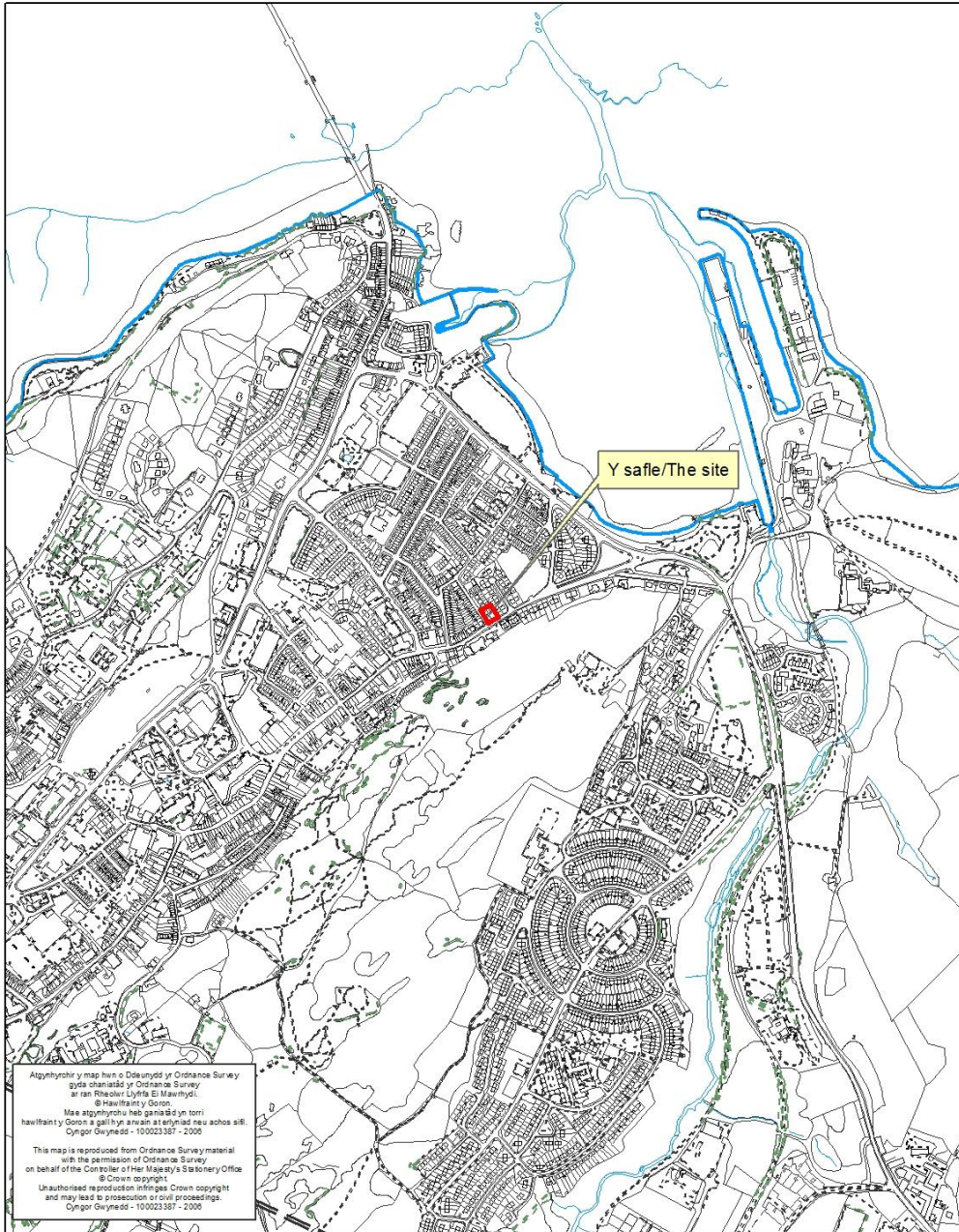


Number: 5



Rhif y Cais / Application Number : C15-0337-11-AM

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



PLANNING COMMITTEE	DATE: 07/09/2015
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Application Number: C15/0337/11/AM
Date Registered: 07/07/2015
Application Type: Outline
Community: Bangor
Ward: Hiracl

Proposal: OUTLINE APPLICATION FOR THE DEMOLITION OF THE EXISTING BUILDING TOGETHER WITH THE ERECTION OF A NEW BUILDING CONTAINING A TOTAL OF 9 FLATS (6 X 1 BEDROOM AND 3 X 2 BEDROOM)
Location: PLAS LLWYD, HIGH STREET, BANGOR, GWYNEDD, LL57 1AJ

Summary of the Recommendation: DELEGATE THE RIGHT TO APPROVE SUBJECT TO CONDITIONS AND SUBJECT TO A SECTION 106 AGREEMENT AFFORDABLE UNITS

1. Description:

- 1.1 This is an outline application for the demolition of the existing building and to erect a new building which would provide a total of 9 flats (6 x one bedroom and 3 x two bedrooms).
- 1.2 The site is located within a residential area on the High Street in the City of Bangor, which forms part of the residential area of Hiracl. The site is located within the development boundary of the City. There is currently a three-storey building on the site which used to provide three flats over these floors. The front of this building faces the High Street and William Street runs down the side of the site. The rear of the site adjoins another block of flats. There are terraced houses on William Street. There are residential units which vary from flats to semi-detached houses located on the High Street. The front of the site which faces the High Street is on a substantially higher level (approximately 3.5m) compared with the rear of the site which is on William Street.
- 1.3 The proposal involves demolishing the existing building, together with erecting a new building in its place. The application form notes that access, appearance, landscaping work, layout and scale form part of this outline application. The plans submitted show that the building will measure 16m along the High Street, by 16m back. From the High Street, the building would measure 7.2m to the eaves and approximately 11m in height to the ridge. A plan has been submitted which shows that, from the High Street, the proposed building would be approximately the same height as the existing building.
- 1.4 The proposal involves providing 9 flats (6 x one bedroom and 3 x two bedrooms) within the building, and the plans show that it is possible to do this by providing 2 one bedroom flats and 1 two bedroom flat on each floor. The proposal also provides five parking spaces within the curtilage of the building, together with bin storage and two clothes lines.
- 1.5 The original application was for the erection of a building to provide 11 flats; however, following discussions with the agent, amended plans have been submitted to reduce the proposal to what has been submitted.
- 1.6 The following documents have been submitted as part of the application:
 - Design and Access Statement
 - Language and Community Statement

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- Affordability Report
- Bat Report

2. Relevant Policies

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

2.2 Gwynedd Unitary Development Plan 2009:

POLICY 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

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

Proposals that are likely to cause unacceptable disturbance or harm to protected species and their habitats will be refused 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 B25 – BUILDING MATERIALS

Safeguard the visual character by ensuring that building materials are of a high standard and are in keeping with the character and appearance of the local area.

POLICY B27 – LANDSCAPING SCHEMES

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

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

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ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

POLICY C3 – RE-USING PREVIOUSLY DEVELOPED SITES

Proposals that give priority to re-using previously developed land or buildings that are located within or near development boundaries will be permitted provided the site or building and the proposed 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 HOUSING ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON SITES THAT BECOME AVAILABLE AND ARE UNALLOCATED WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES

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

POLICY CH33 – SAFETY ON ROADS AND STREETS

Development proposals will be approved provided they 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 CH37 – EDUCATIONAL, HEALTH AND COMMUNITY FACILITIES

Development proposals for new educational, health or community facilities or extensions to existing facilities will be approved provided they conform to a series of criteria relating to the location of the proposal, its accessibility using different modes of travel, together with highway considerations, the design of any new school and the effect on a defined town centre.

SPG – Affordable Housing

SPG - Housing Developments and Educational Provision

SPG – Planning and the Welsh Language

2.3 National Policies:

Planning Policy Wales, Edition 7, 2014

TAN 12 Design

TAN 20 Planning and the Welsh Language

3. Consultations:

City Council: No objection

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Transportation Unit:	There is no objection to the proposal. The parking provision shown is adequate for the amended scale of the plan and it no longer extends out over the highway. I note the intention to extend the footway on the side of the site and I recommend standard conditions / notes for them.
Natural Resources Wales:	The development should be completed in accordance with the recommendations and mitigating measures noted in the bat report and the observations of your Biodiversity department. Demolition work should start in autumn or spring.
Welsh Water:	Standard conditions
Public Protection:	No response
Biodiversity:	Agree with the content of the bat report and propose conditions.
Strategic Housing Unit:	Confirm that there is a need for affordable units in the area. Confirm that a 20% discount will need to be provided on the affordable units.
Waste:	No response
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: <ul style="list-style-type: none"> • Litter • Traffic and parking

5. Assessment of the material planning considerations:

The principle of the development

5.1 The site is located within the development boundary of the City of Bangor but has not been designated specifically for housing. The site is not protected for any specific land use and is located outside the defined town centre. It is noted that Bangor is defined in the UDP as a Sub-regional Centre. The principle of developing houses on this site is acceptable and in accordance with policies C1, C3 and CH3 of the UDP which approve, in principle, new houses on sites within the boundaries of the City of Bangor and on previously used sites.

Visual amenities

5.2 Though the application submitted is an outline application, all the reserved matters listed on the application form (access, appearance, landscaping work, layout and scale) have been included, and full plans including elevations have been included as part of the application.

5.3 The plans show a three-storey building which measures 16m x 16m and approximately 11m in height to the ridge. The plans also show that the building fits within the site and that it would not be higher than the existing building from the

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High Street elevation. The plan also shows the hard and soft ground areas which surround the site.

- 5.4 Based on the information submitted, it is considered that the proposed building is in keeping with the site and that it would not be dissimilar to the existing building in terms of size and height. The site is fairly limited, and it is considered that the hard and soft ground areas are reasonable and suitable in this case. It is possible to impose a planning condition on the permission in order to agree the external finish.
- 5.5 Therefore, based on the above, it is considered that the proposal complies with the requirements of policies B22, B25 and B27 of the GUDP which cover design, external finish and landscaping.

General and residential amenities

- 5.6 The proposal involves demolishing the existing building, together with erecting a new building on the same site. The plans show that the new building would be placed on a part of the site which is currently empty which means that the new building would be located closer to property no. 1 Penlon Gardens than the existing building. However, there would be 1.4m between the new building and the boundary between the two sites, and 5m between the new building and property 1 Penlon Gardens. The plans submitted show windows on the side facing this property and its garden, along with the block of flats to the rear. There are no windows on the gable end of the existing block of flats which faces the application site, and the land surrounding it is open and communal rather than being private, and therefore it is not considered that the proposal is likely to cause unacceptable overlooking to this direction.
- 5.7 The occupants of no. 1 Penlon Gardens have not responded to the application, and it does not appear that the windows in the side elevation of the proposed building will be looking over the private garden at the rear of the property (they will rather be facing the gable end of the property) and it is not considered that the proposal would cause a significant effect on this property. Nonetheless, as the application submitted is an outline application, it is possible that the proposal will change somewhat during the reserved matters application; but, having said that, it is considered that it would be possible to arrange the windows on this elevation so as not to cause a significant overlooking effect during the reserved matters application e.g. by using obscured glass windows, high level windows or angled windows to mitigate any effect.
- 5.8 Since the application was originally submitted, the proposal has been reduced from 11 units to 9 units, and the building has also been reduced in size. Consequently it is considered that the plans submitted show that the site can be developed without being overdeveloped.
- 5.9 The proposal provides a bin storage together with two clothes lines at the rear of the site, and the agent has confirmed that arrangements are in place to dispose of waste in accordance with the Council's regulations. There is currently no certainty as to who will develop or own the site, and although amendments can be made and agreement reached during the reserved matters application, it is considered reasonable to impose a condition to accept, agree and implement the plan to dispose of waste in order to ensure that the visual amenities of the area and the general amenities of neighbouring residents can be safeguarded.
- 5.10 Based on the above, it is considered that the proposal is in compliance with the requirements of policy B23 of the GUDP.

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Transport and access matters

- 5.11 The original proposal included parking spaces which were on the side of the site in the form of 'pull in' and which extended over the highway and affected the highway. By now, the entire plan has been reduced in terms of number of units, size of the building and the location of the parking spaces is within the curtilage also. The proposal provides five parking spaces for the development, and the Transportation Unit is of the opinion that this provision is adequate within a City centre location with good connections for pedestrians, cyclists, and for travelling by bus or train. Therefore, it is considered that the proposal complies with the requirements of policies CH33 and CH36 of the UDP.

Biodiversity matters

- 5.12 As the proposal involves demolishing the existing building and that there is a record of bats in the area, a bat survey was submitted for the proposal, which confirmed that no bats or nesting birds were using the building. Nonetheless, the Biodiversity Unit has suggested conditions which include providing a scheme for the demolition, ensuring that an ecologist is on the site during the demolition work, together with ensuring that boxes and spaces for bats and nesting birds are provided within the new building. It is considered that these conditions would be reasonable should the report have confirmed that bats and/or birds existed on the site; however, as no bats or birds use the site, it is not considered that imposing these conditions on the permission would be reasonable in this case, and it is not considered that the proposal would likely cause disturbance or unacceptable harm to protect species based on the information and evidence submitted as part of the application. Therefore, it is considered that the proposal complies with the requirements of Policies A1, A3 and B20.

Affordable Housing

- 5.13 The proposal provides 9 flats which include 3 two bedroom flats together with 6 one bedroom flats. Though it is possible for the type of flat to change (i.e. the number of bedrooms) through a reserved matters application, the number of units approved for this application would remain the same. As the proposal provides 9 new living units, a percentage of the units must be considered for affordable need. The general percentage is 30% which is equivalent to 3 units in this case; and the Affordable Housing Statement submitted as part of the application states that it is intended for at least three of the units to be affordable. The Strategic Housing Unit agrees that there is a need for affordable units and has agreed to the number, and that a discount of 20% should be offered in order to ensure that they are affordable. This is based on the fact that the rent prices included in the Affordable Housing Statement are higher than what the Strategic Housing Unit considers to be affordable. Subject to a 106 agreement which will ensure that three of the units (the exact units to be agreed) will be affordable with a discount of 20%, it is considered that the proposal complies with the requirements of policy CH6 of the GUDP.

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Educational matters

- 5.14 The Joint Planning Policy Unit has confirmed that having applied the methodology in the Supplementary Planning Guidance: Housing Developments and Educational Provision, there is sufficient capacity within the primary school which serves the area where the planning application is located (Ysgol Hiraël) to accommodate the expected number of pupils which will arise from the proposed development. Therefore, it is considered that the proposal complies with the requirements of Policy CH37 of the UDP.

Language matters

- 5.15 A Language and Community Statement has been submitted as part of the application, and the Joint Policy Unit has offered observations on the statement which note that the percentage of Welsh-speakers in this area of Bangor is low compared with Gwynedd as a whole. However, it is not believed that the scale of the proposed development is likely to cause a significant growth in the population that could have a detrimental impact on the Welsh language.
- 5.16 Compared with the size of the current population it is not believed that the scale of the proposed development is likely to cause a significant growth in the population if these are to be houses for the local community. Bangor has a large population, in particular in terms of the student population and the Hiraël area is one of the most popular places with students who choose not to live in purpose-built student accommodation. Consideration should be given to the potential for the flats to be bought and rented out to students, which could lead to an increase in the proportion of non-Welsh-speaking people in the area. Consideration should be given to introducing a mechanism to prevent the flats from being used for student accommodation purposes e.g. marketing locally, so that priority is given to local families. To this end, a percentage of the units are to be allocated for affordable need in order to comply with policy CH6 and therefore secures these flats for local people who are in need of affordable living units rather than students.
- 5.17 The nature of the units proposed (i.e. small flats) is generally likely to be more affordable to local people rather than larger houses; therefore, it is considered that they would be more attractive to individuals and small families rather than students and that the purpose-built student accommodation would meet the needs of students.
- 5.18 The proposed development is not likely to add to the number of pupils in the local Primary School as noted above; and the development should improve the visual environment and make the area a more attractive place to live in.
- 5.19 Therefore, based on the above, it is considered that the proposal complies with the requirements of policy A2 of the UDP and the SPG and the TAN Planning and the Welsh Language, and that it is not likely to have a detrimental effect on the social, linguistic or cultural cohesion of communities.

Response to the public consultation

- 5.20 It is considered that the objections received to the application have been given due attention in the aforementioned assessment.

6. Conclusions:

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6.1 Following the aforementioned assessment, it is considered that the proposal complies with all relevant policies of the Unitary Development Plan and relevant national advice and that the proposal is not likely to cause significant detrimental effect on the amenities of the local area or on any neighbouring property.

7. Recommendation:

7.1 To delegate powers to the Senior Planning Manager to approve the application subject to signing a 106 agreement to ensure that three of the units are affordable units and subject to the following conditions:-

1. Outline consent time condition
2. Condition regarding submitting additional information in the form of a reserved matters application
3. Welsh Water conditions
4. No windows
5. The parking area must be completed as shown in the enclosed plan
6. A plan to dispose of waste must be submitted, agreed and implemented
7. External materials
8. Slates on the roof

Note: Highways, Welsh Water, Party Wall and bats/nesting birds.