITIES

Location: OLD POST OFFICE, 60, DEINIOL ROAD, BANGOR, GWYNEDD, LL57 1AA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 The application was deferred at the Planning Committee on 4 July 2016 in order to undertake a site inspection and correct figures in the report.
- 1.2 This application is a full application to change the use and to adapt an existing building to create a café and restaurant and create 29 self-contained student living units within the existing building, together with the partial demolition of rear buildings and erection of new building to create 116 self-contained student living units with ancillary facilities.
- 1.3 The existing building is empty after its last use as a nightclub came to an end about a year ago and the building is better known as the former post office. Substantially sized buildings surround the building which include the BT building nearby and the police station opposite, which are fairly unremarkable buildings. It is proposed to adapt the original building and build a small extension. A café and restaurant would be located on the ground floor with 3 self-contained living units also on the same floor, and a new disabled ramp would be created at the rear of the building. There would be 13 self-contained living units on the first and second floors. In order to re-structure, it is proposed to undertake internal conversion work by removing old partition walls and installing new ones, but there would be no external adaptations to the front of the building. The small extension would have a flat roof with a render finish and new aluminium windows.
- 1.4 Several buildings have been erected to the rear of the original building over the years and it is proposed to demolish them in order to erect a new five-storey building. The new building would be separate from the main building but both would be connected by a glass link on the side, and an open space between the original building and this building. There would be 25 self-contained units on the ground floor, 29 would be distributed across the first floor and 29 on the second floor, 27 on the third floor and 6 on the fourth floor, together with the 29 units within the existing building, giving a total of 145 units. Each self-contained unit would include a bedroom, a bathroom, kitchen and living room. The new building would have a flat roof with a mixture of brick, render and zinc cladding finish.
- 1.5 The development includes a bin and recycling area to the side of the building which would be concealed behind a wall where vehicular access to this area is located. It is

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also proposed to create two bicycle storage areas (40 in total) and no parking provision forms part of the proposal.

- 1.6 The site is located within Bangor City centre adjacent to Deiniol Road and Ffordd Gwynedd. The building is a grade II listed building and is located within the Bangor Conservation Area.
- 1.7 A listed building report has also been submitted with the full application under reference C15/0844/11/CR.
- 1.8 The following statements / assessments have been submitted as part of the application.
 - Linguistic and Community Statement
 - Design and Access Statement
 - Bat survey
 - Planning Statement
 - Flood Consequence Assessment
 - Surface Water and Foul Water Drainage Assessment.

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 Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making 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. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed decision.

2.3 Gwynedd Unitary Development Plan 2009:

POLICY 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 impact in the form of an environmental assessment or assessments of other impacts.

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 A3 – PRECAUTIONARY PRINCIPLE

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Refuse proposals if there is any possibility of serious or irreversible damage to the environment or the community unless it can be shown conclusively at the end of an appropriate impact assessment that the impact can be negated or mitigated.

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 THAT AFFECT THE SETTING OF A LISTED BUILDING

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 B4 – DEVELOPMENTS IN OR AFFECTING THE SETTING OF CONSERVATION AREAS

Ensure that proposals within conservation areas, or proposals that affect their setting, are refused unless they aim to maintain or enhance the character or appearance of the conservation area and its setting.

POLICY B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT

Refuse proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats unless they can 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 protecting the recognised features and amenities of the local area.

POLICY B24 - ALTERATIONS AND BUILDING EXTENSIONS WITHIN DEVELOPMENT BOUNDARIES, RURAL VILLAGES AND THE COUNTRYSIDE

Ensure that proposals for alterations or extensions to buildings conform to a series of criteria aimed at protecting the character and amenity value 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 B29 – DEVELOPMENT ON LAND AT RISK FROM FLOODING

Manage specific developments in the C1 and C2 flood zones and direct them towards suitable land in zone A unless they can conform to a series of criteria relevant to the features of the site and to the purpose of the development.

POLICY B33 – DEVELOPMENT THAT CREATES POLLUTION OR NUISANCE

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

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 C4 – ADAPTING BUILDINGS FOR RE-USE

Proposals to adapt buildings for re-use rather than demolition will be approved provided they can conform to specific criteria relating to the suitability of the building, visual considerations, design and the impact on the vitality of neighbouring towns and villages.

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 units or more within the development boundaries of the sub-regional centre and the urban centres, which provide the appropriate element of affordable housing.

POLICY CH30 – ACCESS FOR ALL

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused 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, extensions to 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 - FURTHER AND HIGHER EDUCATION DEVELOPMENTS

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.

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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.

POLICY D6 – INDUSTRIAL/BUSINESS UNITS WITHIN DEVELOPMENT BOUNDARIES.

Approve proposals provided that the site has not been designated for any other use and that the scale, type and design of the development are appropriate for the site and compatible with other existing nearby uses.

POLICY D23 – CHANGE OF USE OF GROUND FLOOR UNITS IN TOWN CENTRES – BANGOR, CAERNARFON, PORTHMADOG AND PWLLHELI

In order to maintain the attractiveness of existing town centres, ground floor units will be safeguarded for shopping purposes. Proposals to change the use of ground floor shops to non-retail uses (except hot-food takeaways) within the defined town centres of Bangor, Caernarfon, Porthmadog and Pwllheli will be assessed against all the following considerations.

POLICY D25 – HOT FOOD TAKE-AWAY DEVELOPMENTS

Hot food take-away facilities will be refused unless criteria relating to the impact on adjacent land uses and that it will not lead to a concentration of this type of development in one specific areas can be met.

POLICY D27 – COMPARISON AND CONVENIENCE GOODS RETAIL STORES OUTSIDE DEFINED TOWN CENTRES

Proposals for new retail shops selling comparison and/or convenience goods or extensions to existing ones on sites within or near Service Centres but outside the defined town centres will be approved provided they comply with all the criteria relating to establishing a need, the sequential test, the impact on the viability, vitality and attractiveness of the town centre, traffic and parking matters and the availability of facilities.

Supplementary Planning Guidance: Planning Obligations

Supplementary Planning Guidance: Housing Developments and Open spaces of recreational value

Supplementary Planning Guidance: Planning and the Welsh Language

2.4 National Policies:

Planning Policy Wales (2016) (Version 8)

Paragraph 68 of the Welsh Office Circular 61/96 – “Planning and the Historic Environment: Historic Buildings and Conservation Areas”.

TAN 12: Design

TAN 20: Planning and the Welsh Language

TAN 15: Development and Flood Risk

3. Relevant Planning History:

- 3.1 C12/1356/11/CR A retrospective planning application to retain internal changes - Approved 5-12-2012

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- 3.2 C12/0004/11/LL A retrospective application in relation to erecting an external smoking shelter - Approved 17-2-2012
- 3.3 C11/0744/11/CR A retrospective planning application in relation to installing an external gate, installing new entrance doors, erecting an external smoking shelter and creating new internal fire escape staircases, installing new doors, demolishing an external canopy and installing 3 non-illuminated signs - Approved 15-5-2012
- 3.4 C10A/0391/11/CR Listed building application involving the change of use of former post office into various uses including club, medical practice and external food court – Approved 25-1-2011
- 3.5 C10A/0390/11/LL A full application involving the change of use of former post office to various uses including club, medical practice and external food court - Approved 17-5-2011

4. Consultations:

Community/Town Council: Objection on the grounds of over-development of the site and an unsuitable development of a City centre building.

Transportation Unit: No objection subject to a stipulation in the tenancy agreements to limit the car ownership of the occupants would be acceptable; as no parking is proposed on site. There has been some discussion in relation to providing a pedestrian link the site into the adjoining Council Car Park, and the requirements to discuss this with the Council as the landowner of the car park, and the requirements of a risk assessment; this can be done via a pre-commencement condition. A contribution was made as part of the previous permission to strengthen pedestrian link into the city centre, and this contribution was based on the number of spaces less than normally required for that particular use. The current application normally requires a different level of parking provision and therefore the contribution would be based on the new proposed use class, and how much/little parking is proposed. Some financial contribution is therefore still likely to be required and it would be necessary to ensure such a contribution through a Section 106 Agreement. A Pre-commencement condition is required for submission of a construction method statement for construction of phase of development.

Natural Resources Wales: We have reviewed the submitted additional information which were uploaded onto your website on the 06/04.2016 (Additional Information – Flood Consequence Assessment) and the 10/04/2016 (Additional Information – Drainage Assessment). We can confirm that the documents have addressed both flood and surface water drainage requirements. Consequently provided that the footprint of the buildings as per the latest drawing submissions (which were referred to in the FCA and uploaded onto your website (01/03/2016) and conditions relating to the finished ground

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level and provision and implementation of a surface water regulation system, then we are satisfied that the risks can be managed.

Welsh Water: We have reviewed the additional information provided in the form of Surface Water and Foul Drainage Assessment dated 16.12.2015, the Flood Consequence Assessment dated 05/04/16 and the response from Natural Resource Wales. We note the proposal intends to remove 29 l/s of Surface Water from the public combined sewer and redirect to the culverted watercourse. We can confirm that this approach will free up adequate capacity in the network to accommodate the proposed new foul flows. Based on this information, we can remove the previous holding objection and offer conditions relating to agreeing a drainage scheme and no development shall be carried out within 3 metres either side of the centreline of the public sewer.

Civic Society: This is a Grade II Listed building. The plans submitted are totally out of character. The blank slabs proposed are particularly hideous. Policy B3 of the Gwynedd UDP states that proposals on the setting of Listed Buildings 'will only be approved if the design of the development enhances the special quality of the main building'. This is NOT the case here. Further we contend that, contrary to B3 (3), these proposals will cause significant harm to important views of the building.' We urge that this application be rejected, given the importance of this site in the city landscape.

Waste: Not received

Fire Officer: No observations

Public Protection Unit: A development of this type will necessitate the installation of a kitchen extraction system, but with the possible side-effect of an increase in noise from such a system. It is advised to include a condition to ensure that any such system meets the requirements of the Local Planning Authority. The applicant should design a scheme to deal with waste, which reflects the emphasis on recycling.

Biodiversity Unit: The bats survey submitted with the application showed that bats did not use the building, and there is therefore no concern about this. Should bats be found during the building work, the work should be stopped immediately and Natural Resources Wales should be contacted for advice. The report noted that Herring Gulls nested on the roof of the building. Despite their prevalence, these birds and their nests are protected species. No work should be carried out on the roof during the nesting season (March to August) that could affect the gulls or their nests.

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Public Consultation: A notice was posted on site and in the press and nearby residents were informed. The consultation period has ended and one item of correspondence was received objecting on the following grounds:

- Not required
- Design matters
- Overdevelopment
- Impact of the demolition and engineering work on the adjacent BT building as any noise or vibration would affect the system.

Following discussions between the Planning Service and the Agent, the height of the extension was reduced and the number of units was reduced from 151 to 116 and a second consultation was held on the amended plans.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site includes the former Post Office building, which is a Grade II listed building, and a listed building application has also been submitted for the proposal. Until recently the building had been used as a nightclub, which was approved under planning application C10A/0390/11/LL, and also included a medical practice on the upper floors and an external food court within the existing yard at the rear of the building. The site is within the development boundary of the City. This site has not been designated for any specific use and it falls outside the designations of Town Centre and Main Shopping Area, but it is within the Conservation Area. The building on the site is a historical one that has important local architectural and historical elements and it is a Grade II listed building. Therefore on the basis of the building's location, and the intention to re-use it, it is considered that the proposal complies with the requirements of policies C1 and C4 of the GUDP.
- 5.2 The proposal involves a change of use and adaptation of an existing building to create 29 self-contained units for students within the existing building, together with the partial demolition of the existing rear buildings and erection of new building to create 116 units which would give a total of 145 self-contained student living units with ancillary facilities. The new extension would create a separate building, although it would be linked to the main building by a glass link on the side of Ffordd Gwynedd, with an open space between the original building and the extension. Each living unit would include a bedroom, a bathroom, kitchen and living room.
- 5.3 There is no specific policy in the UDP which deals with a development of this type and the UDP's housing policies (policies CH3 and CH6 specifically) nor policy CH39 (Further and Higher Education Developments) that refer to developments on higher education sites, are not entirely relevant.
- 5.4 Consequently, there is a need to weigh up material considerations when determining whether or not the principle of the proposed development is acceptable in this particular location. 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.

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- 5.5 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 itself.
- 5.6 The University has 3,648 built bed-spaces, which includes the recent development at the St Mary's site that is currently being developed (602). In the private sector there are approximately 802 built accommodation units, and 49 are currently being built (137 High Street, Bangor). There are 112 additional units which have received planning permission, but have yet to be started (including 2 permissions through recent appeals - the Three Crowns Site for 15 units and the former Railway Institute for 27 units) and there are 263 units (including this application) currently under consideration. This is a total of 963 private units that have are either available or have already received planning permission.
- 5.7 The Joint Planning Policy Unit is currently updating the information dating from 2013 on houses in multiple occupation with 2016 data, but there are difficulties in relation to plotting the information on maps, which means that it is not yet available. The following information has been collected from the Council's Housing Department and Tax Department in September 2013, and these figures refer to the number of houses within different parts of Bangor that have been registered by the Housing Department as a HMO and/or those that do not pay Council tax. These figures do not refer specifically to the numbers of students living in private houses or houses in multiple occupation, it is only an indication from the available information.
- 5.8 This information shows that there are 1,012 houses in Bangor that are either in multiple occupation or do not pay Council tax, as there are a total of 6,597 houses in Bangor, this is equivalent to 15.3% of the housing stock in the City.
- 5.9 The information also shows that around 168 houses in the Deiniol ward (where the application is located) are either houses in multiple occupation or do not pay Council Tax, and as there are a total of 606 houses in the Deiniol ward, this is equivalent to 27.7% of the ward's housing stock.
- 5.10 It therefore appears that the student accommodation currently supplied is a mix of purpose-built student accommodation (3648 university units and 963 private units available/approved), houses in multiple occupation (an estimate of around 1012 houses) and private houses or home addresses (1547 - although it is possible that some of these are duplicated in the houses in multiple occupation information).
- 5.11 It also appears that there is a change in relation to the type of accommodation that students are seeking, and that there is an increase in demand for purpose-built accommodation. It also appears houses in multiple occupation will continue to be popular among students in the areas which are most convenient for the University.
- 5.12 It is acknowledged that some people are concerned about the number of purpose-built student accommodation that has been built in the Bangor area, and there is a suggestion that a number of the available rooms are empty. But, from the above figures, it appears that only a comparatively low percentage of the total provision available is supplied by this type of unit, and therefore it is not considered that it would be reasonable to refuse the proposal on the grounds of a lack of need for this type of accommodation. It appears that the demand for the different types of

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accommodation could change from year to year, especially in comparing different times within the same year (e.g. the beginning and end of the academic year).

- 5.13 Providing more purpose-built student accommodation and quality facilities for students which are managed more formally, could possibly lead to a more positive impact on the local housing market as it could release houses which are currently in multiple occupation to be changed into use by local households that require such houses (e.g. small units, one-bedroom flats etc.). In order to ensure a satisfactory arrangement for letting the units and to establish a contact point for any amenities problems in future, and to ensure reasonable use of the units in accordance with the proposal (i.e. students), it is considered that it would be reasonable to include a condition to agree the accommodation contracts beforehand with the Local Planning Authority.
- 5.14 The proposal also involves the provision of a restaurant within the existing building. As the site is located outside the Defined Town Centre, policy D23 of the UDP is not relevant. As the proposal does not involve the creation of new retail premises outside the defined town centre, policy D27 of the UDP is not relevant either. It is considered that the most relevant policy for this part of the proposal is D6 which deals with the provision of units for industry or businesses within the development boundary. The policy allows these types of proposals on the grounds that the site has not been designated for another use, and that the scale, type and design is appropriate for the site and the area immediately adjacent, and that it is in keeping with the nearby existing uses. It is considered that the proposal complies with the requirements of this policy, bearing in mind the central location of the site and the nearby land uses (Pontio, Police Station, Library and BT Offices) and also in considering the current permission on the site for a nightclub and food court.
- 5.15 Policy D25 of the UDP relates to hot food take-away developments. Although this part of the development will mainly be used as a restaurant, it is inevitable that some types of restaurants offer an element of hot food take-away, and in this case it is not considered that the impact will be more than the restaurant itself, and certainly no more than the current use of the building as a nightclub and food court. To this end, it is considered that such an element would comply with the policy's criteria, which relate to ensuring that the use is in keeping with adjacent land uses, that the development will not generate excessive noise, odours or litter in a manner that will have an unacceptable impact on the character of the area, and that the development will not lead to a concentration of this type of development in one specific area.
- 5.16 As a result of the additional documents and statements submitted as part of the application, it is considered that the proposal conforms with the requirements of policies A1 and A3 of the UDP that relate to ensuring that sufficient information is provided with the planning application concerning any significant likely environmental or other impacts, which ensures that there will be no possibility of serious or irreversible damage to the environment or the community. The content of these documents/statements is considered in more detail in the relevant parts of this assessment.

Open Spaces

- 5.17 In accordance with the requirements of the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value' an open play area of 4320m² will need to be provided for Youths and Adults associated with the proposal. In this case, the open play area cannot be provided within the site, but

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currently it is reasonable to expect that student accommodation can depend on the University's play provision and its relevant clubs and also make use of local land and play facilities that are already available. Therefore, for this reason, it is considered that the proposal conforms with the requirements of policy CH43 of the UDP and the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value'.

Visual, general and residential amenities

- 5.18 The proposal involves making minor changes and extending the main building. The original main building is a striking three-storey brick and stone building that is located on a busy and prominent junction opposite the University's Pontio site within Bangor City. The building has been empty for some time since its last use as a nightclub, and an intention to re-use such a striking and prominent building is to be welcomed. It is not intended to make any external alternations to the building's frontage. It is proposed to demolish parts some of the more modern existing buildings to the rear of the building, in order to erect a three-storey extension to the rear of the main building. It is intended to provide a glass link between the extension and the main building. The new extension would have a flat roof with a render, brick and zinc cladding finish and aluminium windows.
- 5.19 Paragraph 68 of the Welsh Office Circular 61/96 "Planning and the Historic Environment: Historic Buildings and Conservation Areas", which is relevant in this case as the existing building is listed and the site is within a Conservation Area, states that Local Planning Authorities should have particular regard for the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and the Conservation Area. Policy B2 of the GUDP upholds this and states that proposals for external or internal alterations, additions or change of use of listed buildings will be approved provided that the proposal will not cause significant harm to the special architectural or historic character of the building. Matters relating solely to the listed building, which includes Policy B2 and parts of the Circular, are considered fully as part of the listed building application which is also before the Committee.
- 5.20 It is considered that the principle of the proposal to re-use and adapt the building is to be welcomed and will secure the future of the listed building. Although the extension is modern and substantial in size, it is not considered that it will affect the appearance, character or the setting of the listed building or the conservation area, due to its location at the rear as a subservient extension. The original building and the library (both are listed buildings) will remain as the main focus with the extension at the rear in keeping with the background. It is therefore not considered that the proposal is contrary to Policies B3 or B4 of the GUDP and it should be emphasised that matters which are specific to the listed building, are considered fully as part of the listed building application which is also before the Committee.
- 5.21 In summary, it is not considered that approving the application would have a detrimental impact on the historic or architectural character of the building and therefore, it complies with the requirements of policies B3 and B4 of the GUDP, Circular 61/96 and chapter 6 of Planning Policy Wales.
- 5.22 Similarly, it is considered that the size of the extension in the context of the site is acceptable and it is considered that it respects the building and the site. The new extension will be set back from the main elevation, and the use of appropriate

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materials will ensure that the extension is in keeping so that it does not compete with the main buildings.

- 5.23 There are no other accommodation units located close to this development, the nearest property (St. Mary's School House, Love Lane) is situated approximately 150m from the application site. The other buildings surrounding the site are commercial (e.g. the Pontio site, Police Station, BT Offices, shops etc). It is not considered that it the proposal is an over-development of the site, and it is not considered that it would have a detrimental impact on the visual, general or residential amenities of the overall surrounding area.
- 5.24 It is therefore considered that the proposal complies with the requirements of policies B22, B23, B24 and B25 of the UDP.

Transport and access matters

- 5.25 The proposal does not provide any parking spaces as part of this development. The site is located near to a short-stay car park under the Council's ownership, which is located near the Library. The Transportation Unit has expressed concern regarding the lack of parking spaces, and has suggested that the tenants of the units should be prevented from using cars during their time in Bangor. These could be ensured by means of a planning condition to agree the accommodation contracts beforehand, and to ensure that they prohibit the ownership of a vehicle during their period of accommodation within the building. This would significantly decrease the burden on the car parks and the on-street parking locally. Reference has been made to the provision of a footpath from the rear of the development directly to the car park to the rear of the building that is owned by the Council, but this is not part of the application and is not necessary to serve this proposal. If the proposal to provide a footpath proceeded, the developer would have to provide a risk assessment, and receive permission from the Council's Property Department. This would therefore be outside the requirements of this planning application.
- 5.26 In relation to the proposal to provide a restaurant, it is considered that the existing parking provision is sufficient compared to the building's previous use as a nightclub.
- 5.27 Although the Transportation Unit considers that the development would be likely to have an impact on the local car parks, it is not considered that the parking element is beyond what could be controlled by a condition to agree the accommodation contracts beforehand, as is mentioned above, and therefore the scale of parking requirements would not be significantly higher than that expected from the site's current legal use as a nightclub. To this end, and as a financial contribution of £8000 to make improvements to the link routes has already been accepted in relation to the previous planning permission, it is not considered that there is reasonable planning justification to request a further contribution in this case.
- 5.28 Therefore, on the above grounds, it is therefore considered that the proposal complies with the requirements of policies CH30, CH33 and CH36 of the UDP.

Biodiversity matters

- 5.29 The bats survey submitted with the application showed that bats did not use the building, and therefore the Biodiversity Unit has no concern about this. Should bats be found during the building work, the work should be stopped immediately and Natural Resources Wales should be contacted for advice. The report noted that

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Herring Gulls nested on the roof of the building. Despite their prevalence, these birds and their nests are protected species. No work should be carried out on the roof during the nesting season (March to August) that could affect the gulls or their nests. Subject to these conditions, it is therefore considered that the proposal complies with the requirements of Policy B20 of the UDP.

Linguistic Matters

- 5.30 A Linguistic and Community Impact Assessment was submitted with the application assessing whether the development will have a positive or negative impact, or no impact at all on existing communities and on the Welsh Language in particular.
- 5.31 The Joint Planning Policy Unit has confirmed that there is a fairly low percentage of Welsh speakers in Bangor, however, it does not believe that the scale of the proposed development is likely to cause a significant increase 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 subsequent growth in population is unlikely to have a significant impact on the Welsh Language. In addition, this proposal does not lead to 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.
- 5.32 Therefore, on the whole 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 there 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.

Infrastructure and Flooding Matters

- 5.33 Although the site is not located within an area which at risk from flooding (it is within Zone A), the culvert of the river Adda runs through the site. Substantial improvements have recently been made to this culvert, however, Natural Resources Wales were concerned that this development could cause the blockage of the culvert. In the same manner, Welsh Water were concerned about how to deal with surface water from the development. To this end, a Flood Consequence Assessment and a Surface Water and Foul Water Drainage Assessment was submitted.
- 5.34 Both these reports have been fully assessed by Natural Resources Wales and Welsh Water, and both bodies have withdrawn their previous objections, on the grounds of relevant conditions being included to the finished floor level and to agree a site drainage scheme. It is therefore considered that the proposal complies with the requirements of policies B29 and B33 of the UDP and TAN 15 Development and Flood Risk.

Response to the public consultation

- 5.35 Concerns were raised in relation to the need, design matters, over-development and the impact of the demolition work on the nearby BT building and its systems.
- 5.36 We believe that full consideration has been given to these observations in the above report. It is noted that it would be possible to agree on a method of undertaking the

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demolition work that would not affect BT's systems in the building which is immediately adjacent. A condition could be included to agree on the method of demolition beforehand.

6. Conclusions:

- 6.1 Based on the above assessment, it is considered that the application to change the use and to adapt an existing building to create a café and restaurant and create 29 self-contained student living units within the existing building, together with the partial demolition of rear buildings and erection of new building to create 116 self-contained student living units with ancillary facilities (a total of 145 units) is acceptable in relation to the relevant local and national policies and that there are no material considerations that state otherwise.

7. Recommendation:

- 7.1 To approve with conditions.
1. 5 years
 2. In accordance with the plans and the ecology report
 3. Welsh Water conditions
 4. Agree materials and windows
 5. Photographic record
 6. Hard and soft landscaping/street furniture
 7. External lighting to be agreed
 8. Public protection conditions
 9. Construction method Statement
 10. Demolition method statement
 11. Finished floor level condition
 12. Agreement on the accommodation contracts to include students only, a public contact point and a restriction on the use of cars.
 13. No work on the roof during the nesting season