

## Complete Agenda

Democratic Service Swyddfa'r Cyngor CAERNARFON Gwynedd LL55 1SH

Meeting

## **PLANNING COMMITTEE**

Date and Time

1.00 pm, MONDAY, 24TH MARCH, 2025

\*NOTE\*

This meeting will be webcast

https://gwynedd.public-i.tv/core/l/en\_GB/portal/home

Location

Hybrid - Siambr Dafydd Orwig, Council Offices, Caernarfon LL55 1SH and Virtually via Zoom

**Contact Point** 

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(DISTRIBUTED 14/03/25)

## **PLANNING COMMITTEE**

## **MEMBERSHIP (15)**

## Plaid Cymru (10)

## Councillors

Elwyn Edwards Elin Hywel Olaf Cai Larsen Gareth A Roberts John Pughe Delyth Lloyd Griffiths Gareth Tudor Jones Edgar Wyn Owen Huw Rowlands Berwyn Parry Jones

## Independent (4)

## Councillors

Louise Hughes John Pughe Roberts Anne Lloyd-Jones Gruffydd Williams

## Lib/Lab (1)

Councillor Gareth Coj Parry

# PROCEDURE FOR SPEAKING ON PLANNING APPLICATIONS IN THE PLANNING COMMITTEE

The Council has decided that third parties have the right to speak on planning applications at the Planning Committee. This leaflet outlines the normal operational arrangements for speaking at the committee.

1.	Report of the Planning Service on the planning application including a recommendation.	
2.	If an application has been received from a 3 <sup>rd</sup> party to speak the Chairman will invite the speaker to come forwards.	
3.	Objector or a representative of the objectors to address the committee.	3 minutes
4.	Applicant or a representative of the applicant(s) to address the committee.	3 minutes
5.	Local Member(s) to address the committee	10 minutes
6.	Committee Chairman to ask for a proposer and seconder for the planning application.	
7.	The committee to discuss the planning application	

#### **AGENDA**

## 1. APOLOGIES

To accept any apologies for absence.

# 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

To receive any declaration of personal interest and to note protocol matters.

## 3. URGENT ITEMS

To note any items that are a matter of urgency in the view of the Chairman for consideration.

**4. MINUTES** 6 - 12

The Chairman shall propose that the minutes of the previous meeting of this committee, held on the 3<sup>rd</sup> of March 2025, be signed as a true record.

#### 5. PLANNING APPLICATIONS

To submit the report of the Head of Environment Department.

# 5.1 APPLICATION NO C23/0671/45/AM LAND OFF CAERNARFON 13 - 52 ROAD, WESTERN PLOT, PWLLHELI, LL53 5LF

Erection of residential dwelling houses including access

LOCAL MEMBER: Councillor Elin Hywel

Link to relevant background documents

# 5.2 APPLICATION NO C23/0673/45/AM LAND OFF CAERNARFON 53 - 81 ROAD, EASTERN PLOT, PWLLHELI, LL53 5LF

Erection of residential dwelling houses including access

LOCAL MEMBER: Councillor Elin Hywel

Link to relevant background documents

# 5.3 APPLICATION NO C24/0687/42/LL PLOT BORTHWEN LÔN 82 - 110 RHOS, EDERN, GWYNEDD, LL53 8YN

Full application for the construction of 6 residential dwellings (C3 class use) and associated development including access, parking and landscaping.

LOCAL MEMBER: Councillor Gareth Tudor Jones

Link to relevant background documents

# 5.4 APPLICATION NO C24/1058/16/LL PARTH 3 PARC BRYN CEGIN, 111 - 136 LLANDYGAI, GWYNEDD

The construction of 4no. new industrial units and associated external landscaping on Plot C3 at Parc Bryn Cegin, Llandygai, Bangor.

LOCAL MEMBER: Councillor Dafydd Meurig

Link to relevant background documents

#### **PLANNING COMMITTEE 3 March 2025**

#### **Attendance**

Chair: Councillor Elwyn Edwards Vice-chair: Councillor Huw Rowlands

#### Councillors

Berwyn Parry Jones, Delyth Lloyd Griffiths, Louise Hughes, Gareth T Jones, Anne Lloyd Jones, Cai Larsen, Edgar Owen, Gareth A Roberts, John Pughe, John Pughe Roberts and Gruffydd Williams

#### Others invited:

Councillor Elfed Williams – Local Member for item 5.1 Councillor Llio Elenid Owen – Local Member for item 5.2

#### Officers:

Gareth Jones (Assistant Head of Planning and Environment Department), Keira Sweenie (Planning Manager), Sion Huws (Propriety and Elections Manager) and Lowri Haf Evans (Democracy Services Officer).

#### 1. APOLOGIES

Apologies were received from Councillor Elin Hywel and Councillor Gareth Coj Parry

## 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The following member declared an interest in relation to the item noted:
  - Councillor Huw Rowlands (a member of this Planning Committee), in relation to item 5.2 C20/1093/24/LL on the agenda, as he had presented observations on the application
- b) The following Members declared that they were local members in relation to the items noted:
  - Councillor Elfed Williams (not a member of this Planning Committee), in relation to item 5.1 C24/0977/18/LL on the agenda
  - Councillor Llio Elenid Owen (not a member of this Planning Committee), in relation to item 5.2 C20/1093/24/LL on the agenda

## 3. URGENT ITEMS

As a matter of order, it was reported that since the Chair was joining the meeting virtually, the Assistant Head would be announcing the results of the voting on the applications.

#### 4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 3 February 2025 as a true record.

## 5. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

## 5.1 Application Number C24/0977/18/LL

## WALES SLATE MUSEUM, GILFACH DDU, LLANBERIS, CAERNARFON, GWYNEDD

Restoration work to the site to include internal and external alterations

a) The Planning Manager highlighted that this was a full application for restoration work to the site to include demolishing the existing café and shop and erecting new buildings.

It was explained that the Gilfach Ddu site in the village of Llanberis was located outside of the village's development boundaries but within the Slate Industry World Heritage Site, as well as the Landscape of Outstanding Historic Interest. It was noted that the buildings were grade I listed and that the waterwheel there was a monument.

The application was submitted to the committee due to the scale of the site.

It was reported that most of the work was internal restoration work, and there was no need for formal planning permission to complete this. However, it was noted that the restoration work had been assessed within the associated listed building application and that approval and permission had been obtained from CADW on that application. This meant that listed building consent had been obtained for the physical work to the building, but the proposal still required planning permission. It was elaborated that the Council's Conservation Officer had provided significant input to the application during the 'pre-application advice' period and the success of the advice was reflected by CADW's prompt decision to support the proposal.

Attention was drawn to the main elements of the proposal which included demolition of the existing shop and erection of a new one with the same footprint, erecting an extension to create new toilets, demolishing the existing café and erecting a new one with the same footprint, erecting a new workshop and a new canopy as a shelter for visitors. Reference was made to the variety of minor alterations that were also included in the application, namely creating and altering openings, installing infrastructure, erecting fences, landscaping, creating a storage yard and removing modern partition walls.

In the context of the principle of the proposal, it was noted that improving tourist attractions was supported by policy TWR 1. It was considered that the proposal, on the grounds of the design and impact on amenities, was acceptable and no objection was received from the Transportation Unit as there were no changes to the entrance or the parking provision within the site. Wildlife reports were received with the application and, by imposing conditions, it would be possible to satisfy the observations of the Biodiversity Unit and Natural Resources Wales.

It was noted that the restoration work was essential for the future of the site and the new buildings would be a significant improvement in terms of design and visitors' experience of the site. It was considered that the proposal would be acceptable and the officers recommended that the Committee approved the proposal with conditions.

b) Taking advantage of the right to speak, the Local Member made the following comments:

- That he, as well as the Local Member for the Llanberis ward, supported the application
- There was a need to ensure that the character of the buildings was protected
- c) Taking advantage of the right to speak, the applicant's agent noted the following observations:
  - The basic principle and basis of the application, as well as the application already approved for the internal refurbishment of a listed building, was to ensure that the developments were suitable for the World Heritage Site.
  - Gilfach Ddu was an extremely important heritage site, and the importance of the site
    was considered when making the proposals, as well as the process of Assessing the
    Impact on Heritage.
  - Pre-application engagement sessions had been held with the Local Planning Authority, CADW, and the Slate Sub-group
  - The proposed developments would improve visitors' experience; ensure that the site was available to everyone; and create more employment and education opportunities.
  - The plan to create an Interpretation Hub for the Slate Landscape, which is a World Heritage Site, complied with key themes from the World Heritage Site Management Plan, namely 'caring', 'enjoying' and 'learning' about the Slate landscape. The Interpretation Hub would promote the industrial legacy, the Welsh language and its culture.
  - The alterations, the new buildings and the improvements to the landscape would be designed carefully in a way that respected the local area.
  - A substantial collection of supporting information was submitted to accompany the application.
  - The consultants had considered all the information in detail, and no objections were received from them.
  - No third-party organisations had presented any objections during the planning process.
  - The proposed development was considered as one that complied with the main policies
    of the development plans attached to the Future Wales Plan, the Gwynedd Local
    Development Plan and Planning Policy Wales.
  - The Officer's report noted that the proposed developments would have a positive impact on the character of the site, as well as people's enjoyment of the site, but most importantly, secured the future of the site.
  - The Local Authority Officers were thanked, especially Eryl Williams for engaging positively throughout the process.
- d) It was proposed and seconded to approve the application
- e) During the ensuing discussion, the following observations were made by Members:
  - The application was to be welcomed
  - There was a need to protect the culture
  - The site needed regeneration
  - It was essential to retain the character of the buildings

In response to an observation regarding the use of red corrugated sheeting as the roof for the shop and visitor shelter and not slate, and a suggestion to impose a condition to ensure that local slate was used as a more traditional material, it was noted that a decision had been made to choose different materials to be able to differentiate more easily between the old and the new, ensuring that the new buildings did not compete with the traditional buildings.

DECISION: To approve the application subject to the following conditions:

- 1. **5 years**
- 2. In accordance with the plans
- 3. Cast-iron rainwater goods
- 4. Details of the new doors to be approved beforehand.
- 5. Lime mortar
- 6. Details of flue/vents to be approved beforehand.
- 7. Details of the new fence to be approved beforehand.
- 8. Stone samples
- 9. Samples of the materials to be used
- 10. In accordance with the requirements of GIS
- 11. Welsh Water Conditions
- 12. Lighting conditions
- 13. Biodiversity/NRW conditions
- 14. Landscaping

#### 5.2 APPLICATION NUMBER C24/0734/17/LL

# THE STABLES HOTEL AND RESTAURANT, BETHESDA BACH, CAERNARFON, GWYNEDD

Change of use of chalet / bedrooms to proposed 10 affordable residential units (mix of 1 and 2 bedrooms, self-contained units)

a) The Planning Manager highlighted that this was a full application to change the use of bedrooms to 10 affordable residential units.

In terms of the principle of the development, it was explained that policy PCYFF 1 was relevant as the site was located outside of any development boundary as defined within the LDP and the site was in open countryside. It was highlighted that the policy stated that proposals were refused unless they were in accordance with other policies within the plan or national planning policies or the proposal showed that its location in the countryside was essential.

It was reiterated that consideration to Policy TAI 7 was also important, as the proposal involved converting buildings in the countryside into living units. However, the policy only allowed the conversion of traditional buildings. Reference was made to Section 7 of the Supplementary Planning Guidance (SPG) 'Replacement Dwellings and Conversions in the Countryside', which defined traditional buildings as those built prior to 1919 and of 'breathable construction'. It was noted from the site's planning history that permission was given to erect the building in 1978 and therefore it will not be possible to consider the proposal against Policy TAI 7 as it would not be a conversion of a traditional building. It was noted that the guidance also noted that traditional buildings had an aesthetic value which derived from the way that people had sensible and intellectual enjoyment of the building with the character of the building often encompassing local unique features and contributed to the sense of place. In this context, it was explained that the construction was mainly made of red brick construction and modern windows that did not have a high amenity value and did not reflect the character and nature of traditional buildings in the area. Given this, the application did not meet the requirements of policy TAI 7 as the proposal did not involve a conversion of a traditional building, and as there was no other policy within the LDP that allowed provision of affordable housing in open countryside; the principle of the proposal was therefore contrary to policy PCYFF 1.

It was also explained that the application did not meet other criteria within policy TAI 7 as a structural report was not received to support the application. In addition, no evidence was received to prove the need for the affordable units and how the development had been designed to ensure an appropriate mix of housing in accordance with policy TAI 8. It was highlighted that Planning Policy Wales (PPW) required new affordable housing to reach the Welsh Government's development quality standards, and because these units, based on their size, did not meet these requirements, it was considered that the proposal was contrary to PPW. It was also considered, due to the restricted size of the units, that the proposal was contrary to policy TAI 8 as the proposal did not reflect a high-quality design standard which created sustainable and inclusive communities - these units did not support the creation of healthy and lively environments, and they did not consider the health and well-being of future users in accordance with policy PCYFF 3.

Criterion 1 of policy TAI 7 was considered, which required evidence that employment use of the building was not viable, as well as policy PS14 (The Visitor Economy) - the legal use of the building as bedrooms for a hotel. It was explained that this policy was relevant in the context of support to the protection of holiday accommodation and facilities. It was noted that the only information received from the application was that the building had been marketed over a period of 18 months since 2022 before the applicant made an offer to buy the building.

It was acknowledged that the building had been marketed, but in accordance with the SPG requirements, it was necessary to receive financial evidence that the business was not viable and that it was not expected for it to become economically viable in the future. It was also acknowledged that the planning statement offered more evidence from the company responsible for marketing the building, but this was not requested as the application did not meet the principles of policy TAI 7, and receiving the information would not overcome the conflict with the policy. Therefore, it was considered that the proposal was contrary to policy PS 14 and criterion 1 of Policy TAI 7.

It was accepted that the application complied with some policies in terms of visual impact and general amenity impact, transportation, biodiversity and impact on the language, but it was not considered that this overcame the conflict with the basic policy. The Officers recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the applicant's agent noted the following points:
  - The Stables had ceased trading in 2019
  - It was put on the market in 2022 without any success
  - The application had been submitted in October 2024 there had been no communication with the Planning Service until they became aware that the application was to be discussed at the Committee
  - There was a request to defer the decision to prepare responses to the objections
  - There was a housing crisis in the County a need for affordable housing
  - Disagreed with the officers' views regarding the proposal meeting the need and the view that the building was not considered as a traditional building
  - The proposal would provide affordable housing
- c) Taking advantage of the right to speak, the Local Member made the following observations:
  - The application was unsuitable it would have a negative impact on the village
  - Contrary to local requirements
  - Many local residents had highlighted their dissatisfaction with the planning application
  - No public transport no suitable access no resources within walking distance

- The plan was of an urban nature an overdevelopment
- It did not respond to the demand for this type of housing provision needed in the area
- The size of the units was very small
- It was not within the LDP it was contrary to local and national policies contrary to Policy TAI 1 - the building was not of traditional design and contrary to Policy TAI 8 - no evidence of the demand locally
- There was no standard to the design
- No evidence of commercial / self-contained use or evidence supporting the creation of a healthy community submitted
- There had been no correspondence with the Community the applicant had not considered the views of local residents
- ch) It was proposed and seconded to refuse the application
  - d) During the ensuing discussion, the following observations were made by Members:
    - The units were sub-standard this was not a good precedent for Gwynedd
    - There was a need to keep standards high and ensure suitable housing for the people of Gwynedd
    - The local objection was very substantial

In response to a question regarding the request for pre-application advice, it was noted that a request had been made but that was for a development that was slightly different to the one submitted to the Committee.

#### RESOLVED: TO REFUSE

- The application was considered to be contrary to policy TAI 7 and the Supplementary Planning Guidance 'Replacement Dwellings and Conversions in the Countryside' as the building was not traditional. As there were no other policies within the LDP which permitted new residential dwellings in open countryside, it was considered that the proposal was also contrary to policy PCYFF 1.
- 2. No evidence had been received of affordable local need, or information indicating that there was an appropriate mix of housing for the number and type of units proposed. As a result, it was considered that the proposal was contrary to policy TAI 7 and TAI 8.
- 3. Insufficient evidence received to demonstrate that the commercial use of the building was not viable or evidence to justify the loss of serviced holiday accommodation, which was contrary to PS 14, and criterion 1 of policy TAI 7.
- 4. That the units, due to their limited size, were contrary to paragraph 4.2.30 of edition 12 of Planning Policy Wales as the units did not meet the Welsh Government's development quality standards. It was also contrary to policy TAI 8 as the proposal did not reflect the high-quality design standard that created sustainable and inclusive communities and the units would not help to create healthy and lively environments, and did not consider the health and well-being of future users in line with policy PCYFF 3.

The meeting co	ommenced at	13:00 and cond	cluded at 13:40
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	CHAIR		

Agenda Item 5.1

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REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

**Application** 

C23/0671/45/AM

**Number:** 

Date Registered: 11/09/2023

**Application** 

**Outline** 

Type:

**Community:** Pwllheli

Ward: Pwllheli (North)

**Proposal:** Erection of residential dwelling houses including access

Location: Land Off Ffordd Caernarfon, Western Plot, Pwllheli, LL53

5LF

**Summary of the** 

**Recommendation:** TO APPROVE WITH CONDITIONS

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## 1. Description:

- 1.1. This application has been submitted in the form of an outline application and, therefore, not all details of the development in terms of detailed plans to show the appearance/design and landscaping have been included as would be the norm with a full application. That is, the principle of the proposal itself, details about the access that permission is sought for are only included as part of this outline application and permission is not sought for appearance, landscaping, layout and scale of the proposed development. Should the current application succeed, these details would be subject to a further application.
- 1.2. However, an indicative site plan was submitted for a residential development of 12 houses. The layout plan submitted is indicative only and the application does not seek permission for the number, mix or type of dwelling houses. These details will be the subject of a reserved details plan should outline permission be granted. Nevertheless, as required with outline applications now, the minimum and maximum height of buildings recorded in the Design and Access Statement are as follows:
  - Bungalow approximately 10m 12m in length, 13m 17m in width, and between 4.5m and 6m in height
  - Terraced house approximately 8.5m 10m in length, 4.5m to 5.5m in width, and between 7.5m and 11m in height
  - Semi-detached house approximately 10m 12m in length, 5m to 6m in width, and between 7.5m and 11m in height
  - Single house approximately 9.5m 11m in length, 5.5m to 7m in width, and between 7.5m and 8m in height
- 1.3. The following documents were received as part of the application:
  - Welsh Language Statement
  - Residential Viability Assessment
  - Noise Impact Assessment
  - Archaeological Assessments
  - Arboriculture Report
  - Drainage Philosophy Report
  - Ecological Survey Report
  - Phase 1 Geo-environmental Report
  - Flood Consequence Assessment
  - Pre-application Consultation Report
  - Transport Assessment
  - Design and Access Statement
  - Planning Statement
- 1.4 The site is currently open fields. The application site is located off Ffordd Caernarfon (A499), namely one of the main roads leading into and out of Pwllheli. The site lies within the development boundary of Pwllheli and forms part of the site designated for housing (T28) in the LDP. It also lies within the Llŷn and Ynys Enlli Landscape of Outstanding Historic Interest. A part of the site is included in the Penlon Caernarfon candidate wildlife site. There are dwelling houses in the vicinity and some businesses are located nearby. The recently opened Aldi store is on land to the north-east of the site. The site's topography means that the site slopes towards the middle and then has steep sides towards the northern side.

#### 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

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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 (Wales) Act 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 2011-26, adopted 31 July 2017

PS 1: The Welsh Language and Culture

ISA 1: Infrastructure provision

ISA 5: Provision of open spaces in new housing developments

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 6: Water conservation

PS 16: Housing Provision

PS 17: Settlement strategy

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

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

TAI 15: Affordable housing threshold and distribution

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 5: Local biodiversity conservation

PS 20: Preserving and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

AT 4: Protection of non-designated archaeological sites and their setting

Supplementary Planning Guidance (SPG):

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Housing Mix

SPG: Affordable housing

SPG: Character of the landscape

SPG: Planning obligations

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

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note (TAN) 2: Planning and affordable housing

TAN 5: Planning and Nature Conservation

TAN 6: Planning for sustainable rural communities

TAN 11: Noise

TAN 12: Design

TAN 18: Transportation

TAN 20: Planning and the Welsh Language

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## 3. Relevant Planning History:

- 3.1 C24/0631/45/AC Vary condition 2 of Planning Permission C22/0969/45/LL to allow changes to the design of the retaining wall, the access ramp for pedestrians, reorganise the car park and remove the sub-station on the site Approved 3 October 2024.
- 3.2 C22/0969/45/LL Construction of new Aldi food shop (A1 use class), car park, entrance, servicing and landscaping Approved 30 November 2023.
- 3.3 The above proposals were located on part of housing designation T28 within the JLDP.
- 3.4 C23/0673/45/AM Construction of residential dwelling houses including access Not yet determined. This is an application for a residential development on another part of designation T28 land of the JLDP.

#### 4. Consultations:

Community/Town Council: Not received.

**Transportation Unit:** 

I refer to the above application and I confirm that the transportation unit does not have any objection to the development in principle but I offer the following comments.

I ask the applicant to provide steps in addition to the ramp to create a more direct link to the site.

The site will be accessed via the access point proposed within planning application C22/0969/45/LL. As such, the viability of the site is dependent upon the discharging of conditions relating to highway improvements proposed in the application. To protect against the potential that these improvements are not undertaken, could we include a condition that the dwellings will not be occupied until the highway improvements associated with application C22/0969/45/LL have been completed?

I also ask for the following conditions to be imposed on any permission granted:

The estate road and footways shall be surfaced to base-course and lighted before any dwellings which it serves are occupied.

The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning Authority, whichever happens first.

The car parking area shall be completed in full accordance with the details as submitted before the dwelling(s) is/are occupied.

The applicant must take every precaution to prevent surface water from the curtilage of the site from spilling onto the highway.

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Natural Resources Wales:

Thank you for consulting with Natural Resources Wales (NRW) about the above, which we received on 13/09/2023.

We have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition 1: Lighting Plan

Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

## **Protected Species**

We note that the ecological report submitted in support of the above proposal (Cambrian Ecology Ltd (5 May 2023, Ecological Survey Report) has identified that bats are commuting and foraging at the application site. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

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 you attach the following condition to any planning permission granted:

Condition 1: Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas
- Light modelling images to present the night-time effects of lighting on building elevations and ground surfaces from key locations for bats
- Details of lighting to be used both during construction and operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species.

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Welsh Water:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

#### **SEWERAGE**

In respect of the aforementioned, we acknowledge that the application relates to a major development and therefore, in accordance with Schedule 1C Article 2D of the Town & Country (Development Management Procedure) Planning (Amendment) Order 2016, there is a statutory requirement to undertake pre-application consultation with any 'Specialist Consultees' including the water and sewerage undertaker concerned. In this case, Dŵr Cymru Welsh Water have not been informed of the proposed development and therefore the application should technically be deemed invalid as it fails to comply with statutory requirements.

Notwithstanding the opportunity to comment at pre-application consultation stage, having reviewed this planning application submission, we have considered the impact of foul flows generated by the proposed development and concluded it is unlikely that sufficient capacity exists to accommodate the development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment. There are no planned reinforcement works within Dŵr Cymru Welsh Water's Capital Investment Programme and therefore, at this stage, we are unable to provide a point of adequacy on the network.

In light of the above our recommendation is that the developer instruct us to undertake a Hydraulic Modelling Assessment (HMA) which is at the developer's expense and will examine the impact of the introduction of flows from the development upon the performance of the existing network and consider the impact of the introduction of flows from the proposed development upon its performance. Where required and appropriate, the HMA will then identify solutions and points of communication to ensure that the site can be accommodated within the system. For the developer to obtain a quotation for the HMA, we will require a fee of £250 + VAT.

In the absence of known solutions to accommodate the proposed development, we would kindly request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.

#### Conditions

No development shall take place until a point of connection on the public sewerage system has been identified by a hydraulic modelling

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assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

#### WATER SUPPLY

The proposed development may be crossed by a distribution watermain, the approximate position being shown on the attached plan. Dŵr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We would advise of the need to accurately locate the assets on site as our record plans are a general guidance only and should not be relied upon in the event of excavations or other works made in the vicinity of the assets. We would need to carry out the survey work and trial holes and would that the developer contact colleagues request our PlanandProtect@dwrcymru.com for a quotation. I enclose our Conditions for Development near Watermain(s). Should the watermain be located on the site, we would advise that public watermains and their required easements should be located within public accessible areas and not within residential curtilages and gardens and therefore there would be requirement to divert the public watermain under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dŵr Cymru Welsh Water before any development commences on site.

Also provided advice for the developer.

**Public Protection Unit:** 

## 3 March 2025 Observations

The application is supported by a Noise Impact Assessment: Noise Impact Assessment Report, Sbectrwm ref. RK3679/21318/Rev 5 (NIA). When assessing the noise assessment, the Department considers whether it is practical to manage or reduce noise levels, or mitigate the impact of noise by using conditions. When reaching the acceptable level, we need to consider whether the necessary mitigation measures achieve an acceptable level of amenity within

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the Property and externally.

The NIA concludes that there would be low impact on the development from the mechanical and supply noise from the nearby Aldi (as proposed) and the site refers to TAN 11, with categories specified as NEC B during the day and NEC C during evening periods.

The noise assessment failed to meet internal noise levels within BS 8233:2014. The mitigation measure involves providing a high-level of glazing and trickle ventilation to meet the values of the guidance in a red-zone property detailed in appendix G of the NIA.

Point 6.1 of the Report – the – 'Noise from the Proposed Aldi Store' has used the information from the planning application and has taken for granted that the Aldi Store has been constructed and in line with the RK3465/21318/Rev2 noise assessment. As this has not been confirmed, we will make it a requirement for this matter to be validated with a condition.

## 6.1.2 Noise from deliveries to the Aldi Store

The NIA has concluded that there would be a low impact from deliveries during the day, distribution is not permitted in the evenings and, therefore, they have not been assessed.

# 6.3/6.4 - TAN11, BS 8233:2014 and the World Health Organisation

The NIA has determined that internal/external noise levels could be met based on guidance provided in BS 8233:2014v and that a condition should be imposed on any approval:

#### Internal noise levels

All rooms that could be exposed should be subject to sound insulation measures as prescribed in the NIA to ensure that every such room achieves an internal noise level of 35 dBA Leq 16 hours during the day and 30 dBA Leq 8 hours at night.

The mitigation measures must be applied under section 6.4.1 Table 12 in accordance with mitigation zones of Appendix G of the NIA to ensure that living rooms subject to noise insulation measures can be ventilated effectively.

#### **External Noise Levels**

The peak noise level during the day in outdoor living areas that are exposed to external road traffic noise will not exceed 50 dBA Leq 16 hours [free field??].

The mitigation measures listed in 6.4.2 of the NIA will be applied in the plots listed in accordance with plots indicated in Appendix G of the NIA.

In response, we are aware of the possibility of disturbing neighbouring residents during construction work should planning permission be granted. As a result, we ask for the following conditions to be imposed:

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## A site-specific Construction Environmental Management Plan

No development to commence until a site-specific Construction Environmental Management Plan has been submitted to the Planning Department and approved in writing. The plan must show adoption and use of the best practical methods to reduce noise impacts, vibration, dust and site lighting during the construction period.

All work and ancillary operations that could be undertaken on the site boundary will only be carried out between the following hours: 08:00 - 18:00 Monday to Friday (everyday) and 08:00 - 13:00 on Saturdays and not at all on Sundays or Bank Holidays.

Deliveries and movements from the site only during the permitted hours noted above, unless otherwise agreed with the Council or the Police (heavy loads).

Reason: For the benefit of the amenities of neighbouring occupiers when constructing the development.

## **Air Source Heat Pumps (ASHPs)**

The Noise Impact Assessment has not included an assessment of any proposed installation of Air Source Heat Pumps (ASHPs). If the Development is to be served by ASHPs, further details confirming the manufacturer's exact product locations and specification, including anticipated noise levels for the proposed equipment, will be submitted to the Local Planning Authority and approved in writing.

The score level of any noise generated by this equipment will be at least 5 dB lower than the background level as determined by BS4142: 2014 Methods for grading and assessing industrial and commercial sound. If this is not achieved, details of noise mitigation measures to meet this standard will also be provided. The air source heat pumps and mitigation measures (as required) will be fully installed and maintained in accordance with the details agreed prior to the first use of the dwellings unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities and living conditions of nearby residents from noise pollution

#### 20 October 2023 Observations

Thank you for consulting with the Public Protection Unit regarding the above.

The service has considered the above planning application, and our observations are as follows:

We have concerns regarding the application as submitted as insufficient information has been provided. To overcome these concerns, further information should be provided on how they will Page 21

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manage nuisance during the development. A Construction Environmental Management Plan (CEMP) should be submitted to outline how the developer will reduce any negative environmental impacts from the development, and to ensure that the necessary control measures are agreed before development begins. Should this information not be provided, we will object to the planning application. Further details are provided below.

#### CONTROL OF NUISANCE FROM CONSTRUCTION SITES

Demolition, construction, and landscaping work can cause a noise and dust problem for nearby residents. I note from the plans that the proposed development is close to a number of residents' houses (including Llwyn-Ffynnon houses, The Coach House, and houses opposite the development on Ffordd Caernarfon), as well as Glandon Garage. No details about the length of the development, nor any measures to reduce and control nuisance during the development have been provided as part of the application. The developer must provide a detailed plan on how to Manage Nuisances (dust, noise, and vibrations) as part of the CEMP, and all work should be done with an agreement on an approved plan.

The CEMP should also outline how the developers intend to communicate with the public. Major developments can be inconvenient for the people who live and work nearby, but communication greatly reduces complaints. We advise that the developers inform neighbours/businesses in the local area of the proposed working hours for the development, and the measurements to be taken in order to protect amenities, and a contact number.

During the demolition and construction work, the best practical methods should be used to reduce noise and vibration from the work and consideration should be given to the recommendations of BS 5228: Code of practice for noise and vibration control on open sites and construction sites. This may include mitigation measures such as erecting acoustic barriers around the site near residential properties.

If the planning application is granted, the following conditions should be imposed:

- 1. Before work commences, a Construction Environmental Management Plan (CEMP) should be submitted to the Local Planning Authority for written approval to ensure necessary management measures are agreed prior to commencement of development. This should include a detailed plan on measures to minimise noise and vibration, and dust control.
- 2. Demolition and construction work shall take place between the hours 08:00-18:00 Monday Friday, 08:30-13:00 Saturday, and not at all on Sundays and bank holidays.

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3. The developers must use the best practical methods to reduce noise and vibration from the development and consider the code of practice recommendations 'BS5228-1:2009+A1:2014: Control of Noise and Vibration on Construction and Open Sites'. The noise levels must adhere to the threshold ABC noise values, category A of the BS 5228-1:2009+A1:2014.

Reason: To protect the residents of the area

#### NOISE IMPACT ASSESSMENT

Spectrum Acoustic Consultants have been commissioned to complete a noise impact assessment (NIA) as part of the Planning application (Ref. Report RK3583/21318/Rev 4). When I refer to different sections within the NIA in below, I am referring to this version.

## 2. Description of the site and proposals

The description of the site in section 2 of the NIA is incorrect, and has been copied from RK3465/21318/Rev 2 for planning application C22/0969/45/LL. It states, "To the west of the development site there is waste land, and beyond it is a petrol station", however the boundary of the development site is going to be within ~15 metres of the petrol station and no wasteland between. Furthermore, it states that "To the north there is agricultural land together with one dwelling (Plastirion)", but the dwellings to the north of this development will be 1-4 Llwyn Ffynnon, not Plas Tirion.

## 55. Site measurement survey

Section 4.3 (page 8), states "During the daytime, noise levels across the site are LAeq,16hour 51-57dB. During the night-time, noise levels across the site are LAeq,8hour 42-47dB, with maximum levels typically in the range LAFmax 57-65dB". This noise data was previously measured by Sbectrwm as part of the noise impact assessment for C22/0969/45/LL. The noise measurement locations were identified as being representative of the most sensitive residential properties to the proposed Aldi store, and not the most sensitive residential properties to this development. There is no reference to the petrol station as part of the noise assessment (in terms of noise during fuel deliveries etc.), nor the effects of construction noise/vibrations on the nearest houses, including Llwyn Ffynnon and houses opposite on Ffordd Caernarfon. The noise measuring locations should be located nearer to the petrol station, where these houses will be built, for a more accurate representation of the background levels. This service therefore requests that a further noise assessment is undertaken to account for the garage.

#### 6. Assessment of noise

It is predicted in section 6.1.1 (page 12) that the mechanical plant

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rating levels would be 8dB higher than the representative background noise level during the daytime at the nearest affected receptor location (House number 4). Although the service recommends that the BS4142 rating level, measured over 1 hour, should be 5dB below the background (LA90), we accept that the predicted background noise levels are low at 0-27dB. Traffic noise can also be higher at this location, especially during the summer, which would potentially elevate background levels.

It is noted in 6.2 that "the daytime, noise levels across the site are predicted to be LAeq,16hour 49-59dB. During the night-time, noise levels across the site would be LAeq,8hour 42-49dB." However, these levels contradict the levels in section 6.3.1, where it states "during the daytime, noise levels across the site are predicted to be LAeq,16hour 49-61dB. During the night-time, noise levels across the site would be LAeq,8hour 42-51dB"; these final figures are in line with the results in Appendix C. However, I must note that the results indicate night-time maximum levels typically in the range LAFmax 59-69dB. For all areas of the site which are in NEC B, I concur with the statement that 'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection.'

In section 6.3.1, the report refers to closing windows as a normal mitigation practice (page 16). The service does not consider closing windows a practical method to reduce noise, unless justification is provided that the internal target noise levels can only be practically achieved with windows closed. In any situation where there would be a need to rely on closed windows and associated ventilation in order to achieve the desired acoustic outcome, as stated in ProPG: Planning & Noise 2017 [special care must be taken to design the accommodation so that it provides good standards of acoustics, ventilation and thermal comfort without unduly compromising other aspects of the living environment. In such circumstances, internal noise levels can be assessed with windows closed but with any facade openings used to provide "whole dwelling ventilation" in accordance with Building Regulations Approved Document F (e.g. trickle ventilators)].

Section 6.3.1 also refers to a "sound insulation scheme", although it is not clear what exactly this scheme entails. Table 12 refers to House 7 as the most affected property, however looking at the results in Appendix C, there is only a decibel between House 7 (61 dB) and Houses 4, 5, and 6 (60 dB) during daytime. Night-time levels for Houses 4, 5, 6 and 7 are the same (51 dB). All houses must be insulated to the indoor target levels specified in Table 12. If the application is to be granted, a sound insulation scheme must be provided with the specification for the windows, walls, and ventilators, which are the three main elements of the façades. Specification for the windows and trickle ventilators have been Page 24

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included on page 17, and these should be conditioned. Section 6.3.2 has noted that, "close boarded timber fences barriers which have a minimum height of 2.25m should enclose each garden at the proposed development." This should be conditioned should planning be granted.

#### Conditions:

4. The levels specified in the table below should not be exceeded. These should be calculated assuming windows in noise sensitive premises are open for ventilation.

Location	Laeq (16 hr) 0700-23.00	Laeq (8 hr) 23.00-07.00	Lamax 23.00 07.00
Living rooms	35dB	-	-
Dining room/area	40dB	-	-
Bedroom	35dB	30dB	45dB
Garden	55dB	-	-

- 5. All mitigation measures set out in Section 6.3 of the NIA will need to be adhered to.
- 6. A complete Sound Insulation Scheme must be submitted for written approval from the Local Planning Authority before Construction commences. This should include, as a minimum, the individual sound insulation specification for the three main elements of the façades (window, wall and ventilator). All houses must be insulated to the indoor target levels specified in Table 12 of the NIA report.
- 7. As specified in the NIA report, each garden at the proposed Development should be enclosed by a close boarded timber fence, with a minimum height of 2.25m. Reason: to protect the residents of the area

#### Additional Notes:

The houses within this development will be located between a busy garage and a commercial shop, therefore there is a possibility that they will be subjected to noise disturbances. It should be noted that the granting of planning permission does not convey any exemption from or compliance with other legislation such as the Environmental Protection Act 1990 (Statutory Nuisance). The NIA has not taken noise levels from the garage into account in, and we request a further assessment to include noise levels from the garage. The sound insulation scheme should be in place prior to starting the place 25

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development, and the targets set within the NIA must be met. Closing windows is not a solution to reduce internal noise, as occupants generally prefer the ability to have control over the internal environment even if the acoustic conditions would be considered unsatisfactory when open. Solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design. Any reliance upon building envelope insulation with closed windows should be justified in supporting documents.

Water and Environment Unit YGC:

## Flooding Risk and Land Drainage

A Flood Consequence Assessment has been presented which demonstrates that flood risk to the development site from fluvial sources is acceptable, and that surface water flood risk could be managed through an appropriate site drainage plan (Weetwood, 2023).

A small watercourse runs through the centre of the proposed development site. The developer currently proposes to divert the watercourse through a culverted system. This unit would prefer the watercourse to be diverted in an open channel around the perimeter of the site rather than through a culverted system. We have requested the same of the proposed development neighbouring the site.

Ordinary Watercourse Consent will be required for any temporary or permanent works that may affect the flow of this watercourse and FCRMU@gwynedd.llyw.cymru should be contacted for further advice.

## **SuDS Approval Body Comments**

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more than 1 house or where the construction area with drainage obligations is 100m2 or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Cyngor Gwynedd in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, an application will need to be made to the SuDS Approval Body for approval before construction work commences. The information provided shows that the developer intends to drain the site in a suitable sustainable manner; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SAB is recommended.

https://www.gwynedd.llyw.cymru/cy/Trigolion/Cynllunio-a-rheolaeth-adeiladu/Cynllunio/System-Draenio-Cynaliadwy.aspx

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Education Department: Current capacity available in the local schools (see paragraph 5.40 below).

Fire Service: ACCESS FOR A FIRE ENGINE

Access roads to the site should ideally have a minimum width of 3.7 metres.

Minimum width between gateways of 3.1 metres (if applicable)

Road carrying capacity: Minimum of 12.5 tonnes

#### TURNING FACILITES

Fire and Rescue Service appliances should not have to reverse more than 20 metres from the end of an access road. This could be achieved by having turning circles, a hammerhead facility or other point at which the appliance can turn.

#### WATER SUPPLIES

An adequate supply of water should be available at all times and this could be achieved by:

A hydrant supply being installed and ideally within 90 metres of the installation. The hydrant should be clearly indicated by a plate, affixed nearby in a conspicuous position as detailed in BS 3251:1976

## Or

Alternate solutions:

- a) A charged static tank of at least 45,000 litre capacity
- b) Utilising a spring or river capable of providing / storing at least 45,000 litres of water at all times of the year to which access, space and a hard standing are available for a pumping appliance.
- c) Any other means of providing a water supply for firefighting operations considered appropriate by the Fire Authority.

**Biodiversity Unit:** 

The PEA has been produced to a good standard. The impact assessment confirms what impact this development will have to biodiversity and justifies mitigation and reasonable avoidance measures which must be taken.

 A project ecologist must be appointed to sign off all RAMS, mitigation and enhancements, and supervise works ensuring they comply with the PEA provided. This should include evidencing the measures have been implemented with the LPA (Biodiversity).

The landscaping proposal or green infrastructure statement (GIS) and design plan must incorporate all mitigation measures

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provided (Section 9). These are suitable and reasonable to mitigate the impact of the development and maintain the current biodiversity value of the site / status of protected species present.

- The landscaping design / GIS and design plan must show two Alder / Wych Elm / Oak trees are to be planted either side of the access road to mitigate for the loss of connectivity.
- The SuDS scheme must be designed in liaison with the site ecologist / botanist who completed the marshy grassland survey and contain all mitigation as proposed in the section 9.1.3 of the PEA. The biodiversity team should be asked to consult again when this is submitted.
- As post-development management plan is required for the meadow / wet meadow. The biodiversity team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning. It may be included in a site wide environmental management plan to include points raised below in relation to the woodland.
- A lighting scheme must be submitted and designed in liaison with the site ecologist and be consistent with all measures proposed in section 9.1.4 of the PEA (or the most up to date guidelines produced by the Bat Conservation Trust) The biodiversity team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning.

The proposal must also incorporate all biodiversity enhancement measures provided (Section 10).

- A post-development management plan is required for the woodland. The biodiversity team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning. It may be included in a site wide environmental management plan to include points raised above in relation to the meadow.
- The bee bricks and bat tubes (specifications provided in the report) must be shown on the design plans for the dwellings (these do not have any impact to the homeowner as solitary bees do not swarm or sting).

I appreciate this is an outline application and points raised may be addressed via reserved matters.

Language Unit:

Draft ACE Observations: In acknowledging that it is the same developer in the case of this application and C23/0673/45/AM, it must be noted that it is expected to submit separate Language Statements for both applications so that it is possible to fully assess the impact on the Welsh language in the case of the applications in question. There is no letter from local estate agents supporting the

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opinion that there is demand for so many open market houses in the town (however, we acknowledge that engagement was carried out in the case of the Awel Deg development in Pwllheli where an agent informed the applicant that 6 out of the 14 had been sold or offers had been made.)

The applicant mentions that the development would meet the need for housing in the Pwllheli area. However, with an estimated price of £230,000 per unit, the applicant has not fully considered the employment nature and salaries of this area. Although the Language Statement notes an intention to advertise with a local estate agent in an attempt to secure local buyers, there is a lack of acknowledgement that estate agents have their own websites and advertise on websites such as Rightmove and Zoopla. Consequently, it is difficult to agree with the suggestion that the developments in question will secure local buyers. Also, the officer responsible for these applications has confirmed in an e-mail that no letter from a local estate agent outlining the demand for the houses locally has been submitted regarding either application.

The author of the statement notes that it is not possible to anticipate how many prospective residents will be Welsh speakers but alleges at the same time that the percentage of people expected to move into the development will be the same as the percentage of Welsh speakers in the county. Given that the estimated price of the proposed houses is £230,000, and that a high proportion of the population has been priced out of the open market, it is difficult to agree with the 'Neutral' assessment in this case.

The importance of including everything that is relevant in the Language Statement must be emphasised, which includes the proposed prices of the units and their type (flats, semi-detached houses etc.), the number of bedrooms, total individuals who could be attracted to the community etc. Due to the lack of human resources in the Language Unit, the Unit can only offer full observations on the Linguistic Statements that are received; not on any other documents that are part of the application pack.

Gwynedd Archaeological Service:

Thank you for consulting us on the above outline application. I have reviewed the details against the regional Historic Environment Record and found that the proposed development may have archaeological implications.

A staged programme of fieldwork (comprising desk-based assessment and trial trenching) has recently been completed in connection with proposals for a new supermarket on the adjacent plot (Bear Archaeology report no.0407, June 2023). This work established that these fields appear to be of low potential for presently unknown buried archaeology, despite the generally higher

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potential of land adjacent to watercourses. However, the 'western plot' does contain two localised areas of known potential. In the south-west corner of the site, a small range of buildings is recorded on late 19th to mid 20th century Ordnance Survey mapping. The function, construction and degree of clearance of these buildings is unknown, but any surviving structural remains are likely to be of local archaeological significance. Any surviving evidence may be exposed or disturbed by the proposed pedestrian access and associated landscaping in this part of the site.

In the north of the site, the spring (annotated on modern mapping and referred to in application documents) is recorded on the Historic Environment Record as Ffynnon Fednant (PRN 32050), a possible holy or healing well. This was originally identified by an antiquarian researching holy wells in the county and was recorded as having a fluctuating water level according to the tide. There are not known to be any specific traditions or structures associated with the well, but it can nonetheless be considered as having local community value. The indicative site layout would avoid the spring, but it is possible that it may be affected by drainage or flood management proposals.

In addition, the stream fed by the spring in turn led to a mill pond to the west of the site, associated with a series of small scale industries. On the tithe map of 1840, this activity comprised a foundry, with the application plot Cae Nant belonging to a property known as The Foundry. From the 1st edition Ordnance Survey map of 1889 onwards, the industry had changed to a tannery and the site is today occupied by housing. The historical names associated with the application plot are recorded on the RCAHMW's List of Historic Place-Names. Reference to these may offer an opportunity for the proposed development to support Theme 3: creating favourable conditions – infrastructure and context of the Welsh Government's Cymraeg 2050: Welsh language strategy action plan 2023 to 2024.

In light of the above comments and in accordance with Planning Policy Wales 11 (February 2021) and TAN24:The Historic Environment (May 2017), it is recommended that, should planning permission be granted, the local authority requires that appropriate mitigation is put in place to record any archaeological evidence that may be affected by the scheme. The following wording is suggested for a condition to secure such work:

- a) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.
- b) A detailed report on the archaeological work, as required by

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condition (a), shall be submitted to the Local Planning Authority within six months of the completion of the archaeological fieldwork and subsequently approved by the Local Planning Authority in writing.

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2021 and TAN24: The Historic Environment.

2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

This condition is recommended at outline stage, since one area of known potential coincides with part of the new access routes, which is not to be agreed under reserved matters.

The archaeological mitigation is expected to entail a formal programme of observation and recording commonly termed an archaeological watching brief, to be undertaken on an intensive basis (that is, on groundworks in areas of identified archaeological risk), together with supporting desk-based research and post-field work as applicable to the observations made. Provisionally, this is expected to focus on the location of the demolished 19th century buildings, but may also encompass work in the vicinity of the spring/well, should groundworks be proposed in this area.

All elements of the archaeological programme must be undertaken by a professional archaeological firm, who should agree their specification for the work with us, on behalf of the local authority, in advance.

Housing Strategic Unit:

1. Information about the need:

The following indicates the number of applicants who wish to live in the area:

67 applicants from the Tai Teg register for intermediate property

318 applicants from the common housing register waiting for a social property

2. Information about the type of need:

The following shows the number of bedrooms that the applicants wish to have:

Number of bedrooms (owned or part-owned) (Tai Teg)

Number	of	Need as a	Rent	Buy

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bedrooms	%		
1 bed	0%	0%	0%
2 beds	28%	9%	19%
3 beds	58%	15%	43%
4 beds	13%	4%	9%

Number of bedrooms (Housing Options Team) (Cyngor Gwynedd's Common Housing Register)

Number of bedrooms	Need as a %
1 bedroom	37%
2 bedrooms	40%
3 bedrooms	16%
4 bedrooms	6%
5 bedrooms	2%

## 3. Suitability of the Plan:

Based on the above information it appears that the Plan:

Partly addresses the need in the area.

Plans are expected to include 30% affordable housing. No reference to affordable housing in the current application.

4. If the Housing Association is a partner for this development, the design of the property must conform with WG standards (DQR).

I cannot see a reference to affordable units in the application, nor a reference to a housing association, I would like to know whether the developer has contacted the housing associations.

#### 5. Discount level:

The application does not include financial information.

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Trees Unit:

This development will have very little arboricultural impact providing all tree protection measures are implemented. Planning should be conditioned in strict conformity to the tree protection specifications and method statement provided.

One tree of moderate quality will be removed. This should be mitigated for with replacement planting.

The landscaping proposal or green infrastructure statement and design plan must incorporate some mitigation tree planting / enhancement.

**Public Consultation:** 

A notice was posted on site and in the press, and nearby residents were informed. The advertisement period has expired and letters / correspondence were received referring to supporting the principle / giving priority to the construction of houses on the site rather than the Aldi retail development but raising matters involving:

- The density around half of what was expected in the LDP that may reflect the physical limitations of the site.
- On the Aldi application, a Viability Statement of the site for housing noted that marketing efforts thus far had failed to attract the interests of housing associations or housing builders, probably due to the high technical costs of the site that would make a housing development unviable; however, the housing proposals before you suggest that this may not necessarily be true and raises the question as to why the whole site cannot be offered for housing as intended by the LDP.
- We realise that this is an outline application and that design matters, the visual impact and landscaping are matters to be considered later on but attention needs to be given to reduce the visual impact of the urbanisation of the site making the use of natural land and providing a thick landscaping screen near the road that would visually link with the woodland on the western side.
- A separate entrance to the houses would be safer.
- The entrance is close to the entrance of Plas Tirion.
- Traffic and capacity matters of Ffordd Caernarfon to deal with the developments.
- Need to give serious consideration to make the road between the A499 and the A497 a one-way (from the west to the east).
- Matters regarding the link between the proposal and the Aldi application are not totally clear and to what extent one is dependent on the other.
- Ouestion about the identity of the applicant.

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## 5. Assessment of the material planning considerations:

## The principle of the development

- 5.1 The site lies within the development boundary of Pwllheli and the land has been designated for housing in the LDP. Policy TAI 1 supports housing developments that address the Plan's strategy. The application site forms part of housing designation T28 and within Policy TAI 1 it is noted for site T28 as a whole and it is expected that a 150 of those units are based on a density of 30 units per hectare as required under Policy PCYFF 2. Criterion 3 of Policy PCYFF 2 states that proposals should make the most efficient use of land, including achieving densities of a minimum of 30 living units per hectare for residential development, unless there are local circumstances or restrictions on the site that determine a lower density. The application form notes that the size of the site is 0.77 hectares. Based on a density of 30 units per hectare, it would mean that there would be 23.1 units on this site. This is an outline application before you and since the indicative layout plan has been submitted for 12 units, the Planning Statement submitted as part of the application notes that the exact type, mix and number are to be agreed in the reserved matters application. However, the Planning Statement highlights a number of significant restrictions that face the site. One of the main restrictions is the site's topography. The development area of the site is significantly restricted by its topography which is on a slope from the north towards the centre of the site, with a steep embankment to the northern side. In addition to the topography there are matters involving ecology / biodiversity and drainage that entails a density lower than 30 units per hectare. These restrictions make it difficult to provide the level of dwellings on the site as expected in Policy TAI 1 and, as a result, this also affects the viability of the site to develop housing. It is considered that there are valid reasons in this case to go under the 30 units per hectare in this instance, and that the proposal is acceptable in relation to point 3 of Policy PCYFF
- The indicative housing provision for Pwllheli over the Plan period is 323 units (181 on sites designated for housing and 142 on windfall sites) (which includes a 10% 'slippage allowance', i.e. the method of calculating the figure has taken into account potential unforeseen circumstances that could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period between 2011 and 2024, a total of 127 units were completed in Pwllheli (117 on windfall sites and 10 on designated sites). In April 2024, the land bank, i.e. sites with extant planning permission, was 27 units (20 on designated sites and 7 on windfall sites). 150 units are expected on housing designation T28 which currently has no planning permission. The site of the current application forms part of housing designation T28 and, therefore, it should be noted that the site in question is part of the figure of 150 units for designation T28. It should also be noted that the Aldi supermarket has been constructed on part of this designation. Taking into consideration all the above information, it means that there is capacity within the indicative supply level in Pwllheli for this development. It is therefore considered that the proposal is acceptable in terms of Policy TAI 1 of the LDP.
- 5.3 Policy TAI 15 requires an affordable housing contribution on residential developments of two or more housing units. For Pwllheli, a contribution of 30% is required within Larger Coastal Settlements such as Pwllheli. The application does not propose any affordable units and a Residential Viability Assessment was received as part of the application to indicate that it is not viable to provide affordable housing as part of the current application.
- Members may recall that viability matters of developing the site for housing became clear when dealing with application C22/0969/45/LL for an Aldi supermarket which was located on part of the housing designation T28 site. The application for Aldi was granted at the Planning Committee on 20 November 2023, after the applicant proved that providing housing on the housing designation would be completely unviable without supplying the Aldi store. Therefore, the Council found, that the proposal to develop that part of the designation for retail was acceptable to facilitate bringing forward the rest of the housing allocation. However, while Aldi is undertaking the highways work, which has reduced some of the associated costs of the proposal

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and therefore improved the viability slightly, viability matters remain at the site of the current application.

- 5.5 The figures received within the Viability Assessment, together with additional figures requested, show a residual value of £43,480 based on no affordable units for the site. From assessing the information prepared for the site it can therefore be seen that it may be viable to provide 12 houses on site but that is on the basis that there is no affordable provision. Should affordable provision be provided on site then based on the information that has been submitted, the proposal would not be viable. Therefore, analysing the information within the Viability Assessment, together with additional figures requested, the Council accepts based on the current housing market that providing affordable housing on site is not viable.
- Also, since 20 October 2022, the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 came into force. This Order has made changes in terms of the use classes of residential units. C3 use class has now been noted as dwelling houses used as a sole or main residence. Two additional use classes were added, namely C5 and C6. C5 use class is dwelling houses used in a different manner to a sole or main residence and C6 use class is for short-term lettings no longer than 31 days for each period of occupation.
- 5.7 Confirmation was received from the agent that C3 use class dwellings, namely dwellings used as a sole or main residence proposed for all the dwellings that are subject to the application. Although no affordable house would be provided as part of the application it can at least be ensured that all the houses on the site are used as sole or primary residences and that the proposal would not provide additional second homes, holiday homes or additional holiday lets in the area. As the proposal is considered against the housing policies in the LDP it is considered that it would be appropriate to install a condition that the use of the houses is restricted to use class C3 only, namely dwelling houses used as a sole or main residence.
- 5.8 Policy TAI 8 promotes proposals that will contribute towards improving the balance of housing and will meet the needs noted for the entire community. Therefore, there is a need to consider whether the mixture of units and tenure proposed here is suitable in order to promote a sustainable mixed community. As this is an outline application before you it is not completely clear at the moment what exactly will be the housing mix and this will be submitted as part of the reserved matters application. Therefore there will be a need to consider how the proposal satisfies the requirements of Policy TAI 8 as part of the reserved matters application.

## **Language and Community Matters**

- 5.9 In terms of the impact on the Welsh language it is noted in the comments from the Policy Unit that there is no need for a Language Statement under criterion 1b of Policy PS 1. However, criterion 1c of Policy PS 1 states that a Welsh Language Statement is required for a "residential development of 5 or more housing units on allocated or windfall sites within development boundaries that does not address evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant local sources of evidence". As affordable housing is not provided as a result of viability matters, the applicant was requested to provide a Welsh Language Statement under clause 1c of Policy PS 1. As a result, a Welsh Language Statement was received for the development.
- 5.10 From the observations of the Language Unit it can be seen that they have raised matters involving:
  - A joint Language Statement has been prepared for application C23/0671/45/AM (the existing application subject to this report) and application C23/0673/45/AM (application for another section of designation T28 as the eastern plot).
  - No letter for local estate agents to support the demand for as many open market housing.

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- The estimated price of £230,000 has not taken into consideration the employment nature and the area's wages and a high proportion of the population have been priced out of the open market.
- No assurance can be given that local buyers would buy the houses.
- As a result of the Language Unit's human resources stating the importance of including everything that is relevant, which includes the proposed prices of the units and their type (flats, semi-detached houses etc.), the number of bedrooms, total individuals who could be attracted to the community etc. in the Language Statement as the Unit can only offer full comments on the Language Statements that come to hand, not any other documents that are part of the application pack.
- 5.11 As the existing site together with the application site for C23/0673/45/AM that forms part of the same housing designation in the LDP, it is considered that it has been reasonable to include one Language Statement for both sites. Housing designation T28 with the estimated number of housing at 150 where there would have been an expectation that 30% would be affordable housing. Although it is not viable to provide affordable housing on the site we also have to realise that the total proposed open market housing for designation T28 via the current application and application C23/0673/45/AM comes to a total of 36 that is substantially lower than the estimate in the LDP. As it is a designated site, consideration was given to the need for housing on the site as part of the LDP and its implications in terms of the Welsh Language. The Welsh Language Impact Assessment provided for the LDP did not expect a provision of 150 units for the T28 designation to adversely affect the Welsh language.

  Reference is made in the Welsh Language Statement that the T30 designation (a former hockey

Reference is made in the Welsh Language Statement that the T30 designation (a former hockey pitch) provided more affordable housing units compared to what would have been expected and that the proposed developments for the T28 designation would therefore address the lack of open market units lost from the T30 site. This, in turn, would address the imbalance/under-supply of open market units provided at other sites designated in Pwllheli and therefore align with the overall housing strategy for the Pwllheli area.

- Also, through the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 it is now possible to bound the houses through a condition as class C3 use housing, which are dwelling-houses used as a sole or main residence. This would ensure that the houses in question would be permanent dwelling-houses and could not be used as second homes, holiday homes or holiday units. With such a condition as well as the fact that Article 4 is also in place, this means that if anybody wished to use one of the houses for an alternative use to C3 use, it would be required to submit a planning application before being able to use it for any other purpose. Whilst realising either way that there is no guarantee that the houses would be occupied by Welsh families, the fact that they would be permanent housing would mean that families who would occupy the houses would be integrated into the local community with the children attending local schools that provide education through the medium of Welsh.
- 5.13 The Welsh Language Statement also notes that there would be a Welsh name for the houses and it is proposed to use bilingual signage / advertising. It would be possible to condition a Welsh name to the development along with the use of bilingual signs.
- 5.14 It is therefore considered that the proposal is acceptable in terms of Policy PS 1 of the LDP.

## Visual amenities

5.15. This is an outline application and full details of the design of the proposal has not yet been submitted. The layout, appearance, scale and landscaping are reserved matters for consideration. However, a plan has been submitted giving a rough idea of how the site could be set out. From the plan it can be seen that it is possible to locate houses within the site and have acceptable parking and turning areas.

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- 5.16 The site currently consists of undeveloped fields and therefore it is true to say that building anything on the fields would alter the appearance of the site. However, it should be realised that the site is designated in the LDP for housing development and therefore there was an expectation in the context of the LDP to see some sort of development on this land. The site is also located in some sort of a hollow which means that the visual impact of the proposal would be local and would be unlikely to have an impact on the wider landscape. In addition, this proposal would now infill a piece of land between current businesses within an area where there are various uses with housing also found in the vicinity. It is not considered therefore that dwelling-houses in this location would look out of place. Therefore, by ensuring the design and use of suitable materials for the houses as part of a reserved matters application, it is considered possible to ensure a quality development that would comply with policy PCYFF 3.
- 5.17. The final landscaping details would also be included in the reserved matters to be fully assessed against the requirements of Policy PCYFF 4 of the LDP.

### General and residential amenities

- 5.18 The proposal would be located between a commercial garage and a supermarket. Although there are dwellings in the vicinity it is considered that the location of the proposed houses in relation to the houses in the vicinity with plenty of distance etc., between them so that it is possible to develop the site and would not have a detrimental impact on the amenities of nearby residents in terms of matters such as over-looking, loss of privacy etc. Of course it would be necessary to give full consideration to the impact of the proposal on the amenities of nearby occupants when dealing with the reserved matters when the final design of the proposed development comes to hand. However, it considered that it is possible to design the proposal in a way that would protect the residential amenities of neighbours.
- 5.19 Demolition, construction, and landscaping work can cause a noise and dust problem for nearby residents. There are dwellings in the locality. As the Public Protection Unit has noted, no details about the length of the development, nor any measures to reduce and control nuisance during the development have been submitted. Whilst realising that the construction phase of such a development could cause problems such as noise and dust to residents of neighbouring houses, it should also be realised that it is an outline application and therefore the exact issues of the construction itself have not been formed at present. The Public Protection Unit has recommended conditions relating to submitting and agreeing on a Construction Environmental Management Plan and limiting demolition and construction working hours to 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturday and not at all on Sunday or Bank Holidays. It is considered that these conditions proposed by the Public Protection Unit are reasonable and would be beneficial in terms of reducing the impact of the proposal's construction phase on householders in the vicinity.
- 5.20 Consideration must also be given to the amenities of the occupants of the proposed houses. The houses within this development will be located between a busy garage and a commercial shop, therefore there is a possibility that they will be subjected to noise disturbances. It should be noted that the granting of planning permission does not convey any exemption from or compliance with other legislation such as the Environmental Protection Act 1990 (Statutory Nuisance). As part of the application, a Noise Impact Report was submitted. Following receipt of the original observations of the Public Protection Unit, the Noise Impact Report has been updated. The Noise Impact Report has taken into account mechanical noise and the noise of Aldi deliveries, noise from the petrol station along with traffic noise from Ffordd Caernarfon. The Noise Impact Report concludes that there would be low noise impacts on the proposed housing deriving from mechanical noise and deliveries to Aldi and also from the nearby petrol station. In the context of Technical Advice Note 11: Noise, the Noise Impact Report concludes that the development would fall into the noise exposure category of NEC B during the day and NEC C during evening periods. This means that it is possible to grant permission but only with suitable conditions to manage the impact of noise on the proposed houses. The Noise Impact Report has proposed

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several mitigation measures, which include using high-level glazing in windows/doors, using trickle ventilation methods and using acoustic fencing for the gardens. In accordance with the observations of the Public Protection Unit, appropriate conditions relating to internal and external noise levels can be included. It is also possible to impose a condition to carry out the work in accordance with the requirements of the Noise Impact Report. The Noise Impact Report has not undertaken any assessment of any air source heat pumps. If it is intended as part of the development to include air source heat pumps, then it is considered appropriate to include a condition that full details, including noise levels and any necessary mitigation measures, of the air source heat pumps are submitted and approved by the Local Planning Authority.

5.21 By imposing appropriate conditions as outlined above and receiving acceptable detailed plans on a reserved matters application, it is considered that there can be a development which would be acceptable and would not have a material adverse effect on the amenities of the occupants of existing residential properties in the vicinity and which would also protect the amenities of the occupants of the proposed houses in accordance with Policy PCYFF 2 of the LDP.

## **Transport and access matters**

- 5.22. It is intended to secure a vehicular access from the north-eastern corner of the site which would link with the access road to Aldi that has access to Ffordd Caernarfon. Pedestrian access to the site would be created at the south-western corner of the site. This pedestrian access would exit onto Ffordd Caernarfon. Aldi construction work has now been completed and the shop is open. The access road up to the application site has been completed and the pavement has been installed on the side of Ffordd Caerdydd between the commercial garage and the Aldi shop entrance.
- 5.23 A response was received from the Transportation Unit and it can be seen that there is no objection in principle to the proposal. It can be seen from the observations that they were keen for highway improvements proposed as part of application C22/0969/45/LL to be implemented before the proposed houses would be occupied for the first time. They also proposed conditions relating to completing the estate road and pavement, lighting within the estate, completing the parking spaces before residing in the units and also preventing surface water from the site discharging onto the highway. It is considered that the conditions proposed are reasonable and it is considered that the proposal is acceptable in terms of Policies TRA 2 and TRA 4 of the LDP.

# **Biodiversity matters**

- 5.24 As part of the application, an Ecological Survey Report was submitted. The Biodiversity Unit have stated that the survey was undertaken to a good standard and that and that the impact assessment confirms what impact this development would have on biodiversity justifying reasonable mitigation and avoidance measures that must be taken. The key matters from the Ecological Survey Report are as follows:
  - Most habitat loss will be improved grassland of negligible ecological value.
  - A very small section of hedgerow would be lost where the access road would enter the site.
     It would be necessary to ensure that habitat connectivity continues where the hedge would be lost by new planting either side of the access road. This growth would spread above the road to the site over time ensuring habitat connectivity.
  - A small area of marshy grassland would be lost as a result of the proposals. This habitat lacks botanical diversity; however, a more diverse habitat would be created to compensate as part of the SuDS scheme.
  - The remote monitoring of bat activity has established that bats, including lesser horseshoe bats, use habitats on the site for commuting and foraging. There is potential for habitat fragmentation due to inappropriate lighting. Therefore, recommendations have been made that comply with current guidance (BCT 2018) to ensure there is no negative impact on bats.

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- Precautions will be required during the construction phase due to the potential presence of badgers, hedgehogs, nesting birds, and the presence of reptiles.
- Improvements must exceed the requirement for mitigation. As a result, it is recommended to establish a new management system to improve the quality of the nearby (Candidate) Wildlife Site.
- Improvements will also be carried out by installing bat tubes and bee bricks in the new buildings.
- 5.25 Conditions may be imposed on any permission that the work is to be completed in accordance with the Ecological Survey Report that has been submitted as part of the application. In addition, by receiving the observations of the Biodiversity Unit and Natural Resources Wales, it is considered that it would also be appropriate to include conditions in terms of agreeing details of external lighting, submitting and agreeing details for the meadow / wet meadow, submitting and agreeing a management plan for the woodland which forms part of the Candidate Wildlife Site. In addition to this, the reserved matters will include agreeing landscaping details for the site and any biodiversity improvements e.g. bee bricks, bat tubes would be shown on the detailed plans and, therefore, no additional condition is considered necessary for these as has been suggested by the Biodiversity Unit. It is also not considered reasonable to impose a planning condition that a project ecologist needs to be appointed to oversee construction.
- 5.26 An Arboriculture Report was also received as a part of the application. The observations of the Trees Unit state that the proposal would have very little impact on trees provided that all tree protection measures are implemented. It is therefore considered appropriate to impose a condition that the development is to be completed in accordance with the Arboriculture Report.
- 5.27 Although no Green Infrastructure Statement has been submitted for the application, the proposal has considered ecological matters and includes appropriate steps in terms of mitigation and proposing biodiversity enhancing opportunities. As noted above, it is possible to impose conditions to ensure the biodiversity mitigation / enhancement measures and, as a result, it is considered that the submitted details meet the requirements of Planning Policy Wales and also ensure that the proposal is acceptable in terms of Policies PS 19 and AMG 5 of the LDP.

# **Archaeological and Heritage Matters**

- 5.28 Observations were received from the Gwynedd Archaeological Planning Service on the proposal. The observations state that the site has potential for archaeological features relating to a series of small buildings that were located in the south-western corner of the site and also with the spring located in the northern part of the site. The Gwynedd Archaeological Planning Service therefore recommend imposing conditions regarding a programme of archaeological work for the site. It is considered that from imposing appropriate conditions to carry out archaeological work that the proposal is acceptable in terms archaeological matters.
- 5.29 The site lies within a Landscape of Outstanding Historic Interest. The proposal involves the construction of a housing estate that will be located between a commercial garage and a supermarket. Although an outline application is before you, it is likely that the impact of the proposal would be local and would not have a wider impact on the historic landscape.
- 5.30.1. In light of the above, it is considered that the proposal is acceptable in terms of Policies PS 20, AT 1 and AT 4 of the LDP.

# **Drainage and Flood Matters**

5.31. Policy PCYFF 6 states that proposals for more than 10 residential units should have a Water Conservation Statement. The policy attempts to ensure that the proposals incorporate water conservation measures where practicable, including sustainable urban drainage systems (SuDS).

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All proposals should implement flood minimisation or mitigation measures where possible, to reduce surface water run-off and minimise its contribution to flood risk elsewhere. A Flood Consequence Assessment and Drainage Strategy Statement were submitted as part of the application, and Chapter 5 of the Planning Statement includes a Water Conservation Statement.

- 5.32. A Flood Consequence Assessment was received as part of the application. The site falls within flood zone A which is considered by Technical Advice Note 15 to be an area where only a little or no risk of fluvial or tidal/coastal flooding exists. The site does not lie within Flood Zone C1 or C2 as categorised by the Development Advice Maps in TAN 15, where such a designation would indicate a flood risk. The Flood Consequence Assessment addresses the fact that there is a small watercourse on the site and the flood risk from that watercourse and from surface water.
- 5.33. Observations were received from the Water and Environment Unit YGC stating that a Flood Consequence Assessment had been submitted as part of the application which demonstrates that flood risk to the development site from fluvial sources is acceptable, and that surface water flood risk could be managed through an appropriate site drainage plan. In addition, it was noted that a small watercourse runs through the centre of the proposed development site. The developer currently proposes to divert the watercourse through a culverted system. The Water and Environment Unit YGC would prefer this watercourse to be diverted in an open channel around the perimeter of the site rather than through a culverted system. The same type of the development was requested on the supermarket site next to the application site. An Ordinary Watercourse Consent would be required for any work that could affect the flow of this watercourse, whether it be permanent or temporary.
- 5.34. The proposal would include sustainable drainage systems with the presumed location of the SuDS work indicated on the site plan that was submitted as part of the application. It is therefore intended as part of the development to incorporate sustainable drainage system measures to deal with surface water. Observations were received from the YGC Water and Environment Unit (in its role as a SuDS Approval Body (SAB)), confirming that the developer intends to use suitable sustainable measures to drain the site and that an application will need to be submitted to the SAB. The details of the drainage plan will be scrutinised further as the SAB application is determined and the principle of the drainage plan only is discussed as a part of the planning application.
- Observations were also received from Welsh Water. These observations state that they have considered the impact of foul flows generated by the proposed development and have concluded that it is unlikely that sufficient capacity exists to accommodate the development without harming the current services they provide to the customers, or in terms of environmental protection. No reinforcement work has been planned within the Welsh Water Capital Investment Programme and, therefore, Welsh Water is currently unable to provide an adequacy point on the network. In light of the above, Welsh Water recommends that the developer instructs them to undertake a Hydraulic Modelling Assessment which is at the developer's expense and will examine the impact of the introduction of flow from the development on the performance of the existing network. While noting that no capacity exists, Welsh Water has not recommended that the application be rejected nor have they indicated that they object to the application. Instead, they noted that it would be possible to include a condition that the developer undertakes a hydraulic modelling assessment before any development commences and that the connection is implemented following any necessary reinforcement work to the sewerage system, as identified through the hydraulic modelling assessment. The agent has confirmed that they are moving forward with the application in accordance with the condition Welsh Water has recommended.
- 5.36. Therefore, by acting in accordance with the advice received, it is considered that the proposal is acceptable in terms of Policies PS 6 and PCYFF 6 of the LDP.

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# Infrastructure matters and developer contributions

- 5.37 Policies PS 2 and ISA 1 of the LDP require that a sufficient infrastructure provision exists to cope with developments. This infrastructure could, for example, relate to ensuring adequate capacity at schools in the area, sports and leisure facilities, service infrastructure facilities, such as water supply, drainage, and sewerage.
- 5.38 ISA 5 involves providing open spaces in new housing developments if the proposal is for 10 houses or more. Observations were received from the Planning Policy Unit which identifies that there is a lack of provision for children's play areas (informal and with equipment) in the application area. However, as this is an outline application before you and where the number of bedrooms in the houses has not been stated the Planning Policy Unit cannot give an estimate of the contribution required should the proposal itself not include a bespoke play area on the development site. In the Planning Statement submitted with the application it is noted that the details of the proposed open spaces will be addressed in the reserved matters application. However, the indicative plan has been submitted demonstrating that an open space can be provided within the site and it is not exactly the same as the size noted as part of the current application. Therefore, with the existing plan there is no assurance about the type and size of open space intended as part of the application, however the capacity within the site to provide an open space is in accordance with Policy ISA 5. However, it should be noted that viability matters exist on the site, and it is not possible to make a contribution towards affordable houses, then it is unlikely that it would be possible to secure a financial contribution for open spaces with this development.
- 5.39 With any planning applications for housing, it must be ensured that there are sufficient educational facilities to cope with any increase in the number of pupils emanating from new residential developments. In Supplementary Planning Guidance: Planning Obligations in appendix 2 a method of calculating the number of additional pupils that arise as a consequence of new residential development is included. The proposal is to construct 12 houses but the number of bedrooms have not been confirmed. However, the methodology included in appendix 2 of SPG Planning Obligations is based on the number of pupils that arise from every 2 bedroom or more houses. It is taken that all the houses within the development have at least 2 bedrooms and is therefore based on the methodology in SPG Planning Obligations the number of pupils estimated to derive from the development are as follows:-
  - Primary School 4.8
  - Secondary School Years 7-11 3.48
  - Secondary School Years 12 and 13 0.24
- As a part of the statutory consultation, confirmation was received from the Education Department that capacity is available at Ysgol Cymerau and Ysgol Uwchradd Glan y Môr. Specifically:
  - Ysgol Cymerau: Capacity 348 Existing total 225 Projected numbers September 2025 207; September 2026 204; Medi 2027 204.
  - Ysgol Glan y Môr, Pwllheli: Capacity 732 Existing total 482 Projected numbers September 2025 469; September 2026 446; September 2027 418.
- 5.41 Therefore, it is believed that the proposal would not create a direct need for additional education facilities. Neither would it create a need for additional education facilities jointly with application C23/0673/45/AM. Therefore there is no justification to request a financial contribution.
- 5.42 Due to the above and specific circumstances with the current application and viability matters it is considered that the proposal is acceptable in terms of Policies PS2 and ISA 1 of the LDP.

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### 6. Conclusions:

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

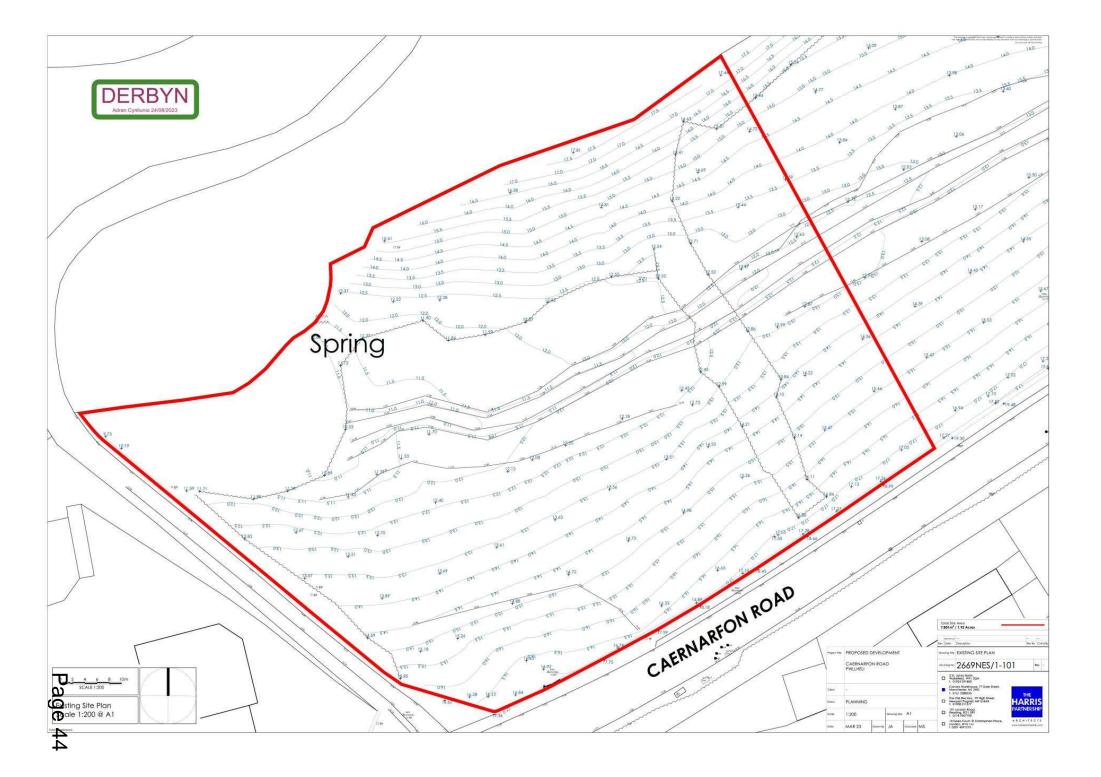
### 7. Recommendation:

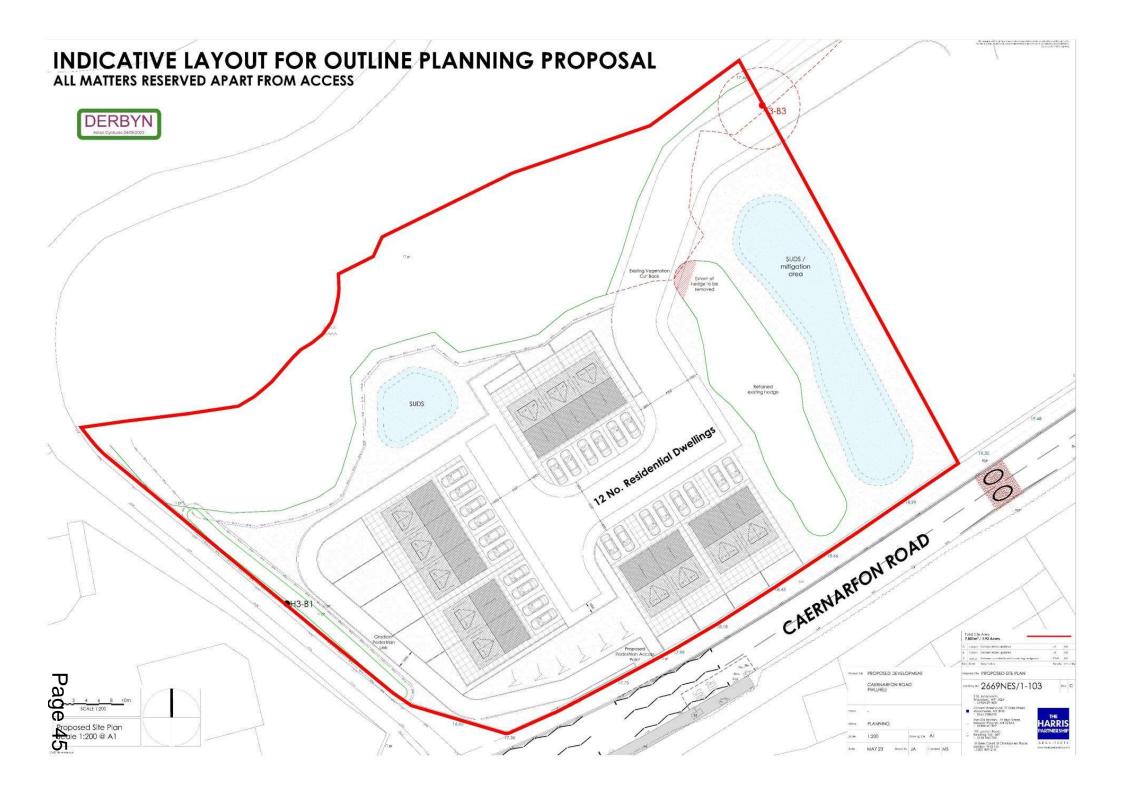
- 7.1. To approve conditions
  - 1. The time in terms of the commencement of the development
  - 2. The time in terms of submitting the reserved matters application
  - 3. Submission of a reserved matters application for the layout, scale, appearance and landscaping
  - 4. In accordance with the plans
  - 5. Slates on the roof
  - 6. Materials
  - 7. C3 use for all housing
  - 8. Welsh name for the housing estate and houses.
  - 9. Welsh and / or bilingual signs
  - 10. Submission and agreement of a Construction Environmental Management Plan
  - 11. Construction work hours
  - 12. Internal noise levels
  - 13. External noise levels
  - 14. In accordance with the Noise Impact Report
  - 15. Details of air source heat pumps including noise levels and any necessary mitigation measures
  - 16. Complete road improvements agreed on application C22/0969/45/LL
  - 17. Highways conditions in terms of completing the road work and pavements of the estate together with the street lighting
  - 18. Parking
  - 19. Prevention of surface water from discharging into the highway
  - 20. In accordance with the Ecological Survey Report.
  - 21. External lighting plan
  - 22. Submission and agreement of details for the meadow / wet meadow
  - 23. Submission and agreement of a management plan for woodland that forms part of the Candidate Wildlife Site
  - 24. Condition to complete landscaping work as agreed in the landscaping details
  - 25. In accordance with the Arboriculture Report
  - 26. Welsh Water condition to undertake a hydraulic modelling assessment prior to the commencement of the development
  - 27. No surface water / land drainage to connect with the public sewer
  - 28. Archaeological conditions

# Notes-

- 1. Major development
- 2. SuDS
- 3. Refer to Fire Service, Welsh Water comments
- 4. Ordinary Watercourse Consent









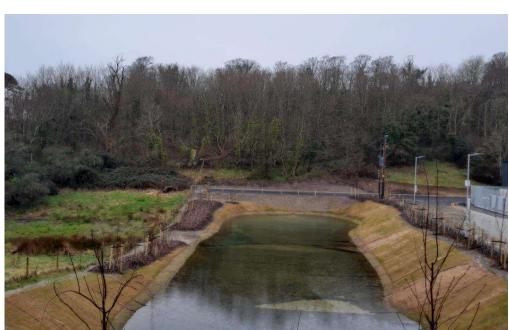
















































Agenda Item 5.2

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Number: 2

**Application** 

C23/0673/45/AM

**Number:** 

Registration

11/09/2023

Date:

**Application** 

**Outline** 

**Type:** 

**Community:** Pwllheli

Ward: Pv

Pwllheli (North)

**Proposal:** 

Construction of residential dwelling houses including

access

**Location:** 

Land off Ffordd Caernarfon, Eastern Plot, Pwllheli, LL53

5LF

**Summary of the** 

**Recommendation:** TO APPROVE WITH CONDITIONS

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# 1. Description:

- 1.1. This application has been submitted in the form of an outline planning application and, therefore, all the details of the development in terms of detailed plans to show the appearance/design and landscaping have not been included as would be the norm with a full application. That is, the principle of the proposal itself, details about the access that permission is sought for are only included as part of this outline application and permission is not sought for appearance, landscaping, layout and scale of the proposed development. Should the current application succeed, these details would be subject to a further application.
- 1.2. However, an indicative site plan was submitted for a residential development of 24 houses. The layout plan submitted is indicative only and the application does not seek permission for the number, mix or type of dwelling houses. These details will be the subject of a reserved details plan should outline permission be granted. Nevertheless, as required with outline applications now, the minimum and maximum height of buildings recorded in the Design and Access Statement are as follows:
  - Bungalow approximately 10m 12m in length, 13m 17m in width, and between 4.5m and 6m in height
  - Terraced house approximately 8.5m 10m in length, 4.5m to 5.5m in width, and between 7.5m and 11m in height
  - Semi-detached house approximately 10m 12m in length, 5m to 6m in width, and between 7.5m and 11m in height
  - Single house approximately 9.5m 11m in length, 5.5m to 7m in width, and between 7.5m and 8m in height
- 1.3. The following documents were received as part of the application:
  - Welsh Language Statement
  - Residential Viability Assessment
  - Noise Impact Assessment
  - Archaeological Assessments
  - Arboriculture Report
  - Drainage Philosophy Report
  - Ecological Survey Report
  - Phase 1 Geo-environmental Report
  - Flood Consequence Assessment
  - Pre-application Consultation Report
  - Transport Assessment
  - Design and Access Statement
  - Planning Statement
- 1.4 The site is currently open fields. The application site is located off Caernarfon Road (A499), namely one of the main roads leading into and out of Pwllheli. The site is within the development boundary of Pwllheli, and forms part of the site designated for housing (T28) in the LDP. It also lies within the Llŷn and Ynys Enlli Landscape of Outstanding Historic Interest. There are some dwellings in the vicinity. The Aldi shop has opened recently on land to the south-west of the site. The site's topography means that the site slopes towards Ffordd Caernarfon to the east of the site with thick vegetation on the western side of 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 in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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2.2 The Well-being of Future Generations (Wales) Act 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 2011-26, adopted 31 July 2017

PS 1: The Welsh Language and Culture

ISA 1: Infrastructure provision

ISA 5: Provision of open spaces in new housing developments

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 6: Water conservation

PS 16: Housing Provision

PS 17: Settlement strategy

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

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

TAI 15: Affordable housing threshold and distribution

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 5: Local biodiversity conservation

PS 20: Preserving and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

AT 4: Protection of non-designated archaeological sites and their setting

Supplementary Planning Guidance (SPG):

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Housing Mix

SPG: Affordable housing

SPG: Character of the landscape

SPG: Planning obligations

### 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note (TAN) 2: Planning and Affordable Housing.

TAN 5: Planning and Nature Conservation

TAN 6: Planning for sustainable rural communities

TAN 11: Noise

TAN 12: Design

TAN 18: Transportation

TAN 20: Planning and the Welsh Language

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# 3. Relevant Planning History:

- 3.1 C24/0631/45/AC Vary condition 2 of Planning Permission C22/0969/45/LL to allow changes to the design of the retaining wall, the access ramp for pedestrians, reorganise the car park and remove the sub-station on the site Approved 3 October 2024.
- 3.2 C22/0969/45/LL Construction of new Aldi food shop (A1 use class), car park, entrance, servicing and landscaping Approved 30 November 2023.
- 3.3 The above proposals were located on part of the T28 housing allocation within the JLDP.
- 3.4 C23/0671/45/AM Construction of residential dwelling houses including access Not yet determined. This is an application for a residential development on another part of the T28 housing designation land of the JLDP.

### 4. Consultations:

Community/Town Council: Not received.

**Transportation Unit:** 

I refer to the above application and I confirm that the transportation unit does not have any objection to the development in principle but I offer the following comments.

The proposed improvements to the current highway are in accordance with those proposed within planning application C22/0969/45/LL and will need to be completed to achieve the planning conditions. To protect against the potential that these improvements are not completed, any proposed modifications to the highway should be subject to a planning condition that ensures that the work is undertaken in accordance with the submitted plans. The applicant would then be required to commit to a Section 278 agreement with the Council where the details of the changes could be agreed and the plans associated with the planning condition could be amended accordingly. These changes should include, but not be restricted to; reviewing the speed limit, introducing street lighting, construction of cycle path / footways, bus stops and crossings. The applicant would pay the cost of amending the Traffic Regulation Order to implement an amendment to the Speed Limit.

I request that the following conditions/notes are included with any planning permission granted:

The access must be planned and built completely in accordance with the plan as submitted.

The highway works shall be laid out and constructed strictly in accordance with the submitted plans.

The road and footways shall be surfaced to base-course and illuminated prior to the occupation of any dwellings which they serve.

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The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and illuminated before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning Authority, whichever is the sooner.

The car parking accommodation shall be completed in full accordance with the details as submitted before the dwelling(s) is/are occupied.

The applicant must take every precaution to prevent surface water from the curtilage of the site from spilling onto the highway.

No development will be undertaken until a Construction Method Statement has been submitted to the Local Planning Authority and approved in writing. The Statement will include details for:

- Traffic management linked to the site during construction
- Parking for the vehicles of workers and site visitors
- Loading and unloading equipment and materials
- Storage of equipment and materials used in the construction work
- Building and maintenance of safety partitions
- Wheel washing facilities
- Measures to control dirt, dust, noise and vibration levels during the construction work
- Site waste management plan

NOTE The applicant is instructed to write to the Street Works Manager to receive permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.

Natural Resources Wales:

Thank you for consulting with Natural Resources Wales (NRW) regarding the above amended information, which we received on 08/11/2023.

We still have concerns regarding the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition 1: Lighting Plan

Please note, without the inclusion of this condition we would object to this planning application. Further details are provided below.

#### **Protected Species**

We note that the ecological report submitted in support of the above proposal (Cambrian Ecology Ltd, 31 October 2023, Preliminary Ecological Assessment) has identified that bats are commuting and

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foraging at the application site. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

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 you attach the following condition to any planning permission granted:

Condition 1: Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas
- Light modelling images to present the night-time effects of lighting on building elevations and ground surfaces from key locations for bats
- Details of lighting to be used both during construction and operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species.

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

### **SEWERAGE**

We have considered the impact of foul flows generated by the proposed development and concluded it is unlikely that sufficient capacity exists to accommodate the development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment. There are no planned reinforcement works within Dŵr Cymru Welsh Water's Capital Investment Programme and therefore, at this stage, we are unable to provide a point of adequacy on the network.

In light of the above our recommendation is that the developer instruct us to undertake a Hydraulic Modelling Assessment (HMA) which is at the developer's expense and will examine the impact of the introduction of flows from the development upon the performance of the existing network and consider the impact of the introduction of flows from the proposed development upon its performance. Where required and appropriate, the HMA will then identify solutions and points of communication to ensure that the site can be accommodated within the system. For the developer to obtain a quotation for the HMA, we will require a fee of £250 + VAT.

In the absence of known solutions to accommodate the proposed development, we would kindly request that if you are minded to grant

Welsh Water:

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Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.

Conditions No development shall take place until a point of connection on the public sewerage system has been identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

#### SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

### POTABLE WATER SUPPLY

Capacity is currently available in the water supply system to accommodate the development. We reserve the right however to reassess our position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually.

Also provided advice for the developer.

**Public Protection Unit:** 

Thank you for consulting with us on this application, and our observations are as follows;

This site is located near the proposed Aldi supermarket that is currently going through the Planning process. The noise report has been included to show that Aldi does not have a negative impact on the proposed housing development.

## Noise

The noise report notes that neither the noise of receiving goods nor the mechanical plant will have a negative impact on the proposed housing. The report notes that background noise is very low in the

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area and refers to house 4, and it is not clear from the plan where this house is.

The report has not included noise from the car park and customers. This may have an impact on new residential housing, and it is advised should the application be approved that the acoustic fence is installed on the boundary between the two sites. In appendix B of the noise report there is a plan of the proposed housing estate and ALDI. It appears that a sub-station is located on the boundary and there is no mention of noise from the sub-station that is included in the report.

We have noted that the applicant has provided an additional plan of the site where the four houses on the boundary facing the car park have been removed, therefore the distance between the sub-station and the property has been increased.

Should the application be approved, we advise that a condition should be imposed that every property is built in accordance with proposed plan dated 09/23, received by the Planning Authority on 01/11/23. Should any property be constructed on the boundary facing the ALDI car park, a noise impact assessment would need to include noise from the car park and the sub-station.

We advise that a condition is imposed to ensure that every property must satisfy the acoustic performances, as noted in the acoustic report, in each of the habitable rooms across the site that is normally achieved by the following specification.

- Standard double-glazing unit (W + Ctr 25dB), usually including 4mm float glass, 12mm cavity, 4mm float glass.
- Standard hit and miss trickle ventilators (rating in Dn, e, w + CTR 32dB)

The houses must be insulated from noise to ensure that the levels noted in the following table are achieved.

These should be calculated assuming that windows in noise sensitive buildings are open for ventilation.

Location	Laeq (16 hr)	Laeq (8 hr)	Lamax 23.00
	0700-23.00	23.00-07.00	07.00
Living rooms	35dB	-	-
Dining room / area	40dB	-	-
Bedroom	35dB	30dB	45dB
Garden	55dB	-	-

A full Noise Insulation Plan must be submitted in writing for the approval of the Local Planning Authority prior to the commencement
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of the construction work, to indicate compliance with the above.

The internal plan layout of the housing has not been provided as this is an outline application, we would advise that a bedroom is located facing away from the proposed Aldi shop and car park.

In accordance with the acoustic report, for the residents to be protected in their gardens from traffic noise deriving from Ffordd Caernarfon, mitigation measures should be installed in the form of a 2m high acoustic fence. This may be conditioned should the application be approved.

### **Construction Noise**

In order to safeguard the area's residents, any building work should be undertaken between the hours of 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 on Saturday and not at all on Sunday or Bank Holidays.

The best practical methods should be used to reduce noise and vibration from the work and to consider the recommendations of 'BS5228: Control of Noise and Vibration on Construction and Open Sites', that may include mitigation measures such as erecting acoustic barriers around the site near residential premises.

A detailed plan to manage dust, noise and vibration as a result of construction work should be submitted to the Local Planning Authority.

## Drainage

Having assessed the public Welsh Water sewers maps, the public sewer is approximately 180m away from the site. No development will be undertaken until a clear plan is provided to the Planning Authority of the exact location where the site joins the public sewer. The approval and confirmation of Welsh Water must be provided to the Planning Authority.

Water and Environment Unit YGC:

Flood Risk and Land Drainage

A Flood Consequence Assessment (FCA) has been presented which addresses flooding risk to the development site from all sources (Weetwood, v3.2, October 2023). We are satisfied that sufficient evidence has been provided to demonstrate that surface water flooding risk can be controlled (as noted in the latest Flood Maps for Planning) sufficiently, and that the proposed development does not increase the risk of flooding below by disposing of the surface water storage currently provided by the site.

SuDS Approval Body Comments

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more than 1 house or where the construction area with drainage obligations is  $100\text{m}^2$  or more. Drainage systems must be designed and constructed in accordance with the minimum standards for

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sustainable drainage as published by Welsh Ministers.

These systems must be approved by Cyngor Gwynedd in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, an application will need to be made to the SuDS Approval Body for approval before construction work commences. The information provided shows that the developer intends to drain the site in a sustainable manner; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SAB is recommended.

**Education Department:** 

Current capacity available in the local schools (see chapter 5.42 below).

Fire Service:

Not received.

**Biodiversity Unit:** 

The PEA has been produced to a good standard. The impact assessment confirms what impact this development will have to biodiversity and justifies mitigation and reasonable avoidance measures which must be taken.

 A project ecologist must be appointed to sign off all RAMS, mitigation and enhancements, and supervise works ensuring they comply with the PEA provided. This should include evidencing the measures have been implemented with the LPA (Biodiversity).

The landscaping proposal or green infrastructure statement (GIS) and design plan must incorporate all mitigation measures provided (Section 9). These are suitable and reasonable to mitigate the impact of the development and maintain the current biodiversity value of the site / status of protected species present.

- The landscaping design / GIS and design plan must show the hedge on the northern boundary will be improved and a new hedge will be planted along the southern boundary, meeting the specifications provided in sec. 9.1.2 of the report. It must also show the existing hedge along the roadside will be realigned and that a Sessile Oak tree (or other ornamental oak / maple) will be planted at either side of the new access. (I advise against beech or sycamore as these can respond poorly to the management expected in urban areas or can present future nuisance issues such as honeydew.)
- The site plan must show the grass verge on the inside of the roadside hedge is retained. A post-development management plan is required for the management of this. The biodiversity

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team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning. It may be included in a site wide environmental management plan to include other items raised.

- The garden designs must show 'hedgehog permeable' access. This may be through hedge only boundaries or installing hedgehog gates in fencing as per sec 9.2.3.
- A lighting scheme must be submitted and designed in liaison with the site ecologist and be consistent with all measures proposed in section 9.2.2 of the PEA (or the most up to date guidelines produced by the Bat Conservation Trust). The biodiversity team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning.

The proposal must also incorporate all biodiversity enhancement measures provided (Section 10).

- A post-development management plan is required for the woodland and longevity of ALL biodiversity features. The biodiversity team should be asked to consult again when this is submitted. The implementation of this document should be conditioned with planning. It may be included in a site wide environmental management plan to include points raised above in relation to the grassland.
- The bee bricks and bat tubes (specifications provided in the report) must be shown on the design plans for the dwellings (these do not have any impact to the homeowner as solitary bees do not swarm or sting).
- The SuDS scheme must be designed in liaison with the site ecologist and contain enhancements as proposed in section 10 of the PEA. The biodiversity team should be asked to consult again when this is submitted.

I appreciate this is an outline application and points raised may be addressed via reserved matters

Language Unit:

Draft ACE Observations: In acknowledging that it is the same developer in the case of this application and C23/0673/45/AM, it must be noted that it is expected to submit separate Language Statements for both applications so that it is possible to fully assess the impact on the Welsh language in the case of the applications in question. There is no letter from local estate agents supporting the view of the demand for so many open market housing in the town (although we do acknowledge that there has been engagement in the development of Awel Deg, Pwllheli, where the agent has informed the applicant that 6 out of the 14 have been sold or offers have been made).

The applicant mentions that the development would meet the need for housing in the Pwllheli area. However, with an estimated price of Page 63

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£230,000 per unit, the applicant has not fully considered the employment nature and salaries of this area. Although the Language Statement notes an intention to advertise with a local estate agent in an attempt to ensure local buyers, there is a lack of acknowledgement that estate agents have their own websites and advertise on websites such as Rightmove and Zoopla. Consequently, it is difficult to agree with the suggestion that the developments in question will ensure local buyers. In addition, the officer responsible for these applications has confirmed in an e-mail that no letter has been submitted from a local estate agent outlining the local demand for the houses for either application.

The author of the statement points out that it is not possible to envisage how many prospective residents will be Welsh speakers and at the same time claims that there is an expectation a similar percentage will move into the development as there is of Welsh speakers in the county. Given that the estimated price of the proposed houses is £230,000, and that a high proportion of the population has been priced out of the open market, it is difficult to agree with the 'Neutral' assessment in this case.

The importance of including everything that is relevant has to be emphasised, including the prospective unit prices (flats, semi-detached housing etc.), number of bedrooms, total number of individuals who can be attracted to the community etc. in the Language Statement. Due to the lack of human resources in the Language Unit, the Unit can only offer full observations on the Linguistic Statements that are received, not on other documents that are part of the application pack.

Gwynedd Archaeological Service:

Not received.

Housing Strategic Unit:

1. Information about the need:

The following indicates the number of applicants who wish to live in the area: -

67 applicants from the Tai Teg register for intermediate property

318 applicants from the common housing register waiting for a social property:

2. Information on the type of need:

The following shows the number of bedrooms that the applicants wish to have:

Number of bedrooms (owned or part-owned) (Tai Teg)

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Number of	Need as a	Rent	Purchasing
bedrooms	%		
1 bed	0%	0%	0%
1 oca	070	0 70	070
2 beds	28%	9%	19%
3 beds	58%	15%	43%
3 300	2070	1570	1370
4 beds	13%	4%	9%

Number of bedrooms (Housing Options Team) (Cyngor Gwynedd's Common Housing Register)

Number of bedrooms	Need as a %
1 bed	37%
2 beds	40%
3 beds	16%
4 beds	6%
5 beds	2%

# 3. Suitability of the Plan:

Based on the above information it appears that the Plan: -

Partly addresses the need in the area.

Plans are expected to include 30% affordable housing. No reference to affordable housing in the current application.

4. If the Housing Association is a partner for this development, the design of the property must conform with WG standards (DQR).

I cannot see a reference to affordable units in the application, nor a reference to a housing association, I would like to know whether the developer has contacted the housing associations.

# 5. Discount level:

The application does not include financial information.

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Trees Unit:

Observations 5 March 2025

There's nothing I'm overly concerned about with this case.

I appreciate the planning agent's response to my comments.

Observations 29 November 2023

The woodland onsite contains ancient woodland indicator species (as described in the ecology report). This development should not result in loss of this type of woodland at all - Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland. The application must demonstrate how the development applies the step-wise approach to reducing damage to this priority and irreplaceable habitat class (PPW 6.4.21). Ideally a buffer will be placed between the woodland edge and the development.

I note the site layout has been amended which reduces incursion into the woodland. I appreciate this amendment, however further specifications of tree work required should be provided to be able to understand exactly what will be undertaken. This will also be required to inform the mitigation and enhancement.

The arb. report does not address if root protection measures will be required, particularly regarding the access road. I advise the arboriculturist is asked to consult on this matter to ensure future longevity of woodland trees.

All tree protection measures described must be implemented. Planning should be conditioned in strict conformity to the tree protection specifications and method statement provided.

The landscaping proposal or green infrastructure statement and design plan must incorporate some mitigation tree planting / enhancement.

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**Public Consultation:** 

A notice was posted on site and in the press, and nearby residents were informed. The advertising period has expired, and letters / correspondence were received objecting on the following grounds:

- Concern regarding road safety.
- Increase in traffic.
- Lack of pavement and enhancements for pedestrians.
- Walking /cycling paths crossing the private Plas Tirion road.
- Concerns about overdevelopment along Ffordd Caernarfon.
- Need to give serious consideration to make the road between the A499 and the A497 a one-way (from the west to the east).

Correspondence was also received referring to supporting the principle /giving priority to the construction of houses on the site rather than the Aldi retail development but raising matters involving:

- The density around half of what was expected in the LDP that may reflect the physical limits of the site.
- On the Aldi application a Viability Statement of the site for housing noted that marketing efforts thus far had failed to attract the interests of housing associations or housing builders, probably due to the high technical costs of the site that would make a housing development unviable, however, the housing proposals before you suggest that this may not necessarily be true and raises the question as to why the whole site cannot be offered for housing as intended by the LDP.
- We realise that this is an outline application and that design matters, the visual impact and landscaping are matters to be considered later on but attention needs to be given to reduce the visual impact of the urbanisation of the site making the use of natural land and providing a thick landscaping screen near the road that would visually link with the woodland on the western side.
- Traffic and capacity matters of Ffordd Caernarfon to deal with the developments.
- Matters regarding the link between the proposal and the Aldi application are not totally clear and to what extent one is dependent on the other.

# 5. Assessment of the material planning considerations:

# The principle of the development

5.1 The site lies within the development boundary of Pwllheli, and the land has been designated for housing in the LDP. Policy TAI 1 supports housing developments that address the Plan's strategy. The application site forms part of housing designation T28 and within Policy TAI 1 it is noted for site T28 as a whole that it is expected that 150 of those units are based on a density of 30 units per hectare as required under Policy PCYFF 2. Criterion 3 of Policy PCYFF 2 states that proposals should make the most efficient use of land, including achieving densities of a minimum

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of 30 living units per hectare for residential development, unless there are local circumstances or restrictions on the site that determine a lower density. The application form has been amended to confirm that the size of the site is 2.19 hectares. Based on a density of 30 units per hectare, it would mean that there would be 65.7 units on this site. This is an outline application before you and since the indicative layout plan has been submitted for 24 units the Planning Statement submitted as part of the application notes that the exact type, mix and number are to be agreed in the reserved matters application. However, the Planning Statement highlights a number of significant restrictions that face the site. One of the main restrictions is the site's topography. The development area of the site is significantly restricted by its topography. The area of the site that can be developed is considerably limited by the topography and the vegetation surrounding the western boundary is dense. There is also an earth embankment sloping towards Ffordd Caernarfon and therefore limits the potential to develop the site. The restrictions that are part of the topography and established vegetation of the site lead to a narrow section of development land, which explains the long plan proposed. In addition to the topography there are matters involving ecology / biodiversity and drainage that entails a density lower than 30 units per These restrictions make it difficult to provide the level of dwellings on the site as expected in Policy TAI 1 and, as a result, this also affects the viability of the site to develop housing. It is considered that there are valid reasons in this case to go under the 30 units per hectare in this instance, and that the proposal is acceptable in relation to point 3 of Policy PCYFF

- The indicative housing provision for Pwllheli over the Plan period is 323 units (181 on sites designated for housing and 142 on windfall sites) (which includes a 10% 'slippage allowance', i.e. the method of calculating the figure has considered potential unforeseen circumstances that could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period between 2011 and 2024, a total of 127 units were completed in Pwllheli (117 on windfall sites and 10 on designated sites). In April 2024, the land bank, i.e. sites with extant planning permission, was 27 units (20 on designated sites and 7 on windfall sites). 150 units are expected on the T28 housing designation which currently has no planning permission. The site of the current application forms part of the T28 housing designation and, therefore, it should be noted that the site in question is part of the figure of 150 units for the T28 designation. It should also be noted that the Aldi supermarket has been constructed on part of this designation. Taking into consideration all the above information, it means that there is capacity within the indicative supply level in Pwllheli for this development. It is therefore considered that the proposal is acceptable in terms of Policy TAI 1 of the LDP.
- 5.3 Policy TAI 15 requires an affordable housing contribution on residential developments of two or more housing units. For Pwllheli, a contribution of 30% is required within Larger Coastal Settlements such as Pwllheli. The application does not propose any affordable units, and a Residential Viability Assessment was received as part of the application to indicate that it is not viable to provide affordable housing as part of the current application.
- Members may recall that viability matters of developing the site for housing became clear when dealing with application C22/0969/45/LL for an Aldi supermarket which was located on part of the T28 housing designation site. The application for Aldi was granted at the Planning Committee on 20 November 2023, after the applicant proved that providing housing on the housing designation would be completely unviable without supplying the Aldi store. Therefore, the Council found, that the proposal to develop that part of the designation for retail was acceptable to facilitate bringing forward the rest of the housing allocation. However, while Aldi is undertaking the highways work, which has reduced some of the associated costs of the proposal and therefore improved the viability slightly, viability matters remain at the site of the current application.

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- 5.5 The figures received within the Viability Assessment, together with additional figures requested, show that the proposal subject to this application would not be available even when no affordable housing provision was offered. Therefore, analysing the information within the Viability Assessment, together with additional figures requested, the Council accepts based on the current housing market that providing affordable housing on site is not viable.
- Also, since 20 October 2022, the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 came into force. This Order has made changes in terms of the use classes of residential units. C3 use class has now been noted as dwelling houses used as a sole or main residence. Two additional use classes were added, namely C5 and C6. C5 use class is for dwelling houses used in a different manner to a sole or main residence and C6 use class is for short-term lettings no longer than 31 days for each period of occupation.
- 5.7 Confirmation was received from the agent that class C3 use dwellings, namely dwellings used as a sole or main residence are proposed for all the dwellings that are subject to the application. Although no affordable house would be provided as part of the application it can at least be ensured that all the houses on the site are used as sole or primary residences and that the proposal would not provide additional second homes, holiday homes or additional holiday units in the area. As the proposal is considered against the housing policies in the LDP it is considered that it would be appropriate to install a condition that the use of the houses is restricted to use class C3 only, namely dwelling houses used as a sole or main residence.
- 5.8 Policy TAI 8 promotes proposals that will contribute towards improving the balance of housing and will meet the needs noted for the entire community. Therefore, there is a need to consider whether the mixture of units and tenure proposed here is suitable to promote a sustainable mixed community. As this is an outline application before you it is not completely clear at the moment what exactly will be the housing mix, and this will be submitted as part of the reserved matters application. Therefore, there will be a need to consider how the proposal satisfies the requirements of Policy TAI 8 as part of the reserved matters application.

# **Linguistic and Community Matters**

- 5.9 In terms of the impact on the Welsh language it is noted in the comments from the Policy Unit that there is no need for a Language Statement under criterion 1b of Policy PS 1. However, criterion 1c of Policy PS 1 states that a Welsh Language Statement is required for a "residential development of 5 or more housing units on allocated or windfall sites within development boundaries that does not address evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant local sources of evidence". As affordable housing are not provided as a result of viability matters the applicant was requested to provide a Welsh Language Statement under clause 1c of Policy PS 1. As a result a Welsh Language Statement was received for the development.
- 5.10 From the observations of the Language Unit it can be seen that they have raised matters involving:
  - A joint Language Statement has been prepared for application C23/0671/45/AM (the existing application subject to this report) and application C23/0673/45/AM (application for another section of designation T28 as the eastern plot).
  - No letter from local estate agents to support the demand for as many open market houses.
  - The estimated price of £230,000 has not taken into consideration the employment nature and the area's wages and a high proportion of the population has been priced out of the open market.
  - No assurance can be given that local buyers would buy the houses.
  - As a result of the Language Unit's human resources stating the importance of including everything that is relevant, which includes the proposed prices of the units and their type (flats, semi-detached houses etc.), the number of bedrooms, total individuals who could

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be attracted to the community etc. in the Language Statement as the Unit can only offer full comments on the Language Statements that come to hand, not any other documents that are part of the application pack.

- 5.11 As the existing site together with the application site for C23/0671/45/AM form part of the same housing designation in the LDP it is considered that it has been reasonable to include one Language Statement for both sites. Housing designation T28 had the estimated number of houses at 150 where there would have been an expectation that 30% would be affordable housing. Although it is not viable to provide affordable housing on the site we also have to realise that the total proposed open market housing for designation T28 via the current application and application C23/0671/45/AM comes to a total of 36 that is substantially lower than the estimate in the LDP. As it is a designated site, consideration was given to the need for housing on the site as part of the LDP and its implications in terms of the Welsh Language. The Welsh Language Impact Assessment provided for the LDP did not expect a provision of 150 units for the T28 designation to adversely affect the Welsh language. Reference is made in the Welsh Language Statement that the T30 designation (a former hockey pitch) provided more affordable housing units compared to what would have been expected and that the proposed developments for the T28 designation would therefore address the lack of open market units lost from the T30 site. This, in turn, would address the imbalance/under-supply of open market units provided at other sites designated in Pwllheli and therefore align with the overall housing strategy for the Pwllheli area.
- Also, through the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 it was now possible to bind the houses through a condition as class C3 use housing, which are dwelling houses used as a sole or main residence. This would ensure that the houses in question would be permanent dwelling-houses and could not be used as second homes, holiday homes or holiday units. With such a condition as well as the fact that Article 4 is also in place, this means that if anybody wished to use one of the houses for an alternative use to C3 use, it would be required to submit a planning application before being able to use it for any other purpose. Whilst realising either way that there is no guarantee that the houses would be occupied by Welsh families, the fact that they would be permanent housing would mean that families who would occupy the houses would be integrated into the local community with the children attending local schools that provide education through the medium of Welsh.
- 5.13 The Welsh Language Statement also notes that there would be a Welsh name for the houses and it is proposed to use bilingual signage / advertising. It would be possible to condition a Welsh name to the development along with the use of bilingual signs.
- 5.14 It is therefore considered that the proposal is acceptable in terms of Policy PS 1 of the LDP.

### Visual amenities

- 5.15. This is an outline application and full details of the design of the proposal have not yet been submitted. The layout, appearance, scale and landscaping are reserved matters for consideration. However, a plan has been submitted giving a rough idea of how the site could be set out. From the plan it can be seen that it is possible to locate houses within the site and have acceptable parking and turning areas.
- 5.16. The existing site is undeveloped fields and therefore it is true to say that building anything on the fields would change the appearance of the site. However, it should be realised that the site is designated in the LDP for housing development and therefore there was an expectation in the context of the LDP to see some sort of development on this land. The site is also located in some sort of a hollow that means that the visual impact of the proposal would be local and would be unlikely to have an impact on the wider landscape. In addition this proposal would be located

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near the Aldi shop and there are also some houses in the vicinity. It is not considered therefore that dwelling-houses in this location would look out of place. Therefore, by securing the design and use of suitable materials for the houses as part of a reserved matters application it is considered that it is possible to ensure a quality development that would comply with policy PCYFF 3.

5.17. The final landscaping details would also be included in the reserved matters to be fully assessed against the requirements of Policy PCYFF 4 of the LDP.

#### General and residential amenities

- 5.18 The proposal would be located near a supermarket and there are some dwelling houses in the vicinity. Although there are dwellings in the vicinity it is considered that the location of the proposed houses in relation to the houses in the vicinity would have plenty of distance etc. between them so that it is possible to develop the site and would not have a detrimental impact on the amenities of nearby residents in terms of matters such as over-looking, loss of privacy etc. Of course, it would be necessary to give full consideration to the impact of the proposal on the amenities of nearby occupants when dealing with the reserved matters when the final design of the proposed development comes to hand. However, it is considered that it is possible to design the proposal in a way that would protect the residential amenities of neighbours.
- 5.19 Demolition, construction, and landscaping work can cause a noise and dust problem for nearby residents. There are dwellings in the locality. No details about the length of the development, nor any measures to reduce and control nuisance during the development have been submitted. Whilst realising that the construction phase of such a development could cause problems such as noise and dust to residents of neighbouring houses, it should also be realised that it is an outline application and therefore the exact issues of the construction itself have not been formed at present. The Public Protection Unit has recommended conditions relating to limiting demolition and construction working hours to 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturday and not at all on Sunday or Bank Holidays and also that the developers use the best practical methods to reduce noise and vibration from the development and consider the recommendations of practice code BS5228-1:2009+A1:2014: Control of Noise and Vibration on Construction and Open Sites. It is considered that it would be reasonable to propose conditions to control the building work hours and in terms of keeping the noise and vibration levels down and would be beneficial in terms of reducing the impact of the proposal's construction phase on householders in the vicinity. It is also considered that it would be appropriate to submit and agree on a Construction Environmental Management Plan.
- Consideration must also be given to the amenities of the occupants of the proposed houses. The 5.20 houses within this development will be located near a commercial shop, therefore there is a possibility that they will be subjected to noise disturbances. It should be noted that the granting of planning permission does not convey any exemption from or compliance with other legislation such as the Environmental Protection Act 1990 (Statutory Nuisance). As part of the application a Noise Impact Report was submitted. The noise report notes that neither the noise of receiving goods nor the mechanical plant will have a negative impact on the proposed housing. The report has not included noise from the car park and customers that may also have an impact on new residential housing. Public Protection advise that an acoustic fence be installed on the boundary between both sites. Observations from Public Protection also note that it is proposed to site an electricity sub-station on the boundary between the Aldi site and the application site. Since receiving these observations application C24/0631/45/AC has been approved on the Aldi site which amongst other matter entails that this electricity sub-station is removed from the Aldi development as it was not required. Should the application be approved, the Public Protection Service recommends conditions in terms of ensuring an acceptable level of noise in the proposed housing, submit and agree on a noise insulation scheme, submit and agree on suitable acoustic fence details for the gardens, development to be undertaken in accordance with the noise assessment.

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5.21 By imposing appropriate conditions as outlined below and receiving acceptable detailed plans on a reserved matters application, it is considered that there can be a development which would be acceptable and would not have a material adverse effect on the amenities of the occupants of existing residential properties in the vicinity and which would also protect the amenities of the occupants of the proposed houses in accordance with Policy PCYFF 2 of the LDP.

# **Transport and access matters**

- 5.22 The proposal would entail creating a new vehicular access to the A499 Ffordd Caernarfon. It is also proposed to have a footway / cycle path along the frontage of the site with the A499. Also, it is proposed to move the endpoint for the speed designation of 30 / 40 miles per hour and the associated work and also to install streetlighting.
- 5.23 Observations on the application were received from the Transportation Unit and it has stated that the proposed improvements to the current highway are in accordance with those proposed in the planning application for Aldi namely planning application C22/0969/45/LL. This work would need to be completed to achieve the planning conditions on that application. To protect against the potential that these improvements are not completed, the Transportation Unit requests that a condition is imposed that the proposed modifications to the highway should be undertaken in accordance with the submitted plans to ensure that this work is carried out. The proposed plans and work to the highway have been included in the Transport Assessment and it is therefore considered appropriate to impose a condition that the development is to be undertaken in accordance with the Transportation Assessment. The applicant would then be required to commit to a Section 278 agreement with the Council where the details of the changes could be agreed and the plans associated with the planning condition could be amended accordingly. These changes should include, but not be restricted to: reviewing the speed limit, introducing street lighting, construction of cycle path / footways, bus stops and crossings. The applicant would pay the cost of amending the Traffic Regulation Order to implement an amendment to the Speed Limit.
- 5.24 The Transportation Unit is also keen that conditions relating to completing the access is in accordance with the plan submitted, estate road and pavement, lighting within the estate, completing the parking spaces before residing in the units and preventing surface water from the site discharging onto the highway, submission of a Construction Method Statement. It is considered that the conditions proposed are reasonable and that the proposal is acceptable in terms of Policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.25 As part of the application an Ecological Survey Report was submitted. The Biodiversity Unit has stated that the survey was undertaken to a good standard and that the impact assessment confirms what impact this development would have on biodiversity, justifying reasonable mitigation and avoidance measures that must be taken. The key matters from the Ecological Survey Report are as follows:-
  - The plan was created to ensure that there is no negative impact on the broadleaved woodland habitat which is a 'priority' habitat.
  - Due to the status of the hedgerows as a 'priority' habitat, it is recommended that the design of the plan will ensure that there will be no net loss from this habitat. The design must also consider habitat connectivity.
  - Most habitat loss will be improved grassland of negligible ecological value. However, recommendations have been made to retain one grassland area which comprises a variety of species along the boundary 'clawdd'.
  - Recommendations have been made to ensure that there is no negative impact on bats due to new lighting on the site.

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- Precautions will be required during the construction phase due to the potential presence of badgers, hedgehogs, nesting birds, and reptiles.
- Biodiversity improvements will be delivered by establishing a new management system to improve the quality of the broadleaved woodland. It is also recommended that 'bee bricks' and 'bat tubes' are incorporated into the fabric of the new buildings and that an appropriate mix of wild flower seeds are used in the SuDS facility area.
- 5.26 The Ecological Survey Report sets out the mitigation measures and biodiversity improvements and therefore it is considered that it would be appropriate to impose a condition on any permission that the work is to be undertaken in accordance with the submitted Ecological Survey Report. In addition, by receiving the observations of the Biodiversity Unit and Natural Resources Wales, it is considered that it would also be appropriate to include conditions in terms of agreeing details of external lighting, submitting and agreeing details for a management plan for the woodland. In addition to this, the reserved matters will include agreeing landscaping details for the site and any biodiversity improvements e.g. bee bricks, bat tubes would be shown on the detailed plans and, therefore, no additional condition is considered necessary for these as has been suggested by the Biodiversity Unit. It is also not considered reasonable to impose a planning condition that a project ecologist needs to be appointed to oversee construction.
- 5.27 An Arboriculture Report was also received as a part of the application. In response to the initial observations of the Trees Unit an updated Arboriculture Report was received. The Arboriculture Report and the associated plans with the report indicate the intention to safeguard the most westerly area of the site with the safeguarding area line of tree roots shown. The indicative layout for the site shows the houses located on the eastern side of the site. The Trees Unit was reconsulted, and they had no concerns about the proposal in question. It is considered that it would be appropriate to include a condition to undertake the work in accordance with the Arboriculture Report.
- 5.28 Although no Green Infrastructure Statement has been submitted for the application, the proposal has considered ecological matters and includes appropriate steps in terms of mitigation and proposing biodiversity enhancing opportunities. As noted above, it is possible to impose conditions to ensure the biodiversity mitigation / enhancement measures and, as a result, it is considered that the submitted details meet the requirements of Planning Policy Wales and also ensure that the proposal is acceptable in terms of Policies PS 19 and AMG 5 of the LDP.

# **Archaeological and Heritage Matters**

- 5.29 As part of the application an Archaeological Assessment was received giving an archaeological assessment of the site based on a desktop method. The assessment undertakes an appraisal of the possibility that archaeological remains may be present based on the area's known cultural heritage assets, the current nature and historical land use, and the information available about the nature and condition of the sub-surface deposits. Therefore, the assessment assesses the site's potential to have archaeological remains based on the available evidence:
  - Prehistoric: the probability of finding prehistoric remains has been appraised as low to medium, reflecting the archaeological features or deposits from a prehistoric date that are known within the area. It was also noted that the heritage significance to any assets from this period that may be present on the site is low / medium. It is therefore considered that the archaeological potential for the prehistoric period is low / medium.
  - Roman and Early Medieval: there is no evidence of a Roman/Romano-British settlement within the study area. It is therefore considered that the archaeological potential for this period is low. This is also true of those heritage assets of the same period. There is no evident evidence here of early medieval activity in the defined study area and therefore, it is considered that the archaeological potential for the early medieval period is low.

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- Medieval: It is likely that the site was enclosed during the post-medieval period. The boundary remains of modern agriculture may remain underground from the post-medieval period, but these would not be of heritage value.
- 5.30 It can be seen from the Archaeological Assessment submitted that there is a low to medium potential that archaeological remains are present on the application site. Gwynedd Archaeological Planning Service was consulted but at the time of writing this report no response had been received. However, having considered the low potential that the site has archaeological remains, it is considered that if observations are received from the Gwynedd Archaeological Planning Service that it would be possible to deal with any matters via relevant archaeological conditions.
- 5.31 The site is within a Landscape of Outstanding Historic Interest. The proposal involves the construction of a housing estate that will be located between a commercial garage and a supermarket. Although an outline application is before you, it is likely that the impact of the proposal would be local and would not have a wider impact on the historic landscape.
- 5.32. In light of the above, it is considered that the proposal is acceptable in terms of Policies PS 20, AT 1 and AT 4 of the LDP.

# **Drainage and Flood Matters**

- 5.33. Policy PCYFF 6 states that proposals for more than 10 residential units should have a Water Conservation Statement. The policy attempts to ensure that the proposals incorporate water conservation measures where practicable, including sustainable urban drainage systems (SuDS). All proposals should implement flood minimisation or mitigation measures where possible, to reduce surface water run-off and minimise its contribution to flood risk elsewhere. A Flood Consequence Assessment and Drainage Philosophy Statement were submitted as part of the application, and Chapter 5 of the Planning Statement includes a Water Conservation Statement.
- 5.34 A Flood Consequence Assessment was received as part of the application. The site falls within flood zone A which is considered by Technical Advice Note 15 to be an area where only a little or no risk of fluvial or tidal/coastal flooding exists. The site does not lie within Flood Zone C1 or C2 as categorised by the Development Advice Maps in TAN 15, where such a designation would indicate a flood risk. Although the site is not within a flooding zone the Flooding Consequence Assessment has been submitted as part of the proposal.
- 5.35 Observations were received from the Water and Environment Unit YGC stating that the Flood Consequence Assessment (FCA) had been presented which addressed flooding risk to the development site from all sources. The observations state that the Water and Environment Unit YGC are satisfied that sufficient evidence has been provided to demonstrate that surface water flooding risk can be controlled (as noted in the latest Flood Maps for Planning) sufficiently, and that the proposed development does not increase the risk of flooding below by disposing of the surface water storage currently provided by the site.
- 5.36. The proposal would include sustainable drainage systems with the presumed location of the SuDS work indicated on the site plan that was submitted as part of the application. Therefore, the proposal is part of the development to incorporate sustainable drainage system measures to deal with surface water. Observations were received from the YGC Water and Environment Unit (in its role as a SuDS Approval Body (SAB)), confirming that the developer intends to use suitable sustainable measures to drain the site and that an application will need to be submitted to the SAB. The details of the drainage plan will be scrutinised further as the SAB application is determined and the principle of the drainage plan only is discussed as a part of the planning application.

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- 5.37. Observations were also received from Welsh Water. These observations state that they have considered the impact of foul flows generated by the proposed development and have concluded that it is unlikely that sufficient capacity exists to accommodate the development without harming the current services they provide to customers, or in terms of environmental protection. No reinforcement work has been planned within the Welsh Water Capital Investment Programme and, therefore, Welsh Water is currently unable to provide an adequacy point on the network. In light of the above, Welsh Water recommends that the developer instructs it to undertake a Hydraulic Modelling Assessment which is at the developer's expense and will examine the impact of the introduction of flow from the development on the performance of the existing network. While noting that no capacity exists, Welsh Water has not recommended that the application be rejected, nor has it indicated that it objects to the application. Instead, it noted that it would be possible to include a condition that the developer undertakes a hydraulic modelling assessment before any development commences and that the connection is implemented following any necessary reinforcement work to the sewerage system, as identified through the hydraulic modelling assessment. The agent has confirmed that they are moving forward with the application in accordance with the condition Welsh Water has recommended.
- 5.38. Therefore, by acting in accordance with the advice received, it is considered that the proposal is acceptable in terms of Policies PS 6 and PCYFF 6 of the LDP.

# Infrastructure and developer contributions

- 5.39 Policy PS 2 and ISA 1 of the LDP requires that a sufficient infrastructure provision exists to cope with developments. This infrastructure could, for example, relate to ensuring adequate capacity at schools in the area, sports and leisure facilities, service infrastructure facilities, such as water supply, drainage, and sewerage.
- 5.40 ISA 5 involves providing open spaces in new housing developments if the proposal is for 10 houses or more. Observations were received from the Planning Policy Unit which identifies that there is a lack of provision for children's play areas (informal and with equipment) in the application area. However, as this is an outline application before you and where the number of bedrooms in the houses have not been stated the Planning Policy Unit cannot give an estimate of the contribution required should the proposal itself not include a purposeful play space on the development site. In the Planning Statement submitted with the application it is noted that the details of the proposed open spaces will be addressed in the reserved matters application. However, the indicative plan has been submitted demonstrating that an open space can be provided within the site, but the exact type and size are not noted as part of the current application. Therefore, with the existing plan there is no assurance about the type and size of open space intended as part of the application, however the capacity within the site to provide an open space is in accordance with Policy ISA 5. However, it should be noted that viability matters exist on the site, and it is not possible to contribute towards affordable houses, then it is unlikely that it would be possible to secure a financial contribution for open spaces with this development.
- With any planning applications for housing, it must be ensured that there are sufficient educational facilities to cope with any increase in the number of pupils emanating from new residential developments. In Supplementary Planning Guidance: Planning Obligations in appendix 2 a method of calculating the number of additional pupils that arise as a consequence of new residential development is included. The proposal is to construct 24 houses, but the number of bedrooms does not appear to have been confirmed. However, the methodology included in appendix 2 of SPG Planning Obligations is based on the number of pupils that arise from every house with 2 bedrooms or more. It is taken that all the houses within the development have at least 2 bedrooms and is therefore based on the methodology in SPG Planning Obligations that the number of pupils estimated to derive from the development are as follows:-

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- Secondary school Years 7-11 6.96
- Secondary school Years 12 and 13 0.48
- As a part of the statutory consultation, confirmation was received from the Education Department that capacity is available at Ysgol Cymerau and Ysgol Uwchradd Glan y Môr. Specifically:
  - Ysgol Cymerau: Capacity 348 Existing total 225 Projected numbers September 2025 207; September 2026 204; September 2027 204.
  - Ysgol Glan y Môr, Pwllheli: Capacity 732 Existing total 482 Projected numbers September 2025 469; September 2026 446; September 2027 418.
- 5.43 Therefore, it is believed that the proposal would not create a direct need for additional education facilities. Nor would it create a need for additional education facilities jointly with application C23/0671/45/AM. Therefore there is no justification to request a financial contribution.
- 5.44 Due to the above and specific circumstances with the current application and viability matters it is considered that the proposal is acceptable in terms of Policies PS2 and ISA 1 of the LDP.

# 6. Conclusions:

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

## 7. Recommendation:

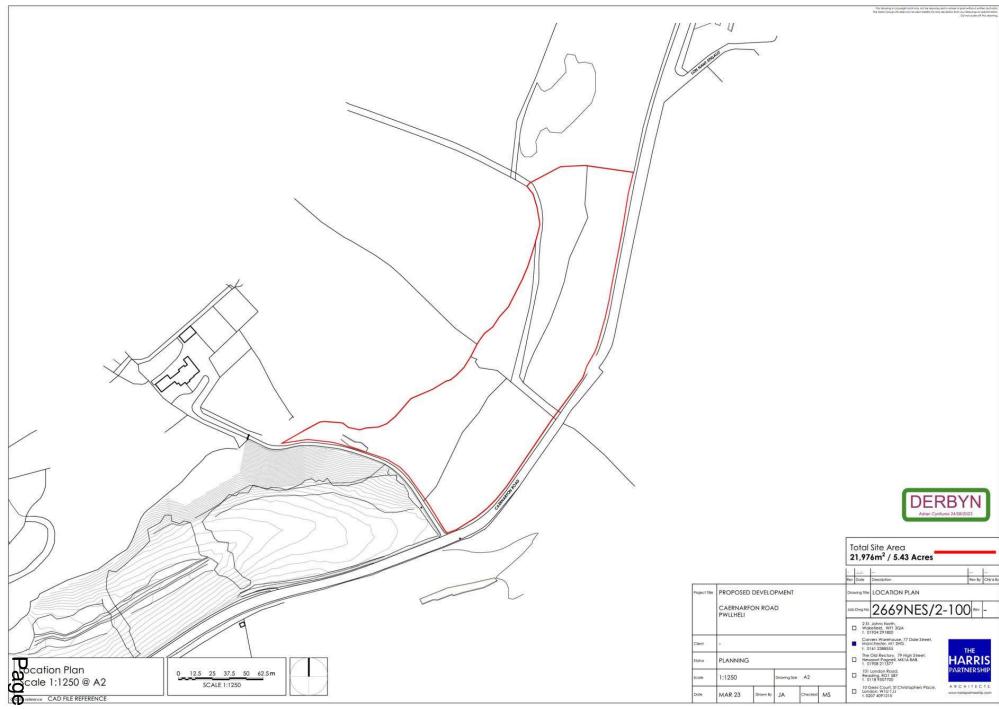
- 7.1. To delegate powers to the Head of the Environment Department to approve the application, subject to receiving the observations of the Gwynedd Archaeological Planning Service and to conditions:
  - 1. The time in terms of the commencement of the development
  - 2. The time in terms of submitting the reserved matters application
  - 3. Submission of a reserved matters application for the layout, scale, appearance and landscaping
  - 4. In accordance with the plans
  - 5. Slates on the roof
  - 6. Materials
  - 7. C3 use for all housing
  - 8. Welsh name for the housing estate and houses
  - 9. Welsh and / or bilingual signs
  - 10. Submission and agreement of an Environmental Buildings Management Plan / Construction Method Statement
  - 11. Construction work hours
  - 12. Noise levels and reduction of noise and vibration during the construction period
  - 13. In accordance with the Transport Assessment.
  - 14. Entrance to be completed in accordance with the plans
  - 15. Highways conditions in terms of completing the road work and pavements of the estate together with the street lighting
  - 16. Parking
  - 17. Prevention of surface water from discharging into the highway
  - 18. In accordance with the Ecological Survey Report.
  - 19. External lighting plan
  - 20. Submission and agreement on a Management Plan for woodland
  - 21. Condition to complete landscaping work as agreed in the landscaping details
  - 22. In accordance with the Arboriculture Report

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- 23. Welsh Water condition to undertake a hydraulic modelling assessment prior to the commencement of the development
- 24. No surface water / land drainage to connect with the public sewer
- 25. Ensure the acceptable noise levels of the proposed houses
- 26. Submit and agree upon a noise insulation plan
- 27. Submission and agreement of suitable acoustic fence details for the gardens
- 28. Development to be undertaken in accordance with the noise assessment
- 29. Archaeological conditions (if required following the receipt of the observations of the Gwynedd Archaeological Service).

# Notes -

- 1. Major development
- 2. SuDS
- 3. Refer to Dŵr Cymru comments
- 4. Street Works











## DRAWING KEY

Existing Levels Proposed Levels

+20.750

Existing Trees Retained





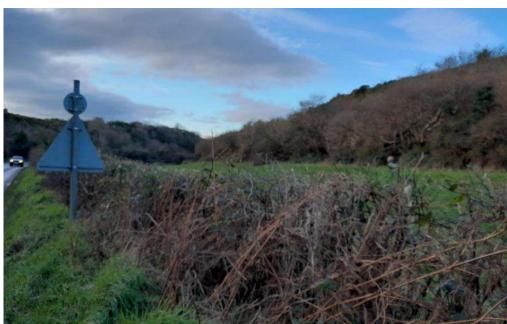
PROPOSED DEVELOPMENT CAERNARFON ROAD PWILHELI

DERBYN Adran Cynllunio 01-11-2023















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Agenda Item 5.3

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Number: 3

**Application** 

C24/0687/42/LL

**Number:** 

Date Registered: 22/01/2025

Application

**Full** 

Type:

**Community:** Nefyn

Morfa Nefyn and Tudweiliog Ward:

Full application to construct 6 residential dwellings (use **Proposal:** 

class C3) with associated developments including entrance,

parking and landscaping

Borthwen Plot, Lôn Rhos, Edern, Gwynedd, LL53 8YN **Location:** 

**Summary of the** 

To delegate powers to the Head of Environment Department to approve the application, subject to a **Recommendation:** 

106 agreement for an educational contribution and

affordable dwelling and relevant conditions.

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# 1. Description:

- 1.1. This is a full planning application to erect 6 residential houses to include 1 affordable house with associated works and developments on a sites measuring 0.37ha in size within the development boundary of the Coastal/Rural Village of Edern as defined by the Gwynedd and Anglesey Joint Local Development Plan.
- 1.2. The proposal involves constructing the houses and extending an existing inner estate road and creating pavements, erecting boundary walls and fencing and associated drainage works, including a sustainable surface water drainage area. Specifically, the proposal contains the following housing mix:
  - 1 x 4 bedroom two-storey house measuring 113.8m<sup>2</sup>
  - 3 x 3 bedroom dormer houses measuring 98.9m<sup>2</sup>
  - 2 x 3 bedroom two-storey houses measuring 93m<sup>2</sup>
- 1.3 In terms of their appearance, the houses will be finished in a mix of materials. The proposed materials for use include:
  - Roofs: Natural slate.
  - Walls: Horizontal render / boards
  - Boundary treatments a mixture of wooden fencing and metal railings
- 1.4 The land is part of a site that has been partially developed through previous planning permissions, with housing already built on what would have been noted originally as plots 1, 2, 11 and 12, while two single-storey dwellings that were permitted previously have also been erected partially. Much of the extended site is now outside development boundary of Edern, but was obviously within when previous applications were determined. The majority of the current application site is located within the Edern development boundary with a small part of the house gable-end on plot 8 possibly either on the boundary or slightly over, but the difference is so small and with the vast majority of the plot being within the boundary, it is believed reasonable to consider the whole development as being within the village development boundary. The implications of designating villages like Edern as a coastal/rural village state "to reflect the role of local and coastal/rural villages, small-scale housing developments, including infilling, building conversions or change of use of sites that become available, would be promoted...." As well as being within the development boundary, it is also within the Llŷn and Ynys Enlli Landscape of Outstanding Historic Interest and within the Western Llŷn Special Landscape Area. Lôn Rhos which abuts the front of the site is a class 3 public road, and a vehicular entrance has already been created into the site. We can see that there are residential dwellings directly abutting the western/northern/northeastern/north-western boundary of the site. There are open agricultural lands beyond the far southern boundary of the site which also includes a public footpath designation along the boundary.
- 1.5 Information was submitted originally in relation to the proposal as it was for erecting 10 dwellings, but now because of the amendment made to reduce the number to 6, some documents have been revised to convey the change and to support the application, whilst others remain applicable despite the change in number:

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- Language Statement (revised)
- Planning Support Statement (not revised)
- Initial Ecological Assessment (not revised)
- Housing Needs Survey (not revised)
- Drainage Strategy (not revised)
- Design and Access Statement (not revised)
- Water Conservation Strategy (not revised)
- Green Infrastructure Statement (not revised)
- Pre-Application Consultation Report (PAC Report) (not revised)
- 1.6. In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), the development in its original form was classed a "major development" because of the number of units proposed. In accordance with the proper procedure a Pre-Application Consultation Report was submitted as part of the application. The report shows that the developer advertised the original proposal to the public and statutory consultees before submitting a formal planning application. The report contains copies of the responses received at the time.
- 1.7 The application has been amended since its original submission following a discussion between officers and the agent regarding issues including concern about the height and style of three-storey houses; financial contributions, affordable housing contribution and an open spaces contribution. The application has therefore been amended by reducing the number of houses and removing an original element which included the construction of some three-storey houses as part of the development.

# 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.
- 2.2 The Well-being of Future Generations (Wales) Act 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 2011-26, adopted 31 July 2017

- PCYFF 1: Development boundaries
- PCYFF 2: Development criteria
- PCYFF 3: Design and place shaping
- PCYFF 4: Design and landscaping
- PCYFF 6: Water conservation
- PS 2: Infrastructure and developer contributions

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PS 5: Sustainable development

PS 6: Alleviating and adapting to climate impacts

PS 17: Settlement Strategy

TAI 4: Housing in local, rural and coastal villages

TAI 8: An appropriate mix of housing

TAI 15: Affordable housing threshold and distribution

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 1: The Welsh Language and Culture

PS 19: Conserve and where appropriate enhance the natural environment

AMG 2: Special landscape areas

AMG 5: Local biodiversity conservation

PS 20: Preserving and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

ISA 1: Infrastructure provision

ISA 5: Provision of open spaces in new housing developments

Also relevant in this case are the following:

Supplementary Planning Guide (SPG): Affordable housing

SPG: Housing Mix

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Provision of open spaces in new housing developments

SPG: Planning Obligations

# 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 – February 2024)

A letter by the Welsh Government's Minister for Climate Change, dated 11 October 2023 announcing an update to chapter 6 of Planning Policy Wales with immediate effect.

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Technical Advice Note 2: Planning and affordable housing

Technical Advice Note 12: Design

Technical Advice Note 5: Planning and Nature Conservation

Technical Advice Note 20: Planning and the Welsh Language

# 3. Relevant Planning History:

3.1 This extended site has a lengthy planning history including:

C23/1020/42/LL – Full application to construct two 2 bedroom single-storey dwellings with associated developments including parking and landscaping – Approved 02/05/24

C20/0914/42/LL - Full application to erect a new 3-bedroom house with attached garage – Approved 13/01/21

Application C10D/0358/42/MG – Design details for 3 houses with integrated garages, plots 1, 11 and 12 - Approved 10/11/10

C07D/0117/42/AM – a residential development of 11 dwelling-houses – approved 14/09/09

# 4. Consultations:

Community/Town Council: No objection.

Re-consultation

Not received.

Transportation Unit: The application was opposed in its original form due to concern about

elements of the proposal regarding access, turning and parking issues.

Re-consultation

I confirm that there are no objections to the latest proposal and

request that a set of standard conditions be included with any

permission granted.

Natural Resources Wales: There are no objections to the proposed development as submitted

and standard information is provided regarding matters relating to

protected species and protected landscape.

Re-consultation

There are no objections to the proposed development as submitted and standard information is provided regarding matters relating to

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protected species and protected landscape.

Welsh Water:

A sewage main pipe crosses the site but the site plan indicates that the proposed development would likely be outside the pipeline protection zone, therefore the proposal is acceptable in principle.

# Sewerage treatment

We do not anticipate problems with the foul water treatment works that would treat domestic discharges from this site, and we do not anticipate concerns about the proposed foul drainage system.

# Water Supply

There is inadequate capacity within the water supply system for the development, the developer will have to carry out an assessment and possibly carry out works as required, as well as supply a new water mains for the development.

Sustainable drainage issues

Permission for this element will be required from the appropriate body.

# Re-consultation

The same observations as provided originally are reiterated, with a note referring to the drainage information being unchanged from what was originally stated, namely a development of 10 residential houses.

**Biodiversity Unit:** 

The applicant has provided an ecological report, but no reptile survey has been submitted. It is recommended that the applicant provides reptile mitigation measures. The proposed plans do not show Biodiversity improvements, it is recommended that a Biodiversity improvement plan is provided. Recommend a set of conditions relating to the conservation of reptiles, and that the recommendations of the ecological report are followed.

# Re-consultation

Not received

Housing Strategic Unit:

Information about need:

The following indicates the number of applicants who wish to live in

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the area:-

17 options on the Tai Teg register for intermediate properties

40 applicants from the Common Housing Waiting Register for a social property

Information about the type of need:

The following shows the number of bedrooms that the applicants wish to have:

Number of bedrooms (owned or part-owned)

Number of bedrooms	Need as a %	rent	buy
1 gwely / bed	0%	0%	0%
2 gwely / bed	29%	18%	12%
3 gwely / bed	29%	0%	29%
4+ gwely / bed	41%	18%	24%

Number of bedrooms (Housing Options Team)

Number	of	
bedrooms		Need as a %
		4.504
1 gwely / bed		16%
		400
2 gwely / bed		42%
2 1 /1 1		200/
3 gwely / bed		30%
4 1 /1 1		00/
4 gwely / bed		9%
7 1 /1 1		40/
5 gwely / bed		4%

Suitability of the Plan:

Based on the above information it appears that the Plan meets the need in the area.

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# Re-consultation

Not received

Public Protection:

A detailed plan to control dust, noise and vibration as a result of the construction work is requested, to be submitted to the Local Planning Authority. Advised that a noise barrier should be installed opposite the nearby housing to reduce noise.

# Re-consultation

Not received

Land Drainage Unit:

Standard response regarding the need to submit an application for a permit to manage surface water in accordance with relevant regulations relating to SuDS.

# Re-consultation

The unit has no observations to offer on this application further to those previously submitted.

Language Unit:

Sufficient evidence has been received to suggest that the development will not have a negative impact on the Welsh language but there is not firm evidence to support the conclusion that the development will have a positive impact on the Welsh language.

# Re-consultation

Beyond noting (p. 27 of the statement) that one of the units will be affordable, there is no suggestion from the author of the potential market price for the development nor is there evidence of demand in the body of the language statement. As a result, there is insufficient evidence to support the conclusion of a positive impact on the Welsh language. We must emphasise the importance of including everything that is relevant, including the proposed prices of the units and evidence of local demand, in the language statement as this is the key document for assessing the impact on the Welsh language. If that is not possible the reader should at least be directed to the paragraph number, page number and title of the report where this information can be obtained in the application pack.

# Further observations

The applicant has submitted information on the house prices. In terms of the local housing demand there is information from an Estate Agent but there is no evidence of the local need from the Tai Teg

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register.

Fire Service: Standard response regarding vehicle access and water supply.

Re-consultation

No observations

Scottish Power: Not received

Health Board: Not received

Education Department: Ysgol Edern is already over capacity, but there are empty places in

the secondary school, Ysgol Botwnnog.

Ysgol Edern – Capacity 63

September 2024 numbers: 74

September 2025: 68

September 2026: 69

Ysgol Botwnnog – Capacity 550

September 2024 numbers: 473

September 2025: 464

September 2026: 451

**Public Consultation:** 

A public notice was posted on the site and nearby residents were notified. The advertisement period has expired, and one letter / item of correspondence was received objecting on the following grounds:

 Concern about the impact of proposed three-storey housing on an adjacent house which would result in the loss of natural light to the house and garden; over-looking into a house and garden; loss of privacy.

# Re-consultation

The re-consultation period has ended and one letter / item of correspondence was received objecting on the following grounds:

 Concern about plots 3 and 4 that would back onto the boundary wall of a residential house (three-storey pingle 90

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particular) which will mean a loss of natural sunlight and privacy; the ground level of plots 3 and 4 before construction begins is much higher which means that the houses and especially the three-storey house will cast a huge shadow and steal sunlight and natural light from a house and garden; it would be oppressive and would over-shadow the house.

• The estate plan in general is not opposed, but the size and height of the dwellings that will be at the rear of existing houses is a concern.

# 5. Assessment of the material planning considerations:

# The principle of the development

- 5.1 It is requirement for planning applications to be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case.
- 5.2 The site is within the development boundary of Edern as identified in the Anglesey and Gwynedd Joint Local Development Plan. In accordance with Policy PCYFF 1 ('Development Boundaries'), applications will be approved within development boundaries in accordance with the other policies in the Plan, national planning policies and other material planning considerations. In the JLDP, Edern has been identified as a Coastal/Rural Village under policy TAI 4. This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based on the indicative provision within the Policy.
- 5.3 The indicative supply level for Edern over the Plan period is 12 units (including a 10% 'slippage allowance'). During the period 2011 to 2024, a total of 3 units have been completed in Edern. The windfall land bank, i.e. sites with extant planning permission, in April 2024, was 4 units. This means that Edern would exceed its indicative supply level with this proposal.
- 5.4 Policy PS 17 in the Plan, which is the JLDP's Settlement Strategy, states that 25% of the housing growth will be located within Villages, Clusters and open Countryside. However, because the village of Edern would exceed the indicative supply level, there must be justification for the proposal to demonstrate how the development would address a local recognised demand.
- 5.5 In accordance with Policy TAI 8, consideration must be given as to whether the proposed development meets a demand for housing that is recorded in a Market Housing Assessment and other local evidence. It is clear to us given the figures provided by the Housing Strategic Unit that the houses would directly contribute to the provision of more housing to meet the current high demand that exists. It is acknowledged that there is some ambiguity in the information submitted which is likely due to the amendments made to the application, however, the description clearly refers to a development of 6 new houses with 1 designated as affordable. The size and type of housing proposed and in this particular location is the type of housing that appeals to a local market, and it is well known that there is demand locally from the current figures provided by the Housing Unit. In line with the general figures regarding the size of residential units, we see that the units provided would be smaller than the general maximum. It can therefore be argued that the sizes of the units would be comparable with affordable housing sizes. Considering the size of the units, this would also be reflected in the valuation of the houses that are likely to be prore

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- 'affordable' as a result. We therefore believe there is sufficient information available to consider the proposal against the relevant requirements of policy TAI 8 and that it is, in view of all the relevant information, acceptable and in accordance with the requirements of this policy.
- 5.6. Policy Tai 15 seeks an appropriate provision of affordable housing as part of new residential developments. The threshold figure is 2 or more units in the village of Edern. As there are six residential units within the development boundary it reaches this threshold. For a proposal offering 6 units this would mean 1 affordable unit. Therefore, as the proposal to hand is providing 1 affordable unit, we believe this is sufficient to satisfy policy TAI 15.
- 5.7 The application has been submitted for the construction of new residential units that would fall within the C3 definition of use, which are dwelling houses used as a sole or primary residence. Although only 1 affordable house is provided as part of the application it can be ensured that all the houses are used as a sole or main residence and that the proposal would not provide additional second homes, holiday homes or holiday lets in the area. We believe that it would be appropriate to impose a condition that the use of the houses is restricted to use class C3 only, namely dwelling houses used as a sole or main residence. It is therefore considered that there is justification and a need for the proposal and that it meets the needs of the local community, and consequently the proposal is deemed to satisfy the objectives of the JLDP's housing policies.

## Visual amenities

- 5.8 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan support proposals for new developments provided they do not have a detrimental impact on the health, safety or the amenities of the residents of local properties or on the area in general. In addition, developments are required to:
  - Contribute to, and enhance the character and appearance of the site
  - Respect the site and its surroundings in terms of its position in the local landscape.
  - Use appropriate materials
- 5.9 In considering the context of the site and the fact that it will form a logical extension to the village, it is deemed that the setting, design and materials of the proposed development in its revised form will be appropriately suited to the location. We believe that the houses have been designed to a good quality that would suit the feel of the village and the houses already built on another part of the land. As noted, an aspect of the proposal has been amended by removing the three-storey houses that were originally submitted, which ensures that the form and layout better reflect existing looks appearances that form part of the overall development pattern of the village. It is not considered that the houses would cause significant harm to the built quality of the site or the local neighbourhood and, consequently, the development is considered to be acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.
- 5.10 It is noted that the site is within the Western Llŷn Landscape of Outstanding Historic Interest and Special Landscape Area, however, when considering its location in the village, we do not believe that the proposed development will have any harmful impact on these vast designations, and therefore consider that the application is consistent with the objectives of policies AMG 2 and AT1 of the LDP.

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## General and residential amenities

- 5.11 We believe that the existing built nature of the area is varied but fairly dense, as it forms part of an established village. This means that issues relating to proximity and over-looking are a fairly common feature within the area. We see that there is a mixture of stand-alone, semi-detached and terraced houses adjacent to public roads where there is a close relationship between the houses but also spaces that are open from the roads and other public spaces. Whilst this does not justify new over-looking it presents a picture of the situation in the local area.
- 5.12 The development will be carried out within existing open land that gently rises in height from the northernmost corner towards the south west. The northern/western boundary of the site borders with the boundaries of the residential gardens of adjacent dwellings, where existing boundary treatments are mainly block or brick walls.
- 5.13 We can see that plots 3, 4, 5, 6 and 7 will abut the back garden boundaries of the nearest houses, with varying distances from the boundaries to the backs of the actual houses. The nearest houses are believed to be around 10m away from the existing boundary. Plots 3 and 4 have been highlighted as the ones that would raise the greatest concern in terms of proximity and overlooking. We can see that there would be approximately an 11m distance between the rear of the new houses on plots 3 and 4 and the boundary, and with a distance of 10m as previously stated, there would be approximately 21m between the nearest part of the houses on plot 3 and 4 and the back of the nearest house. It is true to say that since these houses would be two-storey, windows at the back would mean some overlooking, but because of the distances it is not thought that this would be excessive and thus completely unacceptable.
- 5.14 The position of the houses on plots 3 and 4 would create some distance between them and the rear of the nearest house, and considering this separation distance and the diagonal orientation / views from the proposed first-floor windows, we do not believe that there would be significant or meaningful overlooking / loss of privacy for the residents of the nearest houses. Also, despite any increase in height/difference in ground levels, because the proposed development is stepped away from the boundary, there would be no significant material harm to the nearest houses through loss of light, nor of an overbearing/oppressive nature.
- 5.15 Note also that there will be additional mitigation measures in the form of a permanent 1.8m high wooden fence erected along the boundary, while the presence of trees within neighbouring gardens contribute to protecting amenities.
- 5.16 It is recognised that there would be a change from the current situation, and what we must consider is the extent of the detrimental impact there will be, if any, on the residents of any adjacent properties. It is believed that the distances, land levels and the presence of the proposed fence and existing vegetation mean that the houses would not impact to a completely unacceptable degree on the amenities of adjacent properties. In terms of the first-floor windows, we see that some of them have opaque glass and therefore there is no concern regarding these.
- 5.17 The application was originally submitted with three-storey houses being proposed on plots 4 and 6. Concern about this was highlighted by officers in relation to visual impact and the impact on residential amenities and as a result, the application has been amended by substituting the three-storey houses for two-storey houses. Dormer houses would be to be built on plots 3 and 5, with a two-storey house to be built on plot 7 which better conveys the form of existing buildings within the surrounding area.

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5.18 Having considered all matters, including the observations and objections received as well as the amendments made, it is believed that the proposal is acceptable and although there will be some impact, it is not considered to be unacceptable on the grounds of the relevant requirements of policies PCYFF 2 and PCYFF 3.

# The Welsh Language

- 5.19 Criterion 2 of Policy PS 1 (The Welsh language and Culture) requires that a Welsh Language Impact Assessment be carried out when the proposed development is on an unexpected windfall site and for a large-scale housing development or a large-scale employment development that would lead to a significant influx of workers. As noted in the SPG 'Maintaining and Creating Distinctive and Sustainable Communities', 5 or more new housing units in Edern is classed as a 'large-scale' housing development. The site is believed to be an unexpected windfall site; therefore it would be a requirement to submit Welsh Language Impact Assessment (WLIA) with this proposal.
- 5.20 A report was received in the form of a Linguistic Statement which concluded that the proposed development would have a positive impact on the Welsh language and the community in Edern, because the proposal provides a mix of houses including one affordable unit. The need for such housing locally is well known, and bearing in mind the development of the rest of the site which has already seen local families wishing to live here, it is likely that this trend would continue. Providing this type of housing including the affordable house would meet a local need so that local families would have opportunities to continue living in their local communities. The proposed dwellings would be suitable for families and young or older couples alike, enabling younger generations to start a family and contribute to the local community.
- 5.21 In response to the consultation, the Language Unit noted that some information was missing in the Statement. They note that it should have been ensured that this information is also shown as evidence in the Statement. We do not believe that there is a need to re-report information that is already known through the Housing Strategic Unit's response regarding demand. This would be just repetition and create a larger document rather than presenting any new or additional information or evidence, as this information is already known.
- 5.22. It must be recognised that this is a site that has already received permission for a residential development that has not been fully implemented. The applicants have submitted a Language Statement which summarises the argument in favour of the proposal and the impact, if any, on the community and linguistic fabric of the village of Edern. The current housing situation within the county is well known for the seriousness of finding a house for an affordable price. Providing more housing formally designated as 'affordable housing' would be desirable, but as only 1 is required to be provided for a development of this size in accordance with the relevant requirements of the LDP's housing policies, it reaches this threshold. Therefore as the proposal in hand provides one affordable unit, we believe this is sufficient to satisfy Policy TAI 15.
- 5.23. It must also be remembered that in light of the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022, the houses can be bound through a condition as class C3 use housing, which are dwelling houses used as a sole or main residence only. This ensures that the houses would be permanent dwelling-houses and could not be used as second homes, holiday homes or holiday lets. With such a condition as well as the fact that Article 4 is also in place, this means that if the owner of a house wished to use it for a use not compatible with C3 use, a planning application would have to be submitted before being able to use it for any other purpose. It must be recognised that there is no guarantee that the houses would be occupied by Welsh-Page 94

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speaking families, but binding them as permanent housing would mean that families with children who could occupy the houses would be integrated into the local community with the children attending local schools that provide education through the Welsh language. It is believed that the principle of new residential development contributes towards meeting the need locally, no irrefutable evidence has been presented to show that the proposal would have a detrimental effect on the Language, therefore the proposal is considered acceptable in respect of policy PS1 of the LDP and the relevant supplementary planning guidance. As is customary, it is intended to impose appropriate conditions to ensure that Welsh names are agreed for the estate and houses.

# Transport and access matters

5.24 An objection to the application in its original form was received from the Transportation Unit due to concern about elements of the proposal relating to access, turning and parking issues. After amending the application and re-consulting with the Transportation Unit, confirmation was received that they had no objection to the proposal in its revised form, and requesting that a series of standard conditions be included with any permission granted. It is believed that the conditions proposed would be reasonable to ensure that the proposed work is carried out and completed to the necessary standards. It is therefore believed that the parking arrangements and the layout of the estate road are acceptable to the Transportation Unit and it is not believed that the additional traffic resulting from the new development would significantly increase the risk to users of the public road. Thus we believe that the proposal meets the relevant requirements in terms of road safety and the parking provision and that a convenient and safe access arrangement can be secured. The application therefore meets the requirements of policies TRA 2 and TRA 4 of the LDP as they relate to these matters.

# **Biodiversity matters**

- 5.25 An Initial Ecological Assessment and Green Infrastructure Statement were submitted with the application. Neither the Biodiversity Unit nor Natural Resources Wales object to the proposal from this aspect. However, the Biodiversity Unit notes the need to include conditions with any permission in order to agree biodiversity enhancement measures. It is believed that imposing a standard condition to agree such details would be reasonable in this case.
- 5.26 By imposing appropriate conditions to agree the details of biodiversity enhancements and also ensure that all the biodiversity mitigation measures are implemented in line with the relevant reports, we believe that the development would be acceptable under the relevant requirements of policies PS 19 and AMG 5 of the LDP as well as chapter 6 of Planning Policy Wales which relates to the green infrastructure and the step-wise approach.

# **Open spaces**

5.27 Policy ISA 5 notes that new housing proposals for 10 or more houses in areas where existing open spaces cannot satisfy the needs of the proposed housing development, are expected to provide a suitable provision of open spaces. As the revised proposal is now for 6 new houses, the application is now below this threshold and therefore no open space contribution is requested.

# **Educational matters**

5.28 Policy ISA 1 states that when proposals create direct needs for new or improved infrastructure, including education facilities, the provision around infrastructure in the Development Plan makes it a requirement for the proposal to fund these. A financial contribution may be requested to

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- improve the associated infrastructure, facilities, services and work, when these are essential to make the proposals acceptable.
- 5.29 In applying the standard methodology, it is estimated that the development of 6 houses would have the potential to produce the following numbers:
  - Primary School = 2.4 children
- 5.30 As a part of the statutory consultation, confirmation was received from the Education Department that there is no capacity in Ysgol Edern primary school but there is capacity in Ysgol Uwchradd Botwnnog. Specifically:
  - Ysgol Edern: Capacity 63 Current total 69 Projected numbers September 2024 74; September 2025 68; September 2026 69.
  - Ysgol Uwchradd Botwnnog: Capacity 550 Current total 487 Projected numbers -September 2024 - 473; September 2025 - 464; September 2026 - 451.
- As there is no space in the Primary School, a financial contribution must therefore be requested in accordance with policy ISA 1 to meet the needs of the School. In using the projected demand figures above, a notional contribution of what is sought can be calculated through a 106 agreement towards improving the primary education provision. Total contribution based on 2.4 pupils  $x \pm 10.096 = \pm 24,230.40$  with this amount contributing towards the specific requirements of the school.
- 5.32 It is therefore believed that since the proposal would create direct needs for additional education facilities, there is justification for requesting a financial contribution to satisfy the relevant requirements of policy ISA 1 as well as the relevant guidelines noted within the Supplementary Planning Guidance: Planning Obligations.

# **Infrastructure matters**

- 5.33 Existing services such as sewage and water treatment systems can cope with this increase in houses within the village, it can be seen from Welsh Water's response that confirmation is given regarding the matter.
- 5.34 Although the details of the site's drainage strategy were submitted as a part of the application, in line with Welsh Water's recommendation, we believe it would be reasonable to impose a condition to agree the final details of the site drainage system and thus, ensure compliance with the relevant requirements of policies PS 2 and ISA 1. We also note that it would be required to submit a permit application for the SuDS system to ensure that this also complies with relevant requirements.
- 5.35 As part of the statutory consultation, a letter was sent to the Local Health Authority, however they did not send a response. Thus, we do not believe that there is robust evidence available regarding the situation of local surgeries and as such we cannot speculate regarding the current situation.

# The response to the public consultation

5.36 It is acknowledged that objections have been received to this proposal and we consider that all relevant planning matters have been duly addressed as part of the above assessment. A recommendation is made based on a full assessment of all relevant planning considerations,

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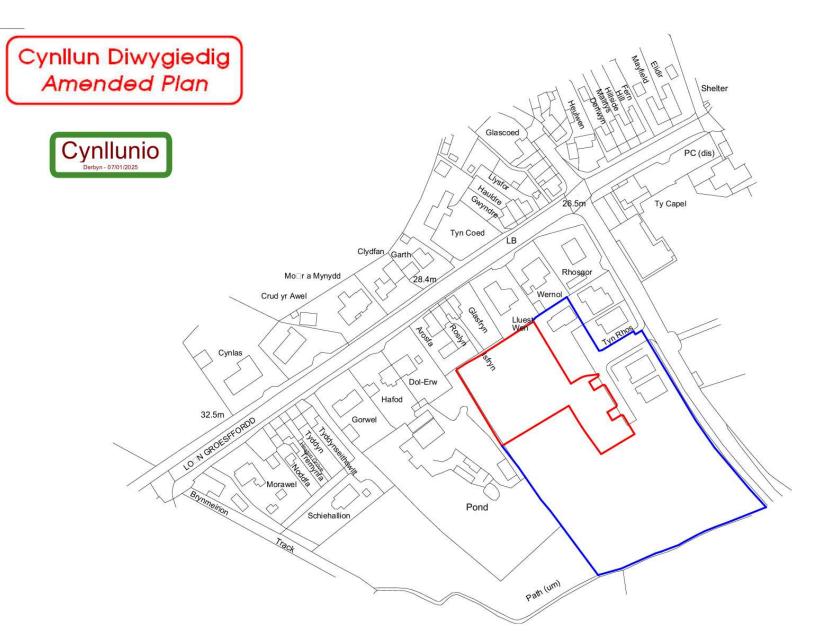
including all the observations received during the public consultation, and no-one was wronged in any way in considering this application.

# **6.** Conclusions:

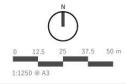
6.1 This is a proposal for a housing development that includes an affordable element, located on a site within the village development boundary. As such, it is believed that the plan is acceptable on principle and complies with the requirements of relevant local and national planning policies and guidelines as set out in the report. Full attention was given to all the observations received and we believe that the proposal is acceptable and, subsequently, is in accordance with the requirements of the relevant policies as noted above.

# 7. Recommendation:

- 7.1 To delegate the right to the Head of Environment Department to approve the application, subject to a 106 agreement for an educational contribution and an affordable dwelling and relevant conditions relating to the following:
  - 1. Time
  - 2. Development to comply with the approved plans
  - 3. Must agree on external materials including the roofing slates
  - 4. Removal of permitted development rights relating to the affordable unit and also restrict the ability to change or add new windows from what is permitted.
  - 5. Welsh Water Condition
  - 6. Highways Conditions
  - 7. Biodiversity Conditions
  - 8. A need to submit A Construction Management Plan prior to the commencement of the development work
  - 9. The housing estate and individual houses must be given Welsh names.
  - 10. Restrict the use to C3 use class only
  - 11. Landscaping



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RES	DESCRIPTION	DATE	BY:	сня
Pt.	SKETCH OPTION ISSUE	13/07/2023	ME	G)
P2	FRSTISSUE	09/11/2025	ME	GJ
P3	UPDATED LAYOUT	11/05/2024	MM	GI
24	PLANNING UPDATES	1.7/12/3034	GJ.	95





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**BORTHWEN EDERN** 

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CLIENT:

SBARC PROPERTIES

DRAWING TITLE

LOCATION PLAN

STATUS	PURPOSE OF ISSUE:
S	PLANNING
PROJECT No	DRAWING No:
P123	BWE-SAL-01-ZZ-DR-A-0001
REVISION	SCALE
P.	1:1250@A3

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**LOCATION PLAN** 

SCALE: 1:1250







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BORTHWEN EDERN

SBARC PROPERTIES

PROPOSED BOUNDARY
PLAN

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P3	As indicated@A1



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21	DEBATED LAYOUT	20/01/2024		G
24	UPDATEOPLAN	22/02/2024	10	G
6	UPBATED LAYOUT	11706/2024	MW	Ġ.
26	PLANNING	36/06/2024	70	6
Ħ	PLANMING UPDATES	17/12/2024	60	53
mi.	KIN ADJUSTED	27/02/2025	63	22

# **KEY**

### AFFORDABLE HOUSES

TYPE		AMOUNT	GIF(m2)
SP28	SP3B DORMER BUNGALOW	3	99
1PSS	5P3B HOUSE	2	93
7P4B HOUSE	7P4B HOUSE	1	114

Total 6

Cynllun Diwygiedig Amended Plan

# BOUNDARY KEY SCALE: 1:200



BORTHWEN EDERN

SBARC PROPERTIES

PROPOSED SITE PLAN

PLANNING
DRAWING No.
BWE-SAL-01-ZZ-DR-A-0003
SCALE
As indicated@A1

Page 100









# ELEVATION 1 SCALE: 1:100



# **ELEVATION 2**

SCALE: 1:100



BORTHWEN EDERN

SBARC PROPERTIES

PROPOSED SITE **ELEVATIONS** 

STATUS S3	PLANNING
PROJECT No.	DRAWING No.
P1233	BWE-SAL-01-ZZ-DR-A-000S
REVISION	SCALE
P3	1:100@A1







**Aerial View 1** 



Aerial View 2



SBARC PROPERTIES

PROPOSED 3D AERIELS

STATUS S3	PLANNING
P1233	BWE-SAL-01-ZZ-DR-A-0007
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Cynllun Diwygiedig Amended Plan









3D View 1

3D View 3





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SBARC PROPERTIES

PROPOSED 3D VIEWS

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P1233	BWE-SAL-01-ZZ-DR-A-0008
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3D View 2

# Cynllun Diwygiedig Amended Plan





PROPSOED MATERIALS

SLATE ROOF - SAMACA 49





SCALE: 1:100



REAR ELEVATION SCALE: 1:100

SLACK RANIWATER
GOODS, FASCAS AND
SOFITS

SKY BLUE COMPOSITE

DOORS

4728 GIA (83m²)

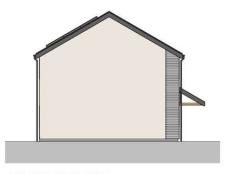
FLOOR AREA
GROUND FLOOR 41.5 m²

FRST FLOOR 41.5 m²

82.9 m²







SIDE ELEVATION SCALE: 1:100



SBARC PROPERTIES

4P2B HOUSETYPE PLANS AND ELEVATIONS

STATUS	DRAWING STATUS:
S3	PLANNING
PROJECT No.	DRAWING No:
P1233	BWE-SAL-03-ZZ-DR-A-0010
REVISION	SCALE
P2	1:100@A2
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# Cynllun Diwygiedig Amended Plan



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P2:	RANDING	34/05/2028	76	GJ		

PROPSOED MATERIALS



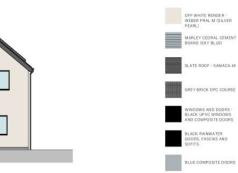
5P3B FIRST FLOOR SCALE: 1:100



FRONT ELEVATION SCALE: 1:100



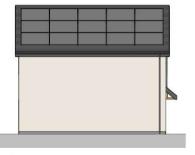
REAR ELEVATION SCALE: 1:100



SP38 0	(4.013m²)
FLOOR	AREA
GROUND FLOOR	46.5 m <sup>2</sup>
FIRST FLOOR	46.5 m <sup>8</sup>
	93.0 m <sup>#</sup>



5P3B GROUND FLOOR SCALE: 1:100



SIDE ELEVATION SCALE: 1:100



SBARC PROPERTIES

5P3B HOUSETYPE PLANS AND ELEVATIONS

STATUS	DRAWING STATUS
58	PLANNING
PROJECT No.	DRAWING No.
P1233	BWE-SAL-04-ZZ-DR-A-0011
REVISION	SCALE
P2	1:100@A2









5P3B FIRST FLOOR

SCALE: 1:100



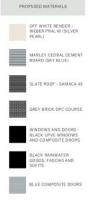
FRONT ELEVATION

SCALE: 1:100



**REAR ELEVATION** 

SCALE: 1:100







**5P3B GROUND FLOOR** 

SCALE: 1:100



**SIDE ELEVATION 1** 

SCALE: 1:100



**SIDE ELEVATION 2** 

SCALE: 1:100



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BORTHWEN EDERN

SBARC PROPERTIES

5P3B DORMER BUNGALOW PLANS AND ELEVATIONS

STATUS	DRAWING STATUS:
S3	PLANNING
PROJECT No.	DRAWING No.
P1233	BWE-SAL-05-ZZ-DR-A-0012
REVISION	SCALE
P2	1:100@A2





# 7P4B FIRST FLOOR

SCALE: 1:100

# Amended Plan



FRONT ELEVATION

SCALE: 1:100



Cynllun Diwygiedig

**REAR ELEVATION** 

SCALE: 1:100



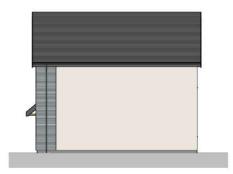
**7P4B GROUND FLOOR** 

SCALE: 1:100



**SIDE ELEVATION 1** 

SCALE: 1:100



**SIDE ELEVATION 2** 

SCALE: 1:100

















7P4B GIA	(114W.)
FLOOR	ARE





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**BORTHWEN EDERN** 

SBARC PROPERTIES

7P4B HOUSETYPE PLANS AND ELEVATIONS

STATUS S3	CRAWING STATUS: PLANNING
PROJECT No	DRAWING No:
P1233	BWE-SAL-07-ZZ-DR-A-0014
REVISION	SCALE
P2	1:100@A2

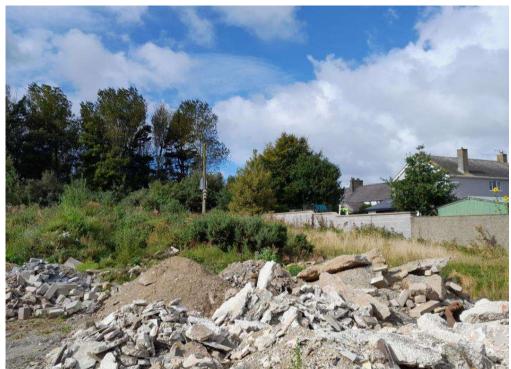


















Agenda Item 5.4

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 4

**Application** 

C24/1058/16/LL

Number:

Date Registered: 18/12/2024

**Application** 

Full

Type:

Community: Llandygái

Ward: Arllechwedd

Proposal: The construction of 4no. new industrial units and

associated external landscaping on Plot C3 at Parc Bryn

Cegin, Llandygái, Bangor.

Location: Zone 3, Parc Bryn Cegin, Llandygái, Gwynedd.

Summary of the

**Recommendation:** 

TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 1. Description:

- 1.1. This is an application for full planning permission to erect four building on one of the empty plots within Bryn Cegin Business Park, Llandygái. The building would have a footprint measuring approximately 24m x 40m and an eaves height of 7.2m. This equates to an External Floor Surface area of 928 square metres for each building. One of these buildings would remain as a single unit, two would be divided into two smaller units, and the other would be divided into four units. The buildings would be used for purposes within Use Class B2 (general industrial).
- 1.2. New hard landscaping will include:-
  - Service yards for goods vehicles for each unit.
  - Access road from each of the new units to connect with the existing roads network.
  - Parking spaces for cars, motorbikes and bicycles for each unit.
  - A pavement circuit for pedestrians.

A soft landscaping plan has been submitted with the intention of retaining the site's natural appearance and to incorporate the new development into its landscape.

- 1.3. Access to the site would be provided via the existing vehicular access that provides access from the inner road serving the broader Parc Bryn Cegin site.
- 1.4. The site is located on the Bryn Cegin Strategic Regional Business Site. It would be approximately 1km south of the development boundary of the Bangor Sub-regional Centre, as defined by the Anglesey and Gwynedd Joint Local Development Plan (LDP). It also lies within the Buffer Zones of two Scheduled Monuments namely the Henge Memorial and Cursus (CN 153) and Penrhyn Quarry Railway (CN 415).
- 1.5. This application, due to its floor area, is defined as a major development. In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), a Pre-application Consultation Report was received as part of the application. The report indicates that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning application. The report includes copies of the responses received.
- 1.6. The following documents were submitted in support of the application:
  - Design and Access Statement
  - Ecological Assessment
  - Drainage Report
  - Arboriculture Impact Assessment
  - Arboriculture Method Statement
  - Transport Assessment
  - Noise Assessment
  - External Lighting 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 considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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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 also to 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 recommendation.

## 2.3. Anglesey and Gwynedd Joint Local Development Plan. (July 2017)

- PS 1: Welsh Language and Culture
- PS 4: Sustainable transport, development and accessibility
- PS 5: Sustainable Development
- PS 6: Alleviating and adapting to the effects of climate change
- PS13: Providing opportunity for a flourishing economy
- PCYFF 1: Development Boundaries
- PCYFF 2: Development criteria
- PCYFF 3: Design and place shaping
- PCYFF 4: Design and landscaping
- PCYFF 5: Carbon Management
- TRA 2: Parking standards
- TRA 4: Managing transport impacts
- CYF 1: Safeguarding, allocating and reserving land and units for employment use
- AMG 5: Local biodiversity conservation
- PS 20: Protecting and where appropriate enhancing heritage assets
- AT 1: Conservation Area, World Heritage Sites and Landscapes, Registered Historic Parks and Gardens

#### 2.5 National Policies:

Planning Policy Wales Edition 12, 2024

Technical Advice Note 23: Economic Development (2014)

Technical Advice Note 24: The Historic Environment

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

# 3. Relevant Planning History:

3.1 No recent planning history on this specific site, but there is a general planning history for the development of the Bryn Cegin industrial site.

#### 4. Consultations:

Community/Town Council: No response received

Transportation Unit: No response received

Natural Resources Wales: No observations to submit

CADW: No objection

Biodiversity Unit: No response received

Public Protection: The applicant has provided a noise impact assessment as part of the

planning application. The noise assessment was produced by ADC Acoustics, reference ARR/C/3851.01, dated 22 October 2024 ("the report"). There are no details about the type of industrial use for these

units. Which planning class will the units be?

The site surveys were undertaken between 08:00 and 12:00, and it was noted that there was some low-level noise from a building site. Was this noise present throughout the monitoring period? If so, we would presume that further monitoring would be undertaken when the noise from the building site was inaudible? The report does not note which day of the week the monitoring took place although it is stated that wind speed was negligible. What does the author deem to be negligible? Will the units be operational over weekends, or on a 24-hour basis? Assumptions have been made regarding the units' building materials, namely Kingspan-type basic cladding, with roof lights of single skin polycarbonate with very little sound insulation. There are no details in the report regarding the level of soundproofing that these would provide. Full details should be provided of the noise insulation materials installed in the units to ensure that any noise break-out is kept to a minimum.

As the background monitoring was only undertaken during the morning, between 8:00-12:00, we do not know what the background noise levels are before 8:00 and later during the afternoon/evening. Therefore, we would recommend restricting the working hours of the units to between 8:00am and 18:00 (normal working day) during the week. For weekend working, we would need further background monitoring for the proposed operating hours over a period of weekends. There is less traffic on Sundays compared to weekdays, and therefore there would not be rush hour traffic as described in the report.

PLANNING COMMITTEE	DATE: 24/03/2025
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Assessment BS4142 has not mentioned any sudden noise impulses / irregular noise as a condition. Vehicle reversing alarms and HGV movements can be considered as sudden impulses/irregular noise. We would have expected to see a condition included in order to take this type of noise into consideration. Reversing alarms can be particularly noticeable against the existing background level and therefore should be accounted for.

The report is based on assumptions, as the noise consultant does not have details of the exact operations to be undertaken in each unit. In the calculations, an assumption was made regarding the type of mechanical equipment installed. Section 6.2 of the report provides a plan of the noise sources, with yellow crosses denoting pumps, unloading, mechanical equipment, intercoms, idling areas etc. The plan draws specific attention to the location of two buildings installed with Mitsubishi PUHZ-RP250YKA equipment. The report does not clearly state whether it has accounted for two Mitsubishi PUHZ-RP250YKA (air-conditioning units) to be installed on each unit, or only these two buildings.

As these assumptions have been made, and we are unaware of the types of equipment/mechanical machinery to be installed, building materials, we would recommend the inclusion of a condition stating:

1. If any external units are let, for each unit full details must be provided of

the units together with a noise report to demonstrate that the units can conform with condition 2 below.

- 2. All the machinery and building service equipment (including ventilation and air-conditioning equipment etc) must be located and designed to reach a Grading Level (BS4142:2014 or any subsequent version) of -5dB below the measured level of background noise (LA90T) specified in the closest noise-sensitive receiver, when it is intended for the work to become operational.
- 3. A noise insulation plan for the units must be submitted to the Authority prior to the commencement of the construction work, in order to reduce break-out noise and to comply with the above condition.

REASON: To ensure that the amenities of residents are substantially protected, and the adoption of measures to reduce noise levels and disturbance.

As mentioned above, the report does not specify on which day the background measurement was taken. Currently, without further background data regarding weekends, we are not aware of the current

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

level, and therefore would suggest that the site is not operational at weekends until further monitoring is undertaken. During weekends, residents tend to be at home for longer periods during the day, and it is therefore essential to ensure that they are not disturbed by noise from the industrial site, and specifically from operations within the units, deliveries and reversing alarms. Should the application be approved, we would recommend imposing conditions on the hours of use and deliveries:

- 4. Goods are not to be delivered or transported from the site outside the hours of 08:00 to 18:00 Monday to Friday. No deliveries on weekends.
- 5. The units are not permitted for use outside the hours of 08:00 to 18:00 Monday to Friday.
- 6. No construction work will be undertaken outside the hours of 08:00 to 18:00 Monday to Friday and

08:00 to 13:00 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: to protect the area's amenities

Land Drainage Unit: Due to the size and nature of the development, an application will

need to be made to the SuDS Approval Body for approval before

construction work commences.

Welsh Water Request a condition to ensure a foul water disposal drainage plan.

Offer guidelines for the developer.

Gwynedd Archaeological Planning Service

No response received

Public Consultation: Notices were posted near the site and the advertising period has

expired. No response was received to the public consultation.

# 5. Assessment of the material planning considerations:

#### The Principle of the Development

5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations indicate otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The application site is located outside the development boundary of the Sub-regional Centre of Bangor as defined in the LDP and is part of a site that has been protected as a Strategic Regional Business Site. Policy PCYFF 1 of the LDP encourages the refusal of developments outside development boundaries, unless they are in accordance with other local or national

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

planning policies. In this case, given its designation as a Business Site in the LDP, there is appropriate justification for approving this type of development in this location.

# **Economic Development**

- 5.2 Parc Bryn Cegin is protected as a Strategic Regional Business Site for businesses in Use Classes B1, B2 and B8 by policy CYF 1 in the LDP and therefore the proposal is consistent with this policy.
- 5.3 Strategic Policy PS 13 in the LDP aims to facilitate economic growth by supporting several aspects of the local economy including supporting economic prosperity by facilitating appropriately scaled growth. This is a plan to enable employers to establish a business locally in a site of strategic importance and it is believed that the proposal is for suitable use at an appropriate scale for its location within an industrial site of this type. It is therefore considered that the proposal satisfies the requirements of policy PS 13 in the LDP.

#### General and residential amenities

- 5.4 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan encourage the approval of proposals for new developments provided they do not have a detrimental impact on the health, safety or amenities of the occupiers of local properties or on the overall area.
- 5.5 Although large, the new buildings would be of a size, design and of materials that would be expected within modern industrial buildings. The plan also includes landscaping proposals that will include reinforcing the existing screening and this, together with the natural screening provided by the natural landscape, would conceal the site from most public viewpoints. Given its location on an industrial estate that has already received planning permission, it is not considered that this business site would cause significant harm to the site's general appearance or affect the area's visual amenities.
- The closest houses are located approximately 100m from the site and given that this is a designated industrial site, it is considered that it is inevitable that some noise will emanate from the site. A Noise Assessment was submitted with the application, which noted that the general noise climate was dominated throughout by traffic on the A5 and A55. There was also some low-level noise occasionally audible from a nearby building site. The overall modelled levels were based on fairly extreme worst cases. A very busy simulated 1-hour period was assumed to persist throughout the entire day. Predicted levels gave an "initial estimate" of "low impact depending on the context" (as defined by BS 4142). The context in this case is a busy area dominated by the traffic, which is the main noise likely to be generated by the site. Public Protection provided a response and propose conditions to be included in the planning permission to ensure that adequate noise mitigation measures are provided, together with the specific working/opening hours based on the information submitted as part of the application.
- 5.7 Ultimately, given the busy nature of the surrounding roads and the proximity of the existing Llandygái industrial estate, given the appropriate conditions provided by Public Protection, it is not believed that businesses in this location are likely to create a significant additional harmful impact on residential amenities. There are also regulations outside the planning field to manage noise that causes a constant nuisance to local residents.
- Overall, it is considered that the layout of the proposed development is acceptable and suited to the location. It is not considered that the development would cause significant harm to the amenity quality of the site or the local neighbourhood given its designation as an industrial site in Page 117

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the LDP, and, consequently, it is considered that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

## **Highways matters**

Essentially, the development would use the roads network designed for the industrial estate and therefore the existing infrastructure has been designed to cope with the likely transport levels as anticipated. The location is also connected to the local walking and cycle paths network with public footpaths passing the front of the site and Lôn Las Ogwen running along the western boundary of Bryn Cegin. There is also a bus stop in the village of Llandygái, which is located approximately 350m away. Therefore, it is believed that the development would meet the requirements of policies TRA 2 and TRA 4 of the LDP in relation to parking requirements and highway safety and that the site is in an accessible location for alternative modes of transport, in accordance with the objectives of Policy PS 4 of the LDP.

### **Biodiversity**

5.10 An Ecological Report (including a Green Infrastructure Plan) was submitted with the application, with a Biodiversity Enhancement Plan and an Arboricultural Method Statement. These set out a series of actions for maintaining and improving biodiversity on the site. Landscaping proposals (including the long-term retention and maintenance of the rich mosaic of species; planting of trees and hedgerows) and the provision of additional habitat features for wildlife (bat boxes, bird boxes and butterfly banks) will help to maximise the biodiversity benefits for the site. The development will ensure that ecological resilience is maintained within the wider landscape, thereby protecting, managing and extending areas of open mosaic habitat that would otherwise by lost to natural succession. The green infrastructure corridors will be retained around the site perimeter, including the planting of scrub that will link to the grassland plants and new hedgerows to be planted. Further habitats will run through the site, including additional grassland, native hedgerows and planting of native trees. By ensuring that these measures are implemented via an appropriate planning condition, it is considered that the application meets the requirements of Policy AMG 5 of the LDP that encourages proposals to protect, and where appropriate, enhance the area's biodiversity.

## **Language Matters**

- 5.11 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 12, 2024), along with Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.12 It is noted that there are some specific types of developments where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds for when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, and Diagram 5 of the SPG. It is noted that the floor area of the proposed units is approximately 3544 square metres and therefore it reaches the threshold noted in point 1a of policy PS1 for the submission of a Welsh Language Statement. However, no Welsh Language Statement has been submitted in support of the proposal. Although the Design and Access Statement refers to the Welsh Language, there is no explanation here why a Language Statement

PLANNING COMMITTEE	DATE: 24/03/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- is not required. The applicant has been informed of this requirement and information is awaited before the date of the Planning Committee.
- 5.13 The matter will be further reported upon to the committee. However, the site is located on a site that has been earmarked for this type of use and, as a result, it is not an unexpected development and the process of allocating the site as part of the Local Development Plan has included a language impact assessment. Should the application be approved, and in accordance with policy PS 1, a condition could be imposed to secure a Welsh name for the development as well as the internal signage on the site to improve and alleviate the impact on the language. As there is no evidence to show that the development will cause harm to the language, and by imposing conditions, it is considered that the proposal complies with policy PS1.

### **Heritage Matters**

5.14 The Bryn Cegin site has been the subject of extensive archaeological excavation which has identified it as a location of historic significance, offering a snapshot of life during the final prehistoric years in Wales (Iron Age), and the relationship with the Roman Occupation. A response to this consultation was received from Cadw, which confirmed that although the proposed development would be visible from the scheduled monuments surrounding the site, whilst this may constitute very slight visual changes in the views from them, it would not have any effect on the way that they are experienced, understood and appreciated. Consequently, the proposed development will not have an unacceptably damaging effect upon the settings of the surrounding scheduled monuments CN153 and CN415. The development is also within the setting of the World Heritage Site; however, the parts of the WHS that may have views of the proposed development are formed of transport links (Penrhyn Quarry Railway) and do not contribute to their significance. Consequently, the proposed development will not have an impact on the outstanding universal value of the World Heritage Site. Overall, it is considered that the development is acceptable under the requirements of Policies AT 1 and PS 20 of the LDP as they relate to the protection of these assets.

#### **Infrastructure and Sustainability Matters**

- 5.15 Bryn Cegin has been earmarked as a sustainable location for business through the process of adopting the Local Development Plan and it has been developed with plots served by appropriate utilities for the expected businesses. Natural Resources Wales had no objection to the development and Welsh Water confirmed that there is adequate capacity in the local sewerage system to meet the requirements of the development (subject to the receipt of a detailed plan for foul water drainage) and that a connection to the water supply can be ensured. Sustainable drainage systems (SuDS) are required to control surface water for every new development of more than 100m2 in floor area and an application will need to be submitted to the SuDS Approval Body for approval before the construction work commences.
- 5.16 By following the statutory requirements regarding sustainable drainage, it is believed that this development will comply with the requirements of policies PCYFF 5, PS 5 and PS 6 as they relate to ensuring that new developments will not have a harmful impact on the broader environment and that they are resilient against likely environmental changes in the future.

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### **6.** Conclusions:

As a result of the above assessment, and subject to the receipt of a suitable Language statement, it is not considered that the proposal is contrary to any material planning policy within the LDP, and the proposed development is believed to be appropriate for the site and is likely to be of strategic importance to the county as a starting point for business developments on the site. Consideration was given to all material planning issues and it is not believed that the proposal is likely to cause any unacceptable adverse impacts to nearby residents or the community in general.

### 7. Recommendation:

- 7.1 To approve the application subject to relevant planning conditions relating to:
  - 1. Time
  - 2. Compliance with the plans
  - 3. Implementation in accordance with the recommendations in the ecological report / landscaping plan
  - 4. Welsh Water Condition
  - 5. Permitted use of buildings for any purposes within Use Class B2
  - 6. Ensure Welsh / Bilingual signs
  - 7. Public Protection conditions

# **Notes**

- 1. Welsh Water
- 2. Land Drainage Unit

