

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 5

Application Number: C19/0444/11/LL

Date Registered: 21/06/2019

Application Type: Full - Planning

Community: Bangor

Ward: Deiniol

Proposal: Conversion and change of use of the rear section of the former Debenhams store to form 6 residential units (5 x 1 bedroom and 1 x 2 bedroom).

Location: 196-200, High Street, Bangor, Gwynedd, LL57 1NU.

Summary of the Recommendation: TO APPROVE WITH CONDITIONS.

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

1. Description:

- 1.1 A full application for the change of use of the rear section of the building, which was formerly the Debenhams store in Bangor, to form 6 self-contained residential units, along with minor alterations to the building, namely the installation of new windows and 8 skylights. Internally, it is proposed to create 6 residential units which will include five units with one double bedroom, and one unit with one double bedroom and one single bedroom. The units will vary in size from 50m² to 98m² for the two-bedroom unit. There is no intention to build any extensions to the building and there will be no increase in the current floor area of the building.
- 1.2 It is intended to provide a bin and recycling store by the side of the building for these units, which will be off-street and away from public view. The site is located within the development boundary, off the High Street in the City Centre and within the Conservation Area. The site also lies within the Town Centre and Main Shopping Area as designated in the LDP. The building is fairly modern in design, being a two-storey building with a flat roof to the rear of 196-200 High Street, which is a traditional listed building. The site is located off the High Street with shops on both sides and residential housing to the south of the site. Access to the site is from the High Street, where double doors between two shops lead to a footway to the site.
- 1.3 As part of the application, a Design and Access Statement and a Housing Mix Statement were submitted. A Listed Building application has also been submitted for the site.

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 made in accordance with the Development Plan, unless material considerations indicate otherwise. 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 seven 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 **The Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted on 31 July 2017.**

Policy PS 1 - The Welsh Language and Culture

Policy ISA 1 - Infrastructure Provision

Policy TRA 2 - Parking Standards

Policy PCYFF 1 - Development boundaries

Policy PCYFF 2 - Development Criteria

Policy PCYFF 3 – Design and place shaping

Policy PS 15 - Town centre and retail developments

Policy MAN 2 - Primary retail areas

Policy PS 16 - Housing provision

Policy PS 17 - Settlement Strategy

Policy TAI 1 - Housing in the Sub-regional Centre and the Urban Service Centres.

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Policy TAI 8 - Housing mix
Policy TAI 9 - Sub-dividing existing property to self-contained flats and houses in multiple occupation
Policy PS 18 - Affordable housing
Policy TAI 15 - Threshold of affordable housing and their distribution
Policy PS20 - Preserving and where appropriate enhancing heritage assets
Policy AMG 5 - Local Biodiversity Conservation
Supplementary Planning Guidance (SPG): Housing Mix
SPG: Affordable housing
SPG: Planning for sustainable building
SPG: Planning and the Welsh Language
SPG: Open Spaces in New Housing Developments

2.4 National Policies:

Planning Policy Wales (Edition 10) 2018
Technical Advice Note 12: Design 2016
Technical Advice Note 18: Transport 2007
Technical Advice Note 22: Planning for sustainable buildings 2010

3. Relevant Planning History:

3.1 C18/1087/11/LL 196-200 High Street, Bangor - Conversion and change of use of first and second floors to form 4 residential units in addition to the existing residential unit, and the creation of new shop frontages - Approved - 14-6-19.

C18/1092/11/CR 196-200 High Street, Bangor - Interior and exterior alterations to create 3 shops and 5 residential units - Approved 23-7-19.

4. Consultations:

Town/Community Council: Not received.

Transportation Unit: No objection - the site is in a central location within the city and is within walking / cycling distance of many facilities including colleges / shops / workplaces, with several pay and display car parks also nearby.
ac arddangos hefyd yn lleol.

Natural Resources Wales: We have reviewed the planning application submitted to us, and from the information provided, we are not of the opinion that the proposed development impacts any matters listed on our Check List, *Advice Service on Development Plans: Consultation Topics* (September 2018). Therefore, we have no observations to make on the proposed development.

Welsh Water: No objection but propose standard conditions regarding sewage and any additions to the roof causing an increase in rain water. In this case, the second condition would be

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

irrelevant as the proposal does not include the creation of new extensions.

- Biodiversity Unit: Following a site visit, it can be confirmed that no bat survey is required in this case as there is low potential of bats being present on site. Nevertheless, it is felt that it would be prudent to impose a condition to prevent any work commencing on the site during the period from May to September, and to stop work if any bats are discovered.
- Housing Strategy Unit: Figures held by the Council's Housing Options Team show that there are 51 applicants on the Tai Teg waiting list in need of 1- and 2-bedroom units, and 26% of applicants on Gwynedd Council's general housing register are in need of 1- and 2-bedroom flats. Based on the information submitted with the application it seems that the housing mix proposed partly addresses the need for such units, and it is expected that 20% of the units will be affordable, but it is expected that these units would be affordable in any case, due to their location and size.
- Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received stating the following:
- There will be no increase in the size of the building.
 - The new windows will not overlook neighbouring properties.
 - Access would be gained to the site from the High Street only, and not from the rear.
 - The area to the rear of the site is used by wildlife, and no mention is made in the application of how building machinery and supplies would be delivered to the site.
 - Lack of parking spaces for the units, which will exacerbate existing parking issues for residents.

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, therefore, the application complies with the requirements of Policy PCYFF1 of the LDP. Policy MAN 2 refers to primary retail areas where proposals for the change of use of the ground floor of an A1 shop may be permitted if it can be shown that the premises is no longer viable for use as a shop, and that all efforts have been made to maintain A1 use.
- 5.2 It is noted in this case that the first floor of the building has been used as a warehouse/shop which was accessed through the main Debenhams store on the High

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Street. There was no separate access to this part of the shop, and it must be stated that three shops remain on the ground floor of the main building on the High Street. It is a complex situation where there are several owners of the 'site' formerly occupied by Debenhams. This creates difficulties in terms of public access to various areas (were they to remain as shops), including the area to which this application relates, and the building is now deteriorating having been unoccupied since the last shops closed some time ago. On these grounds, it is not considered that the proposal is contrary to the requirements of policy MAN 2 since it cannot be considered to be a ground floor shop, and also that its use as a shop is dependent on access through a third party property.

5.3 Policy TAI 9 permits the sub-division of existing properties into self-contained flats provided they fulfil 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 proposal to extend the existing building and the only changes to the external appearance of the building will be the installation of new windows along one side of the building.
- Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - although residential dwellings and commercial properties are located around the application site, it is not believed that the proposal would have an unacceptable impact on the residential amenities or general amenities (on the grounds of overlooking and noise nuisance), considering the central location of the site within a busy and established retail area. It should be noted that a letter was received expressing concern about the proposal, and the points raised are detailed below.
- 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.

5.4 Policy TAI 15 states that every development is required to achieve an appropriate mix based on occupancy, types and sizes of affordable housing and this is reiterated by Policy TAI 8 along with the SPG: Housing Mix. The threshold for affordable housing in Bangor is 20%, and as the proposal includes the provision of six residential units, the figure of 20% means that 1.2 units would need to be affordable according to local need. However, an open market valuation report was submitted for the proposed units which was based on the requirements of the 2017 Red Book which states that the valuations submitted for the six proposed units are lower than the affordable level for the area, and therefore none of these units would need to be bound by an affordable agreement. In terms of the housing mix proposed, it is believed that the provision of such units as proposed here is acceptable based on figures submitted by the Council's Strategic Housing Unit, which state that there are 51 applicants on the Tai Teg waiting list in need of 1- and 2-bedroom units, and that 26% of applicants on Gwynedd Council's general housing register are in need of 1- and 2-bedroom flats. The Council's Strategic Housing Unit concludes that this proposal is a means to partly address the recognised substantial need which exists for such accommodation in the City.

5.5 Further to the above, the applicant has provided information based on the Gwynedd and Anglesey local housing market assessment, which states that there is a current need

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

for 1- and 2-bedroom flats in the area, and this is confirmed by the comments submitted by the Strategic Housing Unit.

- 5.6 Considering the above assessment and subject to the proposal's compliance with the other relevant policies within this assessment, it is considered that this application is acceptable in principle.

Visual amenities

- 5.7 The alterations to the external elevations of this building are minimal, being limited to creating openings for the units where none exist at present, and the installation of eight skylights in the flat roof. This is a two-storey, flat-roofed building which stands in a hidden location behind the main premises on the High Street, and is also sub-standard in appearance and design. It is believed that installing windows will improve the appearance of the building as opposed to plain walls, and it is not believed that the proposal would unduly impair the visual amenity of this part of the area, nor would it have any impact upon the character of the Conservation Area, since it is away from public view. The proposal would ensure long-term use of the building, which is to be welcomed. It is considered that the proposal is acceptable based on the requirements of Policies PCYFF 2, PCYFF 3 and PS 20 of the LDP.

General and residential amenities

- 5.8 Policy PCYFF 2 of the LDP states that proposals should be refused if they have a significant detrimental impact on the health, safety or amenities of the occupants of local property, land uses or other property due to an increase in activities, disturbance, noise etc. In terms of noise nuisance, it is believed that residential use of the rear building would not have a significant detrimental impact on the general amenities of nearby residents, considering the site's location within a very busy commercial area which already includes public houses and restaurants, and it is not believed that this proposal would give rise to any situation that would be worse than the current one.
- 5.9 In terms of overlooking, the new windows would open out to the south, where the building is in a slight depression with a green area to the rear, which is overgrown at present. In addition, there is a wall along the boundary between the building and the green area. An objection was received on the grounds of overlooking issues, due to residents living to the rear of the site. However, the nearest residential properties are approximately 19m to the south, and also on higher ground than this site, and therefore any overlooking would be from the existing houses over the proposed development, rather than from the development itself. It is not considered that this type of situation is uncommon or unacceptable in such an urban location. Access to all the new units would be provided through a gateway off the High Street, and all six units would have their own front doors rather than sharing an entrance. Concern has also been expressed about this building being extended. There is no extension being proposed as part of this application, and if any extension were to be proposed in the future, it would need planning permission. To this end, it is believed that the proposal complies with the requirements of Policies PCYFF 2 and TAI 9 of the LDP.

Transport and access matters

- 5.10 The site is located centrally within the City and consequently, there are no parking facilities within the curtilage of the site itself and this situation is mirrored in other sites in the City. The residential units will be very close to local facilities which include car parks and public transport and, therefore, the Transportation Unit does not object to the

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

application as submitted. It is believed that the proposal is acceptable on the grounds of the requirements of Policies ISA 1 and TRA 2 of the LDP.

Affordable housing matters

- 5.11 Policy TAI 15 of the LDP seeks to ensure an appropriate provision of affordable housing in the Plan area, and the threshold for affordable housing in Bangor is 20%. As the proposal includes providing six residential units, the figure of 20% means that 1.2 units would need to be affordable according to local need. As part of the application and in accordance with Policy TAI 15, an open market valuation report was submitted for the proposed units which was based on the requirements of the 2017 Red Book. The valuation report states that the open market prices of all the units would be lower than the affordable level in the area, which is £50,000, and all the units, therefore, fall within the definition of affordable. Consequently, this development would not require a legal agreement or a planning condition to ensure the provision of affordable housing, since the units would be affordable in any case. This valuation, based on the location, size and type of units proposed, shows that all these units would be affordable, and in this regard it is considered that the proposal complies with the relevant policies, which are TAI 15 in the LDP and the SPG.

Educational matters and open spaces/play areas

- 5.12 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP. It is also pertinent to consider the content of the SPG: Housing Developments and Educational Provision in discussing this application. In this case, the Joint Planning Policy Unit has confirmed that since the proposed units are all flats, there would be no need to consider a contribution in respect of educational provision. There is no requirement to include open spaces / play areas as part of this application, as it falls below the threshold of 10 new units or more as defined within the SPG: Open Spaces in Residential Developments.

Linguistic and Community Matters

- 5.13 Since there is no intention for this proposal to provide more units than the indicative housing provision, there is no need for the applicant to submit a Language and Community Statement in compliance with the requirements of Policy PS 1 of the LDP.

Biodiversity Matters

- 5.14 The potential for bats to be present on the site is low, and there was no need to submit a wildlife report as part of the application. Nevertheless, there is a green area to the rear of the site, and it is suggested that a condition be imposed to regulate building work outside the breeding season (May to September) and to stop work immediately if any bats were to be discovered, and in this regard it is felt that the proposal complies with the relevant policy, which is AMG 5 of the LDP.

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

6. Conclusions:

- 6.1 Having considered this assessment and all the relevant matters, including the local and national policies and guidance, it is believed that this proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve in accordance with the following conditions:
1. Five years
 2. In accordance with the plans
 3. Agreement on external materials
 4. No windows to be installed apart from those shown
 5. Welsh Water Sewage
 6. Work to commence outside the breeding season (May-September)
 7. Provision of a bin store prior to the units being occupied, to be retained for that purpose.