

PLANNING COMMITTEE	DATE: 23/10/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 3

Application Number: C22/0426/38/LL

Date Registered: 20/05/2022

Application Type: Full

Community: Llanbedrog

Ward: Llanbedrog and Mynytho

Proposal: Full application for the demolition of 107 living units, three buildings used as four visitor accommodation units, nursing home, Scouts' dormitories, hall and workshop, library/hall building, offices and garages and the erection of 107 residential units (100% affordable dwellings) as replacement dwellings together with alterations to the internal access road and associated works and landscaping.

Location: Penrhos Polish Village, Lôn Llanbedrog, Pwllheli, Gwynedd, LL53 7HN

Summary of the Recommendation: TO APPROVE WITH CONDITIONS AND A 106 EDUCATION CONTRIBUTION AGREEMENT

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1. Description:

- 1.1 Full application for the demolition of 107 living units, three buildings used as four visitor accommodation units, nursing home, Scouts' dormitories, hall and workshop, library/hall building, offices and garages and the erection of 107 residential units (100% affordable dwellings) as replacement dwellings together with alterations to the internal access road and associated works and landscaping.
- 1.2 The application site includes Penrhos Polish Village which is located between the town of Pwllheli to the east and Llanbedrog to the south. Access is gained to the site along a private track directly off the A499. The Pen-y-berth Caravan Park is directly adjacent to the application site to the south and the Golff Llŷn course is directly to the south of the access road towards the Penrhos Polish Village. The site currently provides residential accommodation, lounge areas and a community restaurant, care home, Church, small shop along with a memorial garden and allotments. The existing buildings are as follows:
- Care Home - a care home that operated with an occupancy of 40 people and has been closed since December 2020.
 - Kitchen and central dining room - providing meals for the site's residents along with takeaway meals for those who could not attend the dining room. The meals provision has reduced due to the reduction in the number of residents over the years.
 - Offices - the existing offices are being used by Tai Clwyd Alyn.
 - Church - continues to be used by the site's residents.
 - Workshops and Scouts' dormitories - historical use by the Scouts for camping during summer months and on occasional weekends, workshops and Sea Cadets meetings.
 - Library, Hall and general store - the library was open regularly until 2019 and following a reduction in its use the library was closed permanently. The Hall has been used regularly for community activities such as concerts, car boot sales etc. A small shop has always existed for simple food facilities and cleaning equipment.
 - Residential Accommodation Blocks - lawful use certificate permission C21/1049/38/TC has confirmed that the residents, visitors and staff accommodation on the site are 107 lawful self-contained living units. There are various single-storey garages located near the Church which were used by the site's residents.
 - Memorial garden and allotments - the memorial garden is located near the nursing home and the allotments are on the way into the site.
- 1.3 The site is located entirely in open countryside and outside any development boundary. The nearest development boundaries encompass Llanbedrog and Pwllheli and the nearest cluster is in Penrhos. The site lies within a Landscape of Outstanding Historic Interest and recent correspondence confirms an intention to list the Freedom Cross located on the site. The site is accessed from the highway within a C2/Zone 3 flood zone.
- 1.4 The proposal involves demolishing all living units on the site along with the care home, hall and workshop, library, offices and garages and redeveloping the entire site to provide 107 new affordable dwellings, to include:
- 25 two bedroom two-storey dwellings (83.4m²)
 - 15 three bedroom two-storey dwellings (96.1m²)
 - 4 four bedroom two storey dwellings (110.5m²)
 - 22 two bedroom single-storey bungalows (61.2m²)
 - 1 three bedroom accessible bungalow (109.9m²)
 - 10 one bedroom walk-up flats in two-storey accommodation (53.9m² and 27.8m²)

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- 25 one bedroom apartments in a two-storey building (51.6m²)
 - 5 two bedroom apartments in a two-storey building (68.1m²)
- 1.5 The demolition work would happen in three parts with the first step involving demolishing the buildings that are located on the right by the site access. The Church, canteen and dining room along with the memorial garden, allotment and the bus station will remain. It is proposed to make changes to the internal estate road including the provision of some new areas.
- 1.6 It is also proposed to erect the new buildings in three phases, with the first phase securing accommodation for the existing residents first. It is proposed to erect 44 units in the first phase to include 12 bungalows, 2 houses and 30 flats. It is proposed to construct 49 units in phase 2 and 14 in phase 3. All units are proposed as affordable units in the form of lifelong homes.
- 1.7 It is proposed to finish the apartment block building with a standing seam roof and cladding on the vertical sections; and render, natural stone and cladding to be agreed for the walls along with pv panels on the roof. It is proposed to finish the terraced houses and walk-up flats with slate on the roofs and render, natural stone and cladding to be agreed on the walls along with pv panels on the roof. It is proposed to provide an external bins store and a bicycle store near the apartment block to be finished with a mono-pitch roof and hit and miss fencing.
- 1.8 The landscaping plan provides for open space areas including non-equipped play areas to encourage natural play and adult gyms along with informal meeting areas along the path surrounding the site. It is proposed to landscape an additional perimeter across the site boundaries and extensive landscaping is proposed inside the site including a wildflower meadow and features to meet the need of a range of demographic including higher beds for the older demographic, a herb garden near the canteen and a family garden and an orchard. The landscaping also offers maintenance and additional planting within the memorial garden.
- 1.9 The proposed plans show an area that has been earmarked to erect a new nursing home. It is proposed to transfer this area over to Cyngor Gwynedd and a draft agreement has been agreed between Clwyd Alyn and the Council with a view to signing it soon. The nursing home proposal has not been included as part of this application, however Cyngor Gwynedd Cabinet has agreed to move to submit an application for £14.6 million from the Welsh Government to fund the construction and development of a new care home on this site, and has published its vision and priorities for the proposal to redevelop the entire site (including the part that is subject to this application). The new home will have approximately 60 beds with a mix of dementia, nursing and respite care.
- 1.10 The following information and documents have been submitted as part of the application:
- Justification for re-building existing buildings (June 2023)
 - Brython Archaeology Desk Assessment (15.08.2022)
 - Pre-application Consultation Report May 2022
 - Welsh Language Impact Assessment May 2022
 - Flood Consequence Assessment November 2021
 - Drainage Strategy March 2022
 - Design and Access Statement March 2022
 - Trees Report March 2022
 - Transportation Assessment February 2022
 - Phase 1 Structural Report January 2022

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- Desk assessment and preliminary land contamination risk assessment April 2022
- Planning Statement May 2022
- Preliminary Ecological Appraisal 13/12/2021
- Preliminary Bat Report 31/01/2022
- Reptile Survey Report 29/11/2021
- Biodiversity Improvement Strategy 17/12/2021
- Nocturnal Bat Survey Report 29/12/2021
- 03.10.2023 letter from Clwyd Alyn which confirms its agreement with the Vision and Priorities document for redeveloping the Penyberth/Penrhos site as published by Cyngor Gwynedd.

2. Relevant Policies:

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

2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted 31 July 2017:-

PS 1: The Welsh Language and Culture

PS 2: Infrastructure and developer contributions

ISA 1: Infrastructure Provision

ISA 2: Community Facilities

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

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PCYFF 5: Carbon Management

PCYFF 6: Water Conservation

MAN 4: Safeguarding Shops and Pubs in villages

PS17: Settlement Strategy

TAI 8: Appropriate Housing Mix

TAI 11: Residential Care Homes, Extra Care Housing or Specialist Care Accommodation

TAI 13: Rebuilding of Residential Dwellings

PS 18: Affordable Housing

TAI 15: Threshold of Affordable Housing

PS19: Conserving and where appropriate enhancing the natural environment

PS20: Protecting and where appropriate enhancing heritage assets

Supplementary Planning Guidance: Housing Mix October 2018

Supplementary Planning Guidance: Open Spaces in New Housing Developments (March 2019)

Supplementary Planning Guidance: Affordable Housing (April 2019)

Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (September 2019)

Supplementary Planning Guidance: Planning Obligations

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

NCT 2: Planning and Affordable Housing

NCT 5: Planning and Nature Conservation

NCT 12: Design

NCT 18: Transport

NCT 20: The Welsh Language

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3. Relevant Planning History:

C21/1049/38/TC – Application for Legal Use Certificate for mixed use including C3 class: dwelling (total of 107 in number); C2: residential establishment; D1: non-residential (church, library); A1: shop. - Approved 08/06/2023

C06D/0525/38/II - amended application to erect a building to include 6 serviced living units
Approved: 28/11/2006

C06D/0193/38/LL - erection of single-storey building to include 6 bedsits. Approved: 05/06/2006

C04D/0389/38/LL - alterations and extensions (part5). Approved: 11/08/2004

C03D/0250/38/LL - external changes to the church. Approved: 16/06/2003

C02D/0030/38/LL - erection of building including 6 serviced living units. Approved: 09/04/2002

C97D/0278/18/CL - erection of building including 4 serviced living units. Approved: 02/09/1997

2/18/75'K' - erection of building to include 4 bedsits Approved: 09/03/1995

2/18/75'T' – extension Approved: 31/01/1991

2/18/75'H' – extension to existing extra care unit. Approved: 25/05/1988

2/18/75'G' – extension to extra care unit creating 11 bedrooms. Approved: 05/03/1987

2/18/75'F' – redevelopment of Polish homes (part 2) (reserved matters for 20 bungalows and 1 warden flat). Approved: 23/04/1986

2/18/75'E' – demolition of 4 sub-standard living units to be replaced with 20 bungalows, 1 warden flat and associated community resources. Approved: 17/10/1984

2/18/75'D' – demolition of sub-standard living unit to be replaced with category 1 and 2 sheltered accommodation (25 flats, 13 bungalows). Approved: 19/02/1982

2/18/75'C' – demolition of sub-standard living unit to be replaced with category 1 and 2 sheltered accommodation (24 flats, 10 bungalows). Approved: 21/05/81

2/18/75'B' – extension of western part of building number 6 to create a flat for two people.
Approved: 01/06/1979

2/18/75'A' – extension to Penrhos home. Approved: 19/12/1977

2/18/75 – convert and upgrade existing units 24, 29 and 30 to 'Extra Care Units' with a new common room and supervisor room for infirm pensioners. Approved: 07/04/1977

34/68/1858'A' – erection of 2 new residential units and replacing one existing unit. Refused:
16/08/1973

3/4/1858 – replace 6 buildings with residential units. Approved: 05/01/1971

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4. Consultations:

Community/Town Council: Llanor Community Council's observations - Object. Lack of detailed evidence of the local need, language impact, A499 flooding concerns near the access.

Llanbedrog Community Council's observations on the application:

Decision: Object.

Reasons:

1. Over-development of the site.
2. Direct impact on the Welsh language in the area.
3. Strain on local services.
4. Lack of facilities for the elderly - the residential home will not be built until Phase 2, what about the older people who still wish to live independently? There is not enough adequate housing for this demographic.
5. A letter was sent to applicants on the 26 November 2021 following the pre-application consultation with a number of questions that were a cause for concern for the councillors and also a request to meet with them to discuss the matter before they submitted a formal application, but we have not received any response from them which is very disappointing - a copy of the letter is enclosed.

Transportation Unit: I have reviewed the documents that are associated with the above application and confirm that I will not be objecting, however I do propose the following observations:

Due to the date of the surveys, I was concerned that the traffic data was not a true representation of the seasonal traffic flows. However, the applicant has mitigated the matter by using a correction factor, and the logic behind the factor appears reasonable.

On the junction between the A499 and the access road, the visibility to the south-west towards Llanbedrog would not be considered adequate given the national speed limit on the A499. Cyngor Gwynedd's Environment Department will introduce a 50mph limit in this location, and once it is operational it will mean that the achievable visibility is likely to be considered acceptable.

Visibility from the junction on the site is affected by a variety of business signs on the grassy area that direct people into the site. If these could be formalised into one stack of signs and relocated slightly, this would be beneficial.

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Natural Resources Wales:

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

Conditions 1-6: Groundwater protection and land contamination

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice.

- Nocturnal Bat Report (Indigo Surveys ref: 21413/E3)
- Biodiversity Enhancement Strategy Report (Indigo Surveys ref: 21413/E5)

Without the inclusion of these conditions and documents, we would object to this planning application.

Groundwater protection and land contamination

We recognise that a Preliminary Risk Assessment (Stage 1 – Phase 1 – Desk Study and Preliminary Ground Contamination Risk Assessment dated 10/4/2021) has been completed. This has highlighted that there has been an oil spill on site (and that remediation is underway) but no further information is supplied, therefore we do not know the risk to groundwater. Other potential sources identified include further oil storage tanks, garages, substations, waste burning areas.

It has also identified that the site was used by the Ministry of Defence (MoD). CL:AIRE industry profiles give an indication of activities and contaminants which might be expected to occur. We also recommend that the applicant pursue enquiries with the MoD as highlighted in Section 2.4.4. Historical photo archives (such as those held with Welsh Government) can also give an indication of historic records. We have found that for military sites published maps do not always provide accurate records of historical activities.

We recognise that a site investigation (Geotechnical Ground Permeability and Contamination Investigation Report dated 21/1/2022) has been undertaken which comprises 11 trial pits, 20 window sample locations, and 15 soil samples. No groundwater sampling (level or quality) is reported, and it isn't clear how site investigation locations relate to the potential sources identified in the preliminary risk assessment. Reference should be made to BS10175 Section 7.7 for sampling strategies. If firefighting has taken place consideration should be given to firefighting agents such as PFAS and PFOA. Furthermore, there are no details about the hydrocarbon spill, remediation and current status of the soil and groundwater.

Therefore, we consider there are outstanding potential sources which have not been investigated and advise the inclusion of the following

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conditions on any consent granted.

Condition 1: No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 2: Prior to the occupation of the development a long-term monitoring plan for water quality and land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken.
- Timescales for the long-term monitoring and curtailment mechanisms.

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- Timescales for submission of monitoring reports to the LPA.
- Details of any necessary contingency and remedial actions and timescales for actions.
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification: A water quality and land contamination long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality and land contamination.

Condition 3: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Condition 4: No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

Condition 5: The development hereby permitted shall not be commenced until such time as a scheme to decommission and remove the fuel storage tank (s), associated infrastructure and pipe work, has been submitted to, and approved in writing by, the local planning authority. The scheme should include a verification plan setting out how any contamination will be identified and remediated.

Justification: To ensure protection of controlled waters

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Condition 6: Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This will ensure that there are no remaining unacceptable risks to controlled waters following decommissioning of storage tanks.

Informative:

Developers should refer to:

- Pollution Prevention Guidance 27, Installation, Decommissioning and removal of Underground Storage Tanks
- DEFRA, Groundwater Protection Code: Petrol Stations and Other Fuel Dispensing Facilities Involving Underground Storage Tanks (2002)
- Groundwater Protection: Principles and Practice

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in Land contamination risk management (LCRM)
2. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection'.

The treatment and disposal of contaminated soils and groundwater is

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regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed-on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Protected Species

We note that the bat reports submitted in support of the above application (Preliminary Bat Survey Report, Nocturnal Bat Survey Report and Biodiversity Enhancement Report (Indigo Surveys)) has identified that bats are present at the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. However, we advise that the proposed development is likely to harm or disturb the bats or their breeding sites and resting places at this site and, therefore, we advise that all avoidance and mitigation measures described in the bat report must be undertaken.

The reports must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

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

NRW would refer the Local Authority to the Chief Planning Officer's letter dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site.

We also note the submission of the Preliminary Ecological Appraisal Report (Indigo Surveys 2021) and concur with the conclusions and recommendations of the report.

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Flood Risk

We have reviewed the content of the Flood Consequence Assessment (Ymgynghoriaeth Gwynedd Consultancy. 26/11/2021) and agree that the development site, as per the submitted Planning location plan is shown to be flood free from both tidal and fluvial flooding in all events.

The FCA has acknowledged access/egress issues to the site and beyond the site (red line boundary) albeit to some 350m east of the junction with the A499. As your Council will be aware, onset of frequent flooding of the A499 normally occurs adjacent to properties known at Riverside Terrace (some 2km to the east). This road has a history of closures along the A499 due to flooding from the rivers.

We recommend you consider consulting other professional advisors on matters such as emergency plans and procedures. Natural Resources Wales are not the appropriate body to comment on the operational effectiveness of emergency plans or procedures as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings and, in this instance, we operate a site specific flood warning service for Riverside Terrace.

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

Dŵr Cymru:

The proposed development site is crossed by 3inch, 4inch and 6inch public watermains with their approximate position being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dŵr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the proposed plans, it would appear the

proposed development would be located on top or within the required easement when measured 3 metres either side of the centreline of the 3inch and 4inch watermains and 4 metres either side of the centreline of the 6inch watermains. We would advise that the public watermains should not be located within any private amenity areas. I enclose our Conditions for Development near Watermain(s). Our strong recommendation is that your site layout is amended to take into account the location of the assets crossing the site. Alternatively, it may be possible to divert the public watermains if the developer applies under Section 185 of the Water Industry Act and we therefore recommend that a scheme be submitted as part of the application or

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controlled by means of a condition.

In the first instance, 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 would suggest that the developer contact our colleagues at PlanandProtect@dwrwymru.com for a quotation. We enclose our Conditions for Development near Watermains and advise that the developer must contact Dŵr Cymru Welsh Water before any development commences on site.

Turning to the drainage matters, we note it is proposed for foul flows from the proposed development to be disposed of via the public sewerage system and discharge surface water runoff into an existing watercourse.

In light of the above and given the omission of a detailed foul drainage plan/ layout, 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 the existing residents or to the environment and to Dŵr Cymru Welsh Water's assets.

Conditions

- No development shall take place until details of a scheme to either protect the structural condition or divert the water mains crossing the site have been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the water mains. No other development pursuant to this permission shall be carried out until the approved protection measures or diversion scheme have been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

Reason: To protect the integrity of the public watermain(s) and avoid damage thereto.

- No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and

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ensure no pollution of or detriment to the environment.

Biodiversity Unit:

Site data

- Wooden huts built in 1940s. Trees and gardens.
- Recent records of House martin nesting on buildings in the site
- Recent records of Hedgehog within the site
- Gors Geirch SSSI & Corsydd Llŷn SAC 800 meters away, no impact
- Two Wildlife Sites within 1km.: Tan-y-bryn (West) 758, Gellidara 350, no impact.
- Otter records within 1km

Ecology Reports

- Preliminary Ecological Appraisal Report Produced by Indigo Surveys Ltd. dated 13/12/2021
- Preliminary Bat Survey Report, Produced by Indigo Surveys Ltd. dated 31/01/22
- Nocturnal Bat Survey Report Produced by Indigo Surveys Ltd. dated 29/12/2021|
- Reptile Survey Report, Produced by Indigo Surveys Ltd. dated 29/11/2021
- Biodiversity Enhancement Strategy Report, Produced by Indigo Surveys Ltd. 17/12/2021
- Flood Consequence Assessment report produced by Ymgynghoriaeth Gwynedd Consultancy dated 01/12/2021

Habitats

Ecological report found the following habitats:

- Introduced shrubs;
- Amenity grassland;
- Scattered scrub and Bracken;
- Intact hedges;
- Running water;
- Building and hard standing

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- Scattered trees (mixed);

Protected Species - Bats

The Bat surveys and reports are acceptable, they included building inspection and nocturnal and dawn surveys were undertaken at an appropriate time of year.

The photographs in the bat report of the huts don't accurately portray the condition of the huts and the numerous bat features within these buildings. Also in the photograph below (taken in May 2022 by the planning officer) shows a chimney, this is a potential bat features.

Bat surveys identified the presence of a small number of roosting Common Pipistrelle *Pipistrellus pipistrellus* bats within two of the buildings, along with low numbers of foraging and commuting bats across the wider site.

The bat reports consider the status of the bats at the Polish Village to be:

- Common Pipistrelle Bat – two day roosts for up three animals (two bats in one roost and one bat in another roost).
- Common Pipistrelle Bat – localised foraging for a small number of bats, particularly to the east and south of the site.
- Noctule Bat – low level of commuting/foraging adjacent to the site (east).

A bat licence from NRW will be required to undertaken works which destroy a bat roost.

I would like to see that the proposal retains one building for bats or provides a similar building on the site as a bat roost and this will then also provide house martin nesting site. The plans show that the canteen is to be retained this could be enhance for bats and birds.

The ecological report (PEA) states: “None of the trees contained features such as woodpecker holes, fissures and exfoliating bark, that provided potential for bat roosting and/or hibernation and were categorised as negligible suitability for roosting bats.”

Protected Species - Birds

The ecological survey (PEA) observed a total of 13 species of birds during site visits, this included h Herring Gull *Larus argentatus*, House Sparrow *Passer domesticus* and House Martin *Delichon urbicum* are Species of High Conservation Concern (RSPB Red list), Dunnock *Prunella modularis* is a Species of Medium Conservation Concern (RSPB Amber list) whilst the rest were all Species of Low Conservation Concern (RSPB Green list). Notably there are colonies of House Sparrows nesting within buildings, and about 19 pairs of

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House Martin were breeding on the site.

The proposed development must avoid disturbing nesting birds which are protected under the Wildlife and Countryside Act 1981 (as amended) and must mitigate for the loss of nesting habitats.

Protected Species - Reptiles

The site contains many habitats suitable for reptiles: bramble, grassland, allotments, cloddiau, streams.

The reptile survey (Indigo Ltd. 2021) did not find any reptiles and concludes to recommend “no mitigation measures or further surveys are required for reptiles”. However, this summer a slow-worm was found on the site. There are sites within 1km of the Polish Village that support several species of reptiles, for example Cors Geirch, it is possible that because the grounds of the Polish Village have not been mowed they have become more suitable for reptiles and other wildlife. Reptiles are present on site and therefore mitigation is required.

I recommend that before construction commences that further reptile surveys are undertaken and mitigation measures are proposed, these should consider translocation, habitat creation and management for reptiles and the provision of reptile features such as hibernation sites.

Protected Species - Otters

The ecological survey found no signs of otter, however there are numerous records of otter 800meters away, in particular where near the entrance of the Polish Village, where the main road crosses the Penrhos river. When Penrhos river is in flood, otters are unable to pass under the road bridge and are forced otters to cross the road where they are often hit by road traffic. There is a stream, a tributary of the Penrhos river that flows along the eastern edge of the lane up to Polish Village (see map below). I would like to see that the Polish Village site provides features for otter, such as an artificial holt and scrub.

Hedgehog

Hedgehogs have been recorded on site and the development proposes to have gaps under fences and garden divides to allow hedgehogs access and to ensure their movements through the site are not restricted, I agree with this.

Habitats

The ecological report (PEA) states: “The grassland comprised a dense sward of Perennial Ryegrass *Lolium perenne*, Creeping Fescue

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Festuca rubra, Meadow Grasses Poa sp., and Yorkshire Fog Holcus lanatus along with White clover Trifolium repens, Red Clover T. pratense, Cat's-ear Hypochaeris radicata, Bird's-foot Trefoil Lotus corniculatus, Yarrow Achillea millefolium, Daisy bellis perennis, and Dandelion Taraxacum vulgare agg.” This grassland has several indicator species of meadow habitats and suggest that it could be classed as the section 7 habitat of meadows.

There will be a loss of grassland habitats due to the development.

Cloddiau

The north-west boundary of the site is a track lined either side with cloddiau (traditional earth bank hedges) see the photograph below. The cloddiau here are habitats of high biodiversity value and are likely to support uncommon species of bees and also a suitable habitat for reptiles and birds. It is very important that these cloddiau are retained in this development proposal. I recommend that the proposed plans are slightly altered to ensure the gardens of the houses do not encroach on the cloddiau, see below.

Protected Sites

The Polish Village is above a small valley above a small water course that flows from Cors Geirch SSSI to Afon Penrhos and to the sea. There is no impact pathways from this proposed development to the designated site (Cors Geirch SSSI & Corsydd Llŷn SAC).

This development is unlikely to have a significant impact on Corsydd Llŷn SAC and Pen Llŷn a'r Sarnau SAC.

Summary of impacts

I estimate the loss of species and habitats without mitigation to be the following:

- Loss of 19 nest sites for house martins
- Loss of house sparrow nest sites
- Loss of pipistrelle bat roost (two individual bats)
- Loss of reptile habitat
- Loss of at least 0.3ha of grassland habitats of moderate value

Proposed Mitigation and Biodiversity Enhancement

The Biodiversity Enhancement Plan (Indigo 2021) recommends the following: bat boxes, bat tubes within exterior wall of the building to be constructed, bird boxes, and grassland management, supplementary tree and shrub cover, external lighting that will have least impact on

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foraging bats.

The biodiversity Enhancement Plan (Indigo 2021) states:

“To enhance the grassland, a management regime centred around a twice a year cut should be implemented, with the grassland mown once in spring and once again in late summer. Significantly, all grass clippings/arising, should be removed either off site, or piled in a compost heap in the site margins.”

I agree with the intentions of the Biodiversity Enhancement Plan, but in addition I recommend the following:

- Reptile survey and mitigation plan and reptile habitat creation and management.
- Retain one hut or building as a bat roost and bird nesting site.
- Otter habitat creation

Landscape Plan

The landscape plan shows that areas will be managed as wildlife flower grasslands.

Recommendations

I have no objection to the principle of this this development on this site, however I recommend the following planning conditions to protect wildlife and nature:

- Before construction commences, further reptile surveys must be provided together with a reptile mitigation provided. to the satisfaction of the LPA.
- Before construction commences a plan for the provision of features for otters must be provided.
- No works disturbing nesting birds should take place. 1st March to 31st August
- All boundaries within the development must be permeable to hedgehogs.
- Following five years since the commencement of construction of the development, a mitigation & enhancement implementation audit report must be provided to the satisfaction of the LPA.
- Plans should be amended to retain one building or provide a building as bat roost and house martin nesting habitat.
- Plans should be amended to place the garden boundary 2 meters from cloddiau.

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- Before construction commences a grassland/wildflower meadow and habitat management plan must be provided.

Senior Rights of Way Officer: I refer to the above application. It does not appear that any recorded Rights of Way will be affected by this proposal.

Public Protection Unit: Control of dust, noise and vibration

Demolition and construction work may cause noise and dust issues for nearby residents. Before work commences, a plan should be submitted for the Local Planning Authority's written consent detailing dust, noise and vibration control as a consequence of demolishing the buildings. The demolition work should be carried out with an agreed approved plan. The applicant should contact Cynfor Gwynedd's Building Control Service.

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.

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. I advise that the applicant notifies the neighbours/businesses in the area of the proposed hours of work for the development, and the measures to be taken to safeguard amenities (in terms of noise, vibration and dust) with a contact number.

Asbestos

We acknowledge that an Asbestos Survey (Structural Report - Phase 1 Existing Building Demolition) was carried out in November 2020 and it was noted that the roofs of buildings 41, 42, 45, 49 and 50 are covered with corrugated sheets or felt that contains Asbestos. As recommended in the report, there is a need to ensure that all materials that include Asbestos are removed and transported from the site by an appropriately approved licenced Contractor.

Contaminated Land Conditions

1. Due to the historic use of the site, the land may be contaminated. A desk-top survey is therefore required to assess the feasible contamination risk on the site for the proposed development.
2. Should the recommendations of the desk-top survey indicate that

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further action is required, an appropriate intrusive investigation will be required to assess the risk of feasible pollution at the site. If necessary, a Remedial Strategy will be incorporated.

3. The Public Protection Service must approve the desk-top survey, the site inspection, risk assessment and any precautionary and/or remedial measures in writing before the commencement of the development.

4. Once the development has been completed, a Completion Report should be provided on the site and this will need to be reviewed and approved by the Public Protection Service.

- The Public Protection Unit have made all reasonable efforts to recommend the most suitable measures regarding potential pollution risks. However, this recommendation should not be considered as a sign that the land is safe or otherwise suitable for this development or any other.
- The responsibility for assessing if the land is suitable for a specific use fundamentally lies with the developer.
- If any contaminated land problems should arise during the development that may disturb the proposed development, e.g., if unusual ground conditions are found, then there should be immediate correspondence with the Public Protection Service.
- Every action should be recorded, and the information disseminated to the Public Protection Service on-site inspections, assessments and remedial work completed, where relevant, and included in the site's Completion Report.
- Any investigation should follow the procedure of the following documents:- BS 10175:2011 Investigation of potentially contaminated sites – Code of Practice (British Standards Institution 2011.) - Planning Policy Statement (PPS) 23: Planning and Pollution Control, Annex 2: Development on Land Affected by Contamination (Office of the Deputy Prime Minister 2004, Published by The Stationery Office). - Contaminated Land Report (CLR) 11 Model Procedures for the Management of Land Contamination (Environment Agency 2004). - Land Contamination: A Guide for Developers (Welsh Local Government Association, Welsh Assembly Government & Environment Agency Wales 2006)

Trees Unit:

I do not have any objection to the tree work / tree protection proposals necessary to facilitate the development. All work should be undertaken in strict conformity to the reports and plans provided.

A project arboriculturist must be appointed and present throughout development.

The replanting proposals (implied by the soft landscaping plan) are

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likely to be sufficient mitigation, but please note further comments below:

- Fruit tree planting – these should be changed to varieties from North Wales / Llŷn to

preserve local heritage.

- Tree planting – change Ulmus ‘New Horizon’ to Ulmus x ‘Wingham’ (more closely related to

native Welsh Elm rather than North American variety)

- Native tree and shrub planting – English Oak should be changed to Welsh Oak (Quercus

patraea). All trees should be sourced from local provenance seed (303.) As the site is often wet, it would be good to include willow / native black poplar / aspen too.

Further details are needed regarding the ‘special landscape area’ this appears to be a good woodland habitat already and must not be cleared to plant different trees / create a different habitat type.

I do not object with the proposal to create a trail through this area and provide access to nature, but I advise it is conditioned that an ecologically informed management plan is produced before any work is carried out in this area.

Adults / Strategic Housing Unit:

These observations are relevant to Phase 1 of the development, as defined by the Planning Statement for planning application C22/0426/38/LL. For the avoidance of doubt, these observations are not relevant to Phase 2 and 3 on the site as there is currently no information available to assess these phases.

Cyngor Gwynedd's Adults, Health and Well-being Department has published the supplementary document (dated August 2023) which conveys Cyngor Gwynedd and Betsi Cadwaladr University Health Board's vision and priorities for redeveloping the Pen-y-berth/Penrhos site. I confirm that the Strategic Housing Unit in Cyngor Gwynedd's Housing and Property Department support a development that coincides with the vision and priorities stated in the document to provide housing that is suitable to meet the various care and support needs as outlined in the supplementary document.

The planning application notes that Phase 1 provides residential units for existing residents on the site. However, it does not appear that the housing needs of existing residents have been defined in the information that has been submitted with the planning application, and therefore it is not currently clear how Phase 1 of the development

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addresses that specific need. It is crucial that all units that form part of Phase 1 are in accordance with the vision and the priorities that have been identified for Phase 1 of the development and the units that offer various care and support and with close contact with other facilities that will be provided on the wider site.

The Strategic Housing Unit emphasises the position in the document that conveys the Council and BCUHB's vision and priorities that a local allocation policy is required for all units that form part of the application. It is also considered appropriate to impose relevant planning conditions to restrict and ensure the appropriate long term use of the units that are the subject of the planning application so that they reflect the vision and the priorities for the site in the long-term and address the more specific need that has been identified to provide suitable accommodation for individuals with various care/support needs rather than providing general needs housing which has to meet with WDQR standards and the definition for 'Lifelong Housing' in any case. Such conditions would alleviate any concern about providing a high percentage of units for general need that do not meet the specific care need for this site due to its location which is entirely separate to any nearby village or town and the lack of facilities that would mean a significant reliance on the use of cars and public transport.

The following observations were made by the Adults Service.

The planning application agrees with the vision of the Adults, Health and Well-being Department in terms of future care and housing needs and with the Council Plan. The older population of Gwynedd is increasing, and it is expected that Gwynedd's population will age further in years to come. The intention is to provide housing for life that is suitable to meet various care and support needs - including supported housing and extra care housing.

These care elements intertwine with the proposed plan to provide residential and nursing services on the site. It is proposed to develop an innovative model where care and support elements are provided between the prospective nursing home and the houses.

The first phase of the development will concentrate on providing suitable housing for existing residents and individuals with low/moderate care and support needs. These houses will be accessible (bungalows for example) to meet the care and support needs of the area's residents. A detailed review will be needed when reaching phases 2 and 3 to ensure that the development accords with the latest needs in terms of care and support.

Land Drainage Unit:

A flood consequence assessment (FCA) was submitted with the application which shows that the flood risk to the development site

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from all sources is acceptable, and surface water flood risk could be managed with a suitable drainage plan (YGC, 2021). We agree with the recommendation in the FCA to discuss access to the site during periods of possible flooding from the A499 with the emergency services.

INFORMATION: Penrhos river runs adjacent to the northern boundary of the development but there is an acceptable distance between the development and the river and it does not appear that the flow of the river will be affected in any way. This would require an Ordinary Watercourse Consent for any work that could affect the river flow, be this permanent or temporary and FCRMU@gwynedd.llyw.cymru should be contacted for further advice.

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 Gwynedd Council 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 provided 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. A consultation with the SuDS is recommended.

Language Unit:

A fair analysis has been submitted of the ward where the application is located as well as the two nearest wards in terms of the position of the Welsh language. However, given the size of the development an analysis of all Llŷn wards would provide a more comprehensive picture of the position of the Welsh language in Llŷn and the development's potential impact.

There is not enough information within the assessment about the change in the population that the development could represent. It must be borne in mind that several wards have a low population and that a small increase in population could lead to a large change in the percentage of Welsh speakers.

Evidence to support the opinion and the assessment of impact. The fact that 107 of the units will be affordable makes it more likely that the development will not have a negative impact on the number

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of Welsh speakers in the area.

It is anticipated that the units will appeal to local people, especially given that 69% of Llŷn households are priced out of the market. However, it must be borne in mind that we cannot anticipate the language medium of the residents.

Although the assessment notes that 50 of the units are targeted towards 55+year olds, it is not clear who would occupy the other units. The information says there would be 67 houses with more than two bedrooms, and therefore suggests that units would be available for families, but there is no further information in terms of the possible numbers and the possible increase in the numbers who are on the site now. It is not clear how many of the existing residents would be housed in the proposed development. The percentage of Welsh-speakers who are over 60 in the area is lower than other age groups therefore it is important that the developer takes advantage of every opportunity to promote the Welsh language. It is recommended that the applicant should collaborate with the local language initiative to do this in future.

We note that the two local community councils have expressed concerns about language impact and whether or not the development meets local demand.

Any changes that are needed:

We ask the developer to consider including a specific commitment to monitor what will happen in the development, to be able to compare the real outcome and the impact against the findings of the assessment in future. This would include committing to gathering information (in accordance with Data Protection commitments and restrictions) about the language and mobility of the residents in the development.

Gwynedd Archaeological Service:

Having reviewed the area of proposed works with reference to the regional Historic Environment Record (HER), I have determined that the proposed scheme will result in impact on the historic environment and would like to draw your attention to the comments below.

The proposed development is for the demolition of structures at Penrhos Polish Village, a residential complex located just outside the small village of Penrhos south-west of Pwllheli. The site forms part of RAF Penrhos (NPRN: 306520; PRN: 7863), a bombing school which, after its decommission, was converted into resettlement location for Polish refugees from the war. The site is of significant

national importance owing to the varying roles it has played in modern Welsh and Polish history, as well as the wartime architecture that still survives on-site, and the potential for further sub-surface

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archaeological remains. These remains could relate both directly to the RAF base itself, as well as earlier occupation on-site including the post-medieval house Pen-y-berth (NPRN: 16699) and its associated medieval township (PRN: 6568), as well as earlier landscape potential for Romano-British and preceding prehistoric enclosures best highlighted by a nearby possible hillfort (PRN: 4382).

The site falls within the Registered Historic Landscape of Llŷn and Bardsey Island (ref. HLW (Gw) 8) and the Historic Landscape Character area Cors Geirch (ref. G1936: 14), both of which note the multiperiod landscape at Penrhos village, as well as the RAF site itself. The proposed development will undoubtedly impact these elements in terms of physical change to the landscape, including changes to the original military/settlement scheme. Whilst the presented design seems relatively neutral in terms of wider visual change, it is important to consider the cultural character of the landscape and how alterations to its architecture will impact the social history of the area.

A thematic report covering some of the RAF bases of north-west Wales (Gwynedd Archaeological Trust: 1053 - Robert Evans, 2012) highlighted the importance of these locations in terms of their built heritage and social history. Owing to the conclusions drawn from this report, a Desk based Assessment was requested by GAPS as part of the pre application consultation and has been presented as part of this application (Brython Archaeology: B2203 Iwan Parry & Stuart Stokes, 2022). The document has achieved its objective in terms of providing a more enhanced review of the history of the site by way of mapping and archival evidence, as well as providing a clearer picture of the site as it survives today.

The potential for designating various structures on the site has been discussed with Cadw however there seems to be no remit for such action at this time. It is clear that the site is of importance and as much of the surviving material should be preserved as possible. The Welsh Conflict Archaeology Advisory Panel (WelCAAP) are a working group who specialise in archaeology of this period, made up of professionals from various institutions including Cadw, Historic England, RCAHMW and the WATs. In their response they have noted some structures are good candidates for listing, with a wider recommendation for preservation across the site.

The application's Structural Report is limited to a group of buildings with only those considered 'key' structures forming part of the final conclusion. The justification for demolition of some of these structures is insubstantial, and it is important that if there are any degrading materials that require removal as they could result in inevitable dilapidation, the evidence is fully presented.

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With reference to Cadw's Conservation Principles, it is important to outline the different ways in which the value of the site as a heritage asset must be considered. The evidential value of the military complex is clear through its architectural range, unique to the period and tied to its various functions. The surviving physical structures at the site are a persevering example of World War II archaeology, and in particular how that kind of active military infrastructure was successfully repurposed for settlement. The potential sub surface remains at the site are, alternatively, evidence of activity at the site yet to be understood, whether it relates to further military infrastructure, or preceding occupation of the area. Any disruption to the physical remains of the site will result in the erosion of its evidential value and must therefore be avoided where possible.

The historical-, aesthetic and communal values of the site are in many respects interlinked. As the Polish village is a settlement less than 80 years old, the associative aspects of the wider complex is an important part of both history and modernity. Collective memory has survived through both oral and written history, along with those people who still live at and interact with the village. A good example of this is the attack on the complex by members of Plaid Cymru who in response to the demolition of Pen y berth burned down several military buildings. The surviving architecture itself, the site layout, and its place within the landscape forms part of the lives of those that have occupied the region both prior to and after construction of the RAF base, and all these values are at risk of being undermined.

The retention of the church, garden, and canteen buildings is commendable, however it is considered that, as a minimum, the mess and the boilerhouse also merit preservation. The mess and the boilerhouse in particular appear to be in good condition and, as unique elements that contribute to the function of the complex, should be incorporated into the proposed design so as to allow their continued maintenance and use. Structures such as these, especially of this period, are notably vulnerable to demolition rather than structured reuse. What is often referred to as 'modern' in context to early 20th century architecture, is increasingly acknowledged as an important period for built heritage in the landscape, along with its role in modern history. The Research Framework for the Archaeology of Wales (Modern: 2016) also details the emphasis on preference for preserving these buildings where possible and highlights the importance of conducting archaeological recording where appropriate.

The proposed development is commendable in some respects, whereby the continued use and habitation of the site is sought through a re imagined complex more in line with modern living requirements. It is generally positive that the site will be used in a similar way and, hopefully, with similar principles at its core. This would lend itself to the social history of the complex and the

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collective communal experience described above. I would recommend further application of the site's rich history into the design, whereby interpretation and engagement with the residents can foster continued respect for, and inspiration from, both the airfield and village. Forthcoming Welsh Government guidance on Public Commemoration (2023) will better outline how the historic environment can play a positive, valued part in modern society, which would key in well with the memorial garden in particular.

In terms of proposed disruption to historic fabric, the proposals would undoubtedly result in at least the partial loss of original fixtures and fittings, as well as the potential to impact potential sub

surface remains. Accordingly, it is considered appropriate that a comprehensive record is made of the structure prior to any work, to mitigate the impact of the development on its historic integrity and character, and to serve as a permanent archive record. Similarly archaeological monitoring should be employed during groundworks to ensure any possible sub surface deposits are properly identified and recorded.

In the light of these comments and in accordance with Planning Policy Wales (2021) and TAN 24: The Historic Environment, it is recommended that the planning authority should require that appropriate archaeological mitigation is undertaken, should planning be granted.

The following condition wording is suggested to secure such a scheme of work:

a) No development (including site clearance, groundworks, structural alterations or demolition works) shall take place until a specification for a programme of archaeological building recording 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 condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork, prior to demolition.

c) No development (including site clearance or groundworks) shall take place until a specification for a programme of archaeological mitigation 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.

d) A detailed report on the archaeological work, as required by

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

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).

SP Energy Networks: Not received

Health Board: Not received

Fire Emergency, Police and
NHS Planning Service:

Fire:

Flood risk on the Access Routes

The greatest depth of flood water that the Fire Machine would seek to drive through would be no more than 0.40m. The greatest flood water depth calculated in Figure 17 of the Flood Consequence is 0.35m. According to the measurements and this calculation, there would be no problem for fire machinery to gain access to the site should there be flooding on the two access roads. However, flooding can be very difficult to forecast and we agree with the recommendations made in paragraph 5.2 of the Flooding Consequences document, namely an Emergency route would provide more strength and it is acceptable that this path would be available as an access route only, rather than a main access path.

Police:

Thank you for getting in touch concerning the above application; I have read the comments from NRW, in particular the suggestion of an emergency access route from the north of the site towards Gellidara.

In terms of safety and security I have no adverse comments to make regarding this suggestion

CADW:

Thank you for your email, apologies, I can confirm Cadw has no comments to make.

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Please see the assessment below.

Assessment:

Scheduled Monuments

CN221 Pen-y-gaer

CN036 Nant Castell Camp

Registered Parks & Gardens

Plas Bodegroes

The above designated historic assets are located inside 3km of the proposed development, but intervening topography, buildings and vegetation block all views between them.

Consequently, the proposed development will have no impact on the settings of these designated historic assets. Cadw therefore has no comments.

Senior Conservation Officer: No concern - possible to include a condition that the Cross is safeguarded during the work.

Wales and West Utilities Ltd: Not received

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Public Consultation: A notice was posted on site and in the local paper and nearby residents were informed. A large number of correspondences were received including a petition objecting on the grounds of:

- No assessment or reference to the needs of the site's existing residents and the new houses do not coincide with their requirements.
- Unsustainable location for 100% affordable housing
- The impact of the development on existing residents
- Lack of community areas and buildings compared to the existing.
- No justification for so much demolition work.
- Impact on infrastructure and schools.
- Impact of noise, nuisance and inconvenience during the work.
- Effect on neighbouring residents' amenities.
- Impact on nearby businesses that use the same access road.
- Transportation matters - increase in traffic, no streetlights, the condition and the width of the road, public transport.
- The application does not include a nursing/care home element.
- The existing buildings are of historic importance.
- Impact on trees and biodiversity.
- Flooding matters
- Overdevelopment of the site
- Not enough information in the Language Impact Assessment.
- Need to reserve the site for the elderly.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located in open countryside, and it forms part of the RAF Penrhos site that was used as a Bombing School, and after decommissioning it was used as a resettlement home for Polish refugees fleeing the war. This use has continued to this day, although several residents have by now moved from the site. The site is unique in terms of its location and its provision for the residents which included various accommodation, a canteen and dining room that were used by the site's residents, nursing home, visitor accommodation, Church, hall, library and a number of associated services such as a shop and facilities for mobile services (hairdressing etc.) A number of the residents who have lived here over the years have spent their entire lives in the village bringing up children here and moving to the home when they could no longer live independently.
- 5.2 The use of the buildings on the site has been confirmed through a recent Lawful Use Certificate under reference C21/1049/39/TC. The following have been confirmed on the site after receiving evidence of use over a specific period of time and assessing it on the balance of probability:

Class Use C2: Residential Establishment - Care Home

Class Use D1: Non-residential establishment - The Scouts Hall Building, Church and Library

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Class Use C3: 107 residential units - Blocks A, B, C, D, E, F, G, H, HH, I, J, L, M, 8, 45, 49, 50. The use of Blocks K, 6, 41, 42, 46 and the canteen and the offices are supplementary to the main use and therefore also fall under class use C3.

Class A1: Shop - within the canteen building.

- 5.3 The proposal in question involves demolishing all the buildings on the site apart from the Church and the canteen building and replacing them with 107 residential units as lifelong affordable units along with changes to the internal access road with associated works and landscaping. The different elements of this proposal are addressed below.

Former Care Home, Scouts' Hall Building and Library

- 5.4 The care home on the site has been closed since 2020, and at that time it operated with an average occupancy of approximately 40 people. The care home has operated as an important element of the site and the observations received show that the community was disappointed when the home closed soon after the site was transferred to the applicant's possession. Information received from the Council's Adults Department confirms that during 2019 the Welsh Government Housing Regulators highlighted a number of governance risks in terms of the viability of the Polish Housing Association and it outlined the challenges in a regulatory report.

Concern was expressed that the Polish Housing Association did not have sufficient monetary funds to improve the conditions of the buildings to comply with the expected quality standards. During the same period, Care Inspectorate Wales reports highlighted the need to invest to upgrade standards within the care home. Having spent time searching for a solution and appraising different options, the Polish Housing Association Board decided that it could no longer maintain the services and would transfer the site to Clwyd Alyn Housing Association to avoid the prospect of bankruptcy. With the support of Cyngor Gwynedd and Betsi Cadwaladr Health Board the future of the whole site was safeguarded. Despite every effort to secure the long-term future of the care home, it became apparent that it would not be possible to maintain a home in the long-term due to restrictions relating to the size, condition and quality of the existing buildings but it was possible to ensure that the home was closed in an orderly manner thus limiting the impact on users and their families. On 7 December 2020, the home was closed after identifying suitable placements for all residents. The Scouts Hall Building and the Library have also been dormant since around the same time as the care home was closed.

- 5.5. This proposal is to demolish the Scouts' Building, Library and former home, and it is not proposed to erect a new home or provide additional community building as part of this application. Policy ISA 2 of the Joint Local Development Plan aims to safeguard existing community facilities and encourage new facilities as appropriate. The policy withstands the loss of change of use of existing community facilities unless the developer can provide a suitable facility in its place, either on or off site and within easy and convenient access by means other than the car.
- 5.6 There is a commitment to transfer a specific area of the site to Cyngor Gwynedd and a draft agreement has been agreed between Clwyd Alyn and the Council with a view to signing it soon. The Cyngor Gwynedd Cabinet has agreed to proceed to apply for £14.6 million from the Welsh Government to fund the construction and development of a new care home on this site. Cyngor Gwynedd has published a document that confirms the vision and priorities for redeveloping this site which includes providing a new care and nursing home (on the section of the site that has been identified on the application plans but which lies outside the land that is subject to this

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application) for a 56 bed accommodation in the form of seven 6 bed units. It is proposed for all bedrooms to be flexible in order to provide nursing or general residential care as needed. It is proposed to provide a new kitchen and restaurant that will be available to all residents on the site along with family members and visitors, which will be locate adjacent to the care and nursing home and the proposed apartment block. It is also proposed to provide community resources such as multi-function therapy/treatment rooms, hairdressing, meeting / leisure areas, a small shop and library that will be designed into the development to enable use by all residents living on the site. A hub for the Community Resources Team would be incorporated in the development, where social workers and health workers (including district nurses, occupational therapists, physiotherapists etc.) can be based in the Llŷn area.

- 5.7 This site and situation are entirely unique in terms of the existing development on the site, and in terms of what is proposed in the long-term. The Council's Adults Service has offered observations on this application and has confirmed that the application accords with the vision of the Adults, Health and Well-being Department in terms of care and housing needs in future and coincides with the Council Plan. The applicant has also confirmed in their letter dated 03.10.2023 that they agree with and implement this vision, and are continuing to work on it with the Council. The observations of the Adults Service confirm that the older population of Gwynedd is growing, and the population of Gwynedd is expected to age further in coming years, and this application works with the proposed plan to provide a residential and nursing service on the site. It is proposed to develop an innovative model where care and support elements are provided between the prospective nursing home and the houses. To this end, therefore, due to viability implications for continuing and improving the existing home and based on the applicant's commitment to transfer land to compensate for the loss of existing facilities and the Council's commitment to providing a care and nursing home along with the care provision and community provision, it is considered that the proposal complies with the objectives of policy ISA 2 in terms of safeguarding community facilities.

Residential Units

- 5.8 As noted above, a Lawful Use Certificate has confirmed that 107 C3 use class living units exist on the site. This means that the existing units on the site are living units without any restriction on their occupancy and are therefore available to any persons on the open market. It is noted that a number of the public's observations consider that these existing units are limited to care or extra care units for the elderly, but the evidence submitted as part of the Lawful Use Certificate confirms that although care and meals and other community facilities are available to all on the site, the units have operated as C3 use class general dwellings in terms of their lawful planning use. Therefore, the Lawful Use Certificate has established a firm fall-back position that will be an important consideration in assessing this application.
- 5.9 The proposal in question is for demolishing all residential units on the site including all blocks that have been listed as dwellings in paragraph 5.2, other than the canteen building, and replacing them with 107 affordable living units on the site. The site is located outside and far from any development boundary or cluster, and therefore in accordance with policy PS17, it is not possible to construct new housing; but as there are dwellings on the site already and the proposal is to demolish them and replace them with new dwellings, policy TAI 13 Re-building Houses is relevant here.

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5.10 Policy TAI 13 includes a number of criteria to ensure a suitable development in open countryside, the policy states that where appropriate, developments must comply with all of the following criteria:

1. Outside development boundaries or identified clusters, the existing house has a legal residential use.

See paragraphs 5.2 and 5.6 above which confirm there is lawful use for 107 C3 living units on the site.

2. The building is not a listed building.

The existing residential buildings that are to be demolished are not listed.

3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which they should be conserved.

It is acknowledged that this site is unique in terms of its location, use, buildings and culture. We also acknowledge the observations of Gwynedd Archaeology Service and the Welsh Conflict Archaeology Panel that due the military and cultural history of the site, as many as possible of the existing buildings on the site should be retained. CADW has looked at the buildings on the site and has decided that it does not intend to list the buildings (other than the Freedom Cross which is subject to a consultation with a view to listing it). As none of the residential buildings that would be demolished are considered suitable as listed buildings, it is not considered that there is sufficient reason to retain them in this case.

4. Outside development boundaries, it is impossible to retain the existing building through renovating it or extending it and/or it is possible to demonstrate that repairing the existing building is not economically practical.

The Justification for Re-building Existing Buildings (June 2023), Phase 1 Structural Report January 2022 and a further addendum received on 09.10.2023 have been submitted to support demolishing the existing buildings rather than renovating and/or extending them. The structural report only applies to the building that are proposed for demolition in Phase 1, and includes blocks 41, 42, 45, 46, 49.1, 49.2 and 50 - specifically the buildings that are located in a cluster on the right of the access road when reaching the site. These are single-storey buildings, constructed from a timber frame and asbestos pitched roofs. The report assesses the best method to demolish them rather than assessing their existing structural condition, nevertheless, the photographs of these buildings in the report along with a site visit confirm their fragile condition and that they are now unsuitable for permanent occupancy.

The remainder of the buildings to be demolished on the site are covered in the Justification for Re-building Existing Buildings document. This document confirms that the existing accommodation on the site does not comply with the Welsh Government's current accommodation requirements for affordable housing. These units are small, and they do not meet the need that has been highlighted by Clwyd Alyn and the Council. The document explores the option of combining units to provide fewer units that are larger in size, however, these units would not comply with the latest accommodation requirements, or the number of units required on the site. The costs for renovating and extending the existing units (that are

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located within Phase 2 and 3 of the development) to ensure that they satisfy the Welsh Government's development quality standards for affordable units would be £21,087, 538 and this compares with costs of £18,133,782 for erecting new residential units on the site and therefore to this end, it is considered that the proposal complies with the requirements of this criterion.

5. Outside development boundaries, the proposed house does not replace a caravan or a holiday chalet which has legal residential use - this criterion does not apply.
6. Outside the Coastal Change Management Area, a house to be built must be located on the same footprint as the existing building unless relocating within the curtilage can be shown to reduce its visual impact and its impact on local amenities.

This site is completely unique in terms of its nature, and the existing units are not within a defined curtilage with individual gardens and parking spaces etc. The land around the units operates as a communal curtilage for the use of all residents. The proposal involves providing high quality living units which means that they are larger in terms of living space and provide individual curtilages and parking spaces, as opposed to the units on the site currently. The site is entirely hidden from outside, due to its location and the topography of the surrounding land and existing landscaping. It is intended to retain a vast part of the existing landscaping around the site, and to reinforce it by planting within the site also. To this end, it is considered that the proposal is acceptable and that it complies with the requirements of this criterion.

7. Outside the development boundaries, the setting and design of the new development in its entirety should be of a similar size and scale and it should not create a visual impact that is substantially greater than the existing building, so that it can blend or integrate sufficiently into the landscape. In exceptional circumstances, a larger dwelling of good design that does not lead to a substantially greater visual impact than the existing building could be supported.

As noted above, this site is of a completely unique nature, and it is located on its own in open countryside. It is noted that there is a caravan park and other businesses nearby, but the site, due to its location, the topography of the area and existing landscaping is entirely hidden from view. The proposal involves constructing larger living units to comply with modern accommodation requirements and specific needs, and it is acknowledged that this would have a visual impact within the site, but due to the proposal to retain and reinforce existing landscaping on the site, it is not considered that this would cause a significantly greater visual impact on the surrounding landscape. To this end it is considered that the proposal complies with the requirements of this criterion.

8. In areas that are at risk of flooding and outside the Coastal Change Management Areas:
 - i. A flood consequence assessment has been undertaken for the development, and adequate risk mitigation measures have been identified;
 - ii. The house will incorporate flood mitigation and prevention measures in accordance with Communities and Local Government publications, Improving the Flood Performance of New Buildings, Flood Resilient Construction;
 - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences;

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- iv. A flood warning and evacuation plan will be prepared for the property and retained on site.

The application site is not located within an area which is at risk of flooding, but the entrance to the site (which is outside the applicant's ownership) off the highway is located within a C2 flood zone or zone 3 as defined on the Flood Map for Planning. A Flood Impact Assessment has been carried out and submitted as part of the application for this purpose. Natural Resources Wales has no observation to make, as the flood zone is located outside the application site. The Flood Consequence Assessment identifies an alternative access route in and out of the site along a track to the north of the site which travels towards the villages of Penrhos and Efailnewydd, and there is an option to use this at times of flooding. The Emergency Services (Police and Fire Service) have confirmed that the proposal is acceptable in this regard. It is therefore considered that the proposal is acceptable in terms of this criterion.

- 9. Exceptionally, when a house is suitable to live in, or a house had people living in it recently is destroyed by accident, planning consent for a new, replacement house can be given. Evidence must be provided regarding the status and previous condition of the building and the cause and scale of the damage - this criterion does not apply.
- 10. The original building is demolished and, where appropriate, external buildings are demolished when the new house is completed.

The steps for demolishing and erecting the new dwelling concur with each other meaning that it will not be possible to commence phase 1 building without demolishing the buildings that are to be demolished in phase 1 first. It is considered that these steps can also be assured by means of a planning condition.

- 11. That permitted development rights are withdrawn.

It is usual to remove permitted development rights on houses in the countryside along with affordable housing by imposing a condition to this end on the planning permission to ensure that any extension, alterations or supplementary buildings are suitable.

- 5.11 Given the above, it can be confirmed that the principle of demolishing 107 units and to replace them with 107 units is acceptable and is not contrary to the requirements of policies PS17 and TAI 13 of the LDP or Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside, and it therefore complies with policy PCYFF which controls developments outside development boundaries.

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- 5.12 As has already been noted, this proposal is completely unique, and the implications of demolishing 107 units and erecting another 107 units in their place go beyond the requirements of policy TAI 13 alone, which usually deals with the demolition and re-erection of one house at a time. In addition, the proposal offers the units as 100% affordable housing instead of the existing open market units, and the vision and priorities of the applicant and the Council for the site include housing with an element of care that will be interwoven with the care and nursing home development referred to in paragraphs 5.4-7 above. The explanation on Policy TAI 11 Residential Care Homes, Extra Care Housing or Specialist Care Accommodation confirms that extra care housing developments which contain only one bedroom (and possibly a bathroom) but with everything else being communal come under C2 use class, but that with other developments based on self-contained accommodation with only a warden present and no direct care provision (similar to the current development on the site and the proposed units, the provision of care and meals is optional) the units would be considered C3 use class and subject to the LDP's general TAI policies.
- 5.13 Policy TAI 8 ensures an appropriate housing mix in terms of type and size in order to reflect the demographic needs identified for the settlement. Again, this site is completely unique and has provided accommodation on a unique model for the Polish and the local community until recently, and the new development is intended to provide social accommodation for elderly people in the Llŷn area. To this end, the applicant has agreed to a vision and priorities for the redevelopment of the site which confirm a significant need for social housing in this area, and the proposed development is in line with this demand and need that have been identified in the vision and priorities document. The applicant intends to provide the houses on a lifelong housing model, which means that the plots are flexible and enable a change in type (single/two storey houses) or size (number of bedrooms), as the applicant recognises that the specific need for housing may vary over the construction period. It is recognised that further planning permission would be required to change the type and size of housing following the receipt of planning permission, but the flexibility and consideration for the future ensures that the housing mix provided meets the need at the time if it changes. Further to that, it would be possible to adapt the houses that have been built for the specific requirements of the individuals if they change. To this end, it is considered that the proposal complies with the requirements of policy TAI 8.
- 5.14 The proposal offers all the units as affordable housing, and includes the following:
- 25 two bedroom two-storey dwellings (83.4m²)
 - 15 three bedroom two-storey dwellings (96.1m²)
 - 4 four bedroom two-storey dwellings (110.5m²)
 - 22 two bedroom single-storey dwellings (61.2m²)
 - 1 three bedroom accessible single-storey dwelling (109.9m²)
 - 10 one bedroom walk up flats in two-storey accommodation (53.9m² and 27.8m²)
 - 25 one bedroom apartments in a two-storey building (51.6m²)
 - 5 two bedroom apartments in a two-storey building (68.1m²)

The floor area complies with the relevant ones contained in the Affordable Housing Supplementary Planning Guidance, and the units would be managed by a Registered Social Landlord in agreement with Cyngor Gwynedd's Adults, Health and Well-being Department. The information presented by the applicant confirms that the residents who currently live on the site would relocate to the units that will be built in phase 1 of the development. The vision and

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priorities for the redevelopment of the site which have been published and agreed with the applicant confirm that the location of the apartment block and the 12 single-storey houses in phase 1 are located so that they would be close to the location of the restaurant and all the community amenities of the new care and nursing home development that will be developed by the Council. Phase 1 also includes supported accommodation for people with learning disabilities (including one four-bedroom dwelling), to enable them to live more independent lives. Another four-bedroom dwelling is being developed as supported accommodation for the Adults, Health and Well-being service in Cyngor Gwynedd.

- 5.15 In terms of phases 2 and 3, this provision is intended to ensure that staffing resources are met, and some houses will be prioritised for people who work on the site or within the wider local health and care sector. When individuals' needs change, those with high/complex care needs may have the option of moving to the on-site care and nursing home. The care and nursing home will also provide for high/complex care needs arising from the local community. The initial aim would be for a third of the housing provision to be for people with no care needs (including those who work in the health and care sector), a third for people with low care needs and another third for people with moderate needs. There is an understanding that people's needs change over time and the housing balance will be reviewed annually.
- 5.16 To this end, it is considered that the proposal meets a proven need for social units in the Llŷn area, and that the units will be tailored to the specific need at the time. As the units are offered as affordable housing instead of open market housing and offer living units that comply with the requirements of the Affordable Housing SPG for those in need of affordable housing including social housing in the Llŷn area, it is considered that the proposal complies with the requirements of policies PS18 and TAI 15 of the LDP. In order to ensure the occupancy of the units in accordance with these policies, a planning condition to agree the affordable provision and the occupancy (which will probably be flexible rental occupancy for local people) would be imposed on the planning permission.

Use of Shop

- 5.17 The Legalisation of Use Certificate highlighted lawful use for a shop within the existing canteen building. This building and its use remains and there is no intention within this application to demolish or change it. In addition, there is a further intention to provide additional community facilities including a restaurant and shop within the care and nursing home which is in the pipeline. Although this is not part of this application, it is considered that because the canteen building and the shop are being kept, and the plans for the future, there is assurance that the use of a shop on the site continues and therefore it is considered that the proposal complies with the requirements of policy MAN4 of the LDP which protects shops in villages.

Visual amenities

- 5.18 Currently, the site contains several buildings, most of which are single-storey, with some two-storey buildings. The Church is the main visual focus of the site due to its height and central location on the site, and the intention is to keep this building. The ground levels are quite flat at the entrance to the site, and rise gradually as you travel towards the back of the site where most of the houses, flats, canteen and care home are located. The site has been substantially landscaped at present with comparatively mature trees and vegetation on the site. It is possible to catch a glimpse of the cabins near the entrance to the site, but the rest of the site is hidden unless you are

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travelling or moving within the site itself. The nearest formal public footpath is located more than 300m away. Penyberth caravan park is located directly adjacent, along with the Llŷn Golf Centre; and there is a handful of local businesses and a row of Council houses nearby that use the same access road from the highway.

- 5.19 The proposal involves demolishing a number of the buildings on the site, together with erecting 107 units in the form of single-storey and two-storey houses and a block of two-storey apartments. It is intended to keep a large part of the existing trees and vegetation on the site, along with reinforcing it in places. As indicated, the site is not visible as such from the outside, although it is possible to get a glimpse into the site from the entrance and the access road that passes by and towards the estate of Council houses nearby. It would be possible to reinforce this boundary with additional landscaping. Within the site, the pattern of roads and buildings is similar to the existing one in that there will be single-storey houses in a semi-circular shape instead of the wooden cabins near the entrance to the site, together with two two-storey houses in their middle in place of the library building and hall. Further into the site, it is intended to build the apartment block on a parcel of flat and fairly low land behind the Church, and then provide the rest of the single-storey units in a semi-circular shape from the apartment block up the west side of the site towards the far end of the site. The rest of the two-storey houses are to be located around the current canteen.
- 5.20 It is proposed to finish the apartment block building with a standing seam roof and the plans suggest that these would be dark coloured steel strips, and cladding on the vertical sections; and render, natural stone and cladding to be agreed for the walls along with pv panels on the roof. It is proposed to finish the terraced houses and walk up flats with slate on the roofs and render, natural stone and cladding to be agreed on the walls along with pv panels on the roof. It is proposed to provide an external bins store and a bicycle store near the apartment block to be finished with a monopitch roof and hit and miss fencing.
- 5.21 The main visual impact that will result from this development is therefore within the site itself, and although some of the proposed units are larger in size and height than the existing buildings, the site is very extensive and the intention is to retain a large part of the internal landscaping. Bearing in mind that this site has already been developed and that the visual impact is limited, it is not considered that the proposal would therefore cause a significant visual impact on the landscape and that the proposal, subject to landscaping conditions, complies with the requirements of policies PCYFF 2, 3 and 4 of the LDP.

General and residential amenities

- 5.22 As already stated, one of the unique elements of this site is that it is situated on its own, surrounded by landscaping. The nearest formal public footpath is located more than 300m away. Penyberth caravan park is located directly adjacent, along with the Llŷn Golf Centre; and there is a handful of local businesses and a row of Council houses nearby that use the same access road from the highway. Due to the location and nature of the site and the mix of residential uses, care home and supplementary community uses, although there are sites and mixed uses located quite close by and directly adjacent, it is not considered that the proposal would have a detrimental impact on the residents and these nearby sites in terms of their general amenities.
- 5.23 It is noted that comments have been submitted expressing concern about noise, nuisance and inconvenience during the construction work, and that nearby business owners are concerned about the access road to the site from the highway, due to its width, its condition and the increase

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in traffic that will use it as a result of the building work and afterwards because the type of housing that will be provided means there will be an increase in movement in and out of the site.

- 5.24 In addition, it appears that 47 individuals currently live on the site in the existing units, and it is intended that they continue to live on the site during the phase 1 demolition stage and the phase 1 construction stage, and then move into the new units while the rest of the demolition and construction work continues on phases 2 and 3.
- 5.25 Public Protection observations on the proposal indicate that demolition and construction work may cause a noise and dust problem for nearby residents, and for those who remain on the site, and to this end a plan would need to be submitted to the Local Planning Authority for written approval before development begins detailing dust, noise and vibration control as a consequence of demolishing the buildings. In addition to this, and in order to safeguard the residents of the area and site, it is intended to impose a condition on the planning permission to limit demolition and construction work to 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturday and not at all on Sunday or Bank Holidays.
- 5.26 It is noted that the Asbestos Survey submitted as part of the application states that the roof covering of some of the buildings to be demolished consists of sheeting or corrugated felt which contains Asbestos, and Public Protection has confirmed that the means of dealing with the asbestos as stated in the survey is acceptable. A desktop study and preliminary land contamination risk assessment have been submitted as part of the application, and Natural Resources Wales and Public Protection are of the opinion that the study has not taken into account all the potential sources on the site, and therefore propose conditions to ensure that this work has been completed before starting work on the site. Natural Resources Wales and Public Protection are aware of the history of the site and the potential sources for land contamination; in addition, residential units already exist on the site and therefore it is not considered that there is a high risk for future residents in relation to this.
- 5.27 The access road to the site from the highway is outside the applicant's ownership and this road is used by other businesses adjacent to the site (Caravan Park, Golf Centre, Lavender House) as well as by the row of Council houses nearby. Objections have been received regarding the use of this road during the construction work, and following the completion of the site as there will be more residents living on the site. These businesses are concerned that because the road is narrow and sub-standard in terms of its surface (sparse concrete), the increase in traffic during and after the construction work would have an impact on their customers who would use the same access road. As the road is private and outside the applicant's ownership, it cannot be controlled through this application. However, the Transport Assessment submitted as part of the application confirms that the width of the road varies, but that it is at least 4.8m wide at all points which is sufficient for a vehicle to pass a refuse lorry. The assessment also confirms that the proposal would likely cause no more than one vehicle movement every 2-3 minutes more than at present, and the effect of that would not be perceptible during peak hours when the other businesses are open. It is not considered that the increase in traffic into the application site would be significantly greater than it could be if the existing residential units and care home were full to capacity. The Highways Unit has confirmed that the proposal is acceptable from their point of view.
- 5.28 As a result of the above, although it is recognised that there will be an impact on local amenities (including on the residents who would continue to live on the site) specifically during the construction stage, it is considered possible to deal with noise, dust and general disturbance issues during this period through planning conditions. The condition of the access road towards the site

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is a civil matter to be discussed between the users and the owner of the road, and it is not considered that the traffic into the site following the completion of the work would be significantly greater than it would be at present if the residential units and care home were full to capacity. To this end, it is considered that the proposal is acceptable and will not cause a significant detrimental impact to the amenities of local residents and therefore the proposal complies with the requirements of policies PCYFF 2 and 3 of the LDP.

Transport and access matters

- 5.29 As referred to above, access to the site is along a private road leading from the A499 between Pwllheli and Llanbedrog. The proposal involves making changes to the internal estate road including the provision of some new sections, and while the access to the site and the estate road would remain in private ownership, they have been designed to standards where it will be possible for them to be adopted by the Transportation Unit. The intention is to provide individual parking spaces for the houses, parking spaces for the apartment building, together with community parking spaces around the site. The intention is to retain the existing bus stop within the site, and the vision and priorities document for the site confirms that the project will develop public transport links and community transport to allow people to access local services in the nearby towns and villages and connect the site with local leisure routes. The Transportation Unit has no objection to the proposal. It is noted that they referred to the local business signs at the junction with the A499 highway. The junction is not within the ownership of the applicant and does not form part of the planning application and therefore it is not possible to control the signs through the application submitted.
- 5.30 The access road towards the site is used by several businesses nearby and by a row of residential houses. This road is private and is not in the applicant's ownership. All users appear to have an agreement for using the road.
- 5.31 Having considered all the matters relevant to this application, it is not considered that the proposal is likely to have a detrimental impact on the public highway and that the parking provision on the site is acceptable. To this end, it is considered that the proposal complies with the requirements of policies PS 4, TRA 2 and 4 of the LDP and TAN 18 Transportation.

Trees and Biodiversity Matters

- 5.32 A Trees Report, Preliminary Ecological Evaluation, Preliminary Bat Report, Reptile Survey Report, Biodiversity Improvement Strategy and Nocturnal Bat Survey Report have been submitted as part of the application.
- 5.33 The Biodiversity Unit has confirmed that there is no objection to the proposal in terms of work to the trees on the site, and the proposals for protecting the rest of the trees during the development; on condition that all this work is carried out in accordance with the tree report and the plans submitted, and that there is a tree expert appointed and present on site throughout the development. The replanting plans are shown on the soft landscaping plan submitted as part of the application and are sufficient, but the Biodiversity Unit has identified possible changes in order to ensure the most suitable types of trees and plants for the site, and it will be possible to place these matters as conditions on the planning permission. There is an intention to provide a path through an area that has been described as a special landscape area at the far end of the site, and the Biodiversity Unit is in agreement with this intention on the condition that an ecology management plan is provided before starting any work here. The application's agent has

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confirmed that they are satisfied with these requirements and therefore it is considered that the proposal is acceptable in terms of impact on trees within the site.

- 5.34 The bat reports that have been submitted as part of the application confirm that bats are present on the site, and from the information submitted, Natural Resources Wales considers that the proposal represents a low risk to the bats, and as a result that the development is unlikely to be detrimental to maintaining the population of the species in question at a favourable conservation status in its natural habitat. However, Natural Resources Wales advises that the proposed development is likely to harm or disturb the bats or their breeding sites and resting areas on this site, and therefore all the avoidance and mitigation measures described in the bat report must be completed. It is noted that the Biodiversity Unit considers that a roost for bats should be provided within the canteen building which is being preserved, but the reports confirm that the intention is to provide bat tubes within the new houses and boxes on the trees across the site and Natural Resources Wales agrees with this, and the work to the roost would be subject to a licence from them.
- 5.35 The ecological report confirms that there are 13 different types of birds on the site, and it is intended to provide nesting boxes on the site. Hedgehogs have been found on the site and it is intended to provide boxes underneath the garden boundaries to enable the hedgehogs to move around the site. The site is located above a small valley with a small watercourse that flows from the Cors Geirch Site of Special Scientific Interest (SSSI) to afon Penrhos and out to sea. There are no impact routes from this proposed development to the designated site (Cors Geirch SSSI and Corsydd Llŷn Special Area of Conservation (SAC)), and it is considered that this development is not likely to have a substantial impact on Corsydd Llŷn SAC and Pen Llŷn a'r Sarnau SAC. The Biodiversity Unit is satisfied with the development and the reports and the mitigation measures that have been submitted as part of the application, and notes that it could deal with the rest of the matters as conditions on the planning permission.
- 5.36 It was highlighted in the ecological report that the site contains a habitat that may be suitable for reptiles, and a reptile survey report has been submitted in accordance with the recommendations of the ecological report. No reptiles were found as a result of that survey. The Biodiversity Unit notes that a slow worm was found on the site since the survey and that there are records 1km away from the site, but there is no further information regarding that finding in order to testify to it. The Biodiversity Unit considers that a planning condition is necessary in order to carry out another reptile survey together with a plan for mitigation before starting the development. It is not considered that carrying out another full survey is appropriate or reasonable, because a survey has already been carried out and submitted as part of the application, and the improvements include planting to provide habitats suitable for common reptiles.
- 5.37 No evidence of otters was found on the site, however the Biodiversity Unit considers that the improvements should include features for otters because there are records of otters near the junction of the access road with the A499 highway when the rivers have flooded and there is no way to cross the bridge under the road. This situation currently exists and the development proposed would not affect it, as it is approximately 800m away from the location where the junction floods. It is therefore not considered reasonable for the development to provide improvements for it.
- 5.38 The Biodiversity Unit considers that the 'cloddiau' which provide a northern boundary between the site and the access track are important and need to be protected by placing a fence 2m away from the 'cloddiau'. These 'cloddiau' form the end boundary of the gardens of existing houses on

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the site, and this layout will continue in the new development, with the gardens of individual houses extending up to the 'cloddiau'. As these residential houses already exist and the 'clawdd' already forms part of their boundary, this proposal does not involve any change, and therefore it is not considered that requiring a fence 2m away from the 'cloddiau' to protect them is reasonable in this case.

- 5.39 The Biodiversity Unit considers that a condition is necessary to ensure that no work that would affect nesting birds takes place between 1 March and 31 August of any year and this is considered reasonable. It is considered that providing a habitat and grassland/wildflower meadow management plan before starting the work is reasonable considering all the open spaces within the site. It is not considered reasonable to request an audit report of the mitigation measures and improvements within five years of starting work, because there is no guarantee that the construction period would have ended in that period, and the remaining conditions of the permission will ensure that the mitigation measures and improvements are completed in order to satisfy these.
- 5.40 Considering the reports, surveys and mitigation plans and improvements submitted as part of this application together with the responses received from the Council's Biodiversity Unit and Natural Resources Wales and the conditions that are intended to be placed on the planning permission, it is considered that the proposal complies with the requirements of policy PS19 of the LDP and TAN 5: Nature Conservation and Planning and that the proposal is not likely to have any adverse effect on protected species.

Archaeological/Conservation Matters

- 5.41 A Desktop Assessment has been carried out by Brython Archaeology and submitted as part of the application, and the Gwynedd Archaeological Planning Service (GAPS) has provided comments on the application which denote the historical importance of this unique site. GAPS confirms that the proposed development is to be commended in some ways, where an attempt is made to continue to use and provide living units on the site by re-imagining a plan that corresponds to the requirements of modern life, and it is considered to be positive on the whole that the site would be used in a similar way and, hopefully, with similar core principles. This would be suitable for the social history of the site and the combined community experience that is typical of it.
- 5.42 To this end, with regard to the intention to disturb a historic structure, the proposals would certainly lead to at least a partial loss of the original fixtures and fittings, as well as having the potential to affect subsurface remains. Accordingly, GAPS considers it appropriate that a comprehensive record is made of the structures prior to any work, to mitigate the impact of the development on the historic integrity and character, and to serve as a permanent archive record. Similarly, archaeological monitoring should be used during groundworks to ensure that any potential subsurface deposits are correctly identified and recorded. This can be secured by means of planning conditions.
- 5.43 Correspondence was received on 21.09.2023 from CADW confirming the intention to list the Freedom Cross which is located near the Church on the site. The correspondence confirms a period of consultation on the intention to list, up to 19.10.2023; in the meantime the Cross receives interim protection in accordance with section 2B of the 1990 Act. This means for the purposes of this planning application that the Freedom Cross should be treated as a Grade II listed building. Observations were received from the Senior Conservation Officer which confirms that

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there is no concern that the development would have an impact on the Freedom Cross. It is not intended to carry out any work to the Cross.

- 5.44 As a result of the above, it is considered that the proposal complies with the requirements of policy PS20 of the LDP.

Sustainability matters

- 5.45 The proposal submitted involves demolishing a large part of the existing substandard buildings on the site, which include 107 residential units and the construction of 107 new residential units in their place. Justification for the demolition of the existing buildings has already been discussed in the first part of the report under the principle heading. The information that has been received confirms that the existing buildings and living units on the site are substandard considering the Welsh Government's housing standards and current care requirements.
- 5.46 Information regarding carbon management, water conservation and other implications such as insulation and heating is included in the Design and Access Statement, the Justification document for re-erecting existing buildings and the Drainage Strategy. The plans also indicate an intention to provide pv panels on the roofs of the proposed buildings. The Vision and Priorities document for the redevelopment of the site confirms that the development would ensure sustainable health and care provision which uses energy efficiently, with high-quality homes that demonstrate energy efficiency (low carbon) and health and care services in a unique location. Each home will achieve an 'A' EPC rating enabling low cost energy bills for residents.
- 5.47 Considering all the information that has been gathered, it is considered that the proposal incorporates sustainable features and therefore complies with the requirements of policies PS5, PCYFF 5 and 6 of the LDP in terms of sustainable development, carbon management and water conservation.

Flooding matters

- 5.48 As stated in paragraph 5.10 above, the application site is not located within an area which is at risk of flooding, but the entrance to the site (which is outside the applicant's ownership) off the highway is located within a C2 flood zone or zone 3 as defined on the Flood Map for Planning. A Flood Impact Assessment has been carried out and submitted as part of the application for this purpose. Natural Resources Wales has no observation to make, as the flood zone is located outside the application site. The Flood Consequence Assessment identifies an alternative access route in and out of the site along a track to the north of the site which travels towards the villages of Penrhos and Efailnewydd, and there is an option to use this at times of flooding. The Emergency Services (Police and Fire Service) have confirmed that the proposal is acceptable in this regard. The Council's Land Drainage Unit has confirmed that it agrees with the Flood Consequence Assessment in terms of the flood risk to the development site from all sources being acceptable, and that surface water flooding can be managed with a suitable drainage plan, as well as the recommendation to discuss access to the site in periods of possible flooding to the A499 with the emergency services.
- 5.49 Subject to notes drawing attention to the need for an Ordinary Watercourse Consent for any work that could affect the flow of afon Penrhos together with the need for approval of a sustainable drainage system to manage surface water with Cyngor Gwynedd in its role as an SDC Approval Body before construction work begins, it is considered that the proposal is acceptable in terms of

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flood and surface water issues and therefore complies with the requirements of policy PS6 of the LDP and TAN 15 which deal with such matters.

Infrastructure matters

- 5.50 As has already been noted, this proposal is completely unique, and the implications of demolishing 107 units and erecting another 107 units in their place go beyond the requirements of policy TAI 13 alone, which usually deals with the demolition and re-erection of one house at a time, and there is a need to ensure that the infrastructure is in place for the proposal in question.
- 5.51 The size and nature of the proposed houses to be built are quite different to the units that already exist on the site. While the specific need for the type of houses proposed has been assessed in paragraphs 5.10-14, the proposal means a higher number of houses with the potential to be family houses (i.e. with two bedrooms or more). Following discussions with the application's agent, confirmation has been received, which corresponds with the Vision and Priorities document for the site, that a third of the units would be available for individuals without any care requirements. Although the fallback situation is recognised which means that the current units could be for any person with or without children, an agreement has been reached to use this figure (35 units) as a reasonable position for calculating the number of children that would likely derive from the site and attend local schools, and based on this it would be expected to have 14 children of primary school age. The Education Department has confirmed that there is no capacity in the local primary school, and therefore based on the methodology in the Planning Obligations Supplementary Planning Guidance, it would mean an educational contribution of £141,344. This contribution would be subject to a 106 agreement.
- 5.52 Although the proposal is not for new housing, as it involves demolishing all the residential units on the site together with erecting new ones in their place, it is considered appropriate to assess the proposal in terms of any need for open spaces. In accordance with the Planning Guidance for Open Spaces in New Residential Developments and FiT Cymru, the total number of open spaces required for this proposed development if it meant building new houses is 0.41ha. It appears from the plans that the site offers over 2.5ha of open spaces across the site including children's play areas with natural play apparatus, areas for families and amenity areas which include footpaths, gardening areas and benches. To this end, it is considered that the proposal provides enough open spaces for the residents of the site.
- 5.53 As a result of the above and based on the provision of open spaces and agreement 106 for the educational contribution, it is considered that the proposal is acceptable and complies with the requirements of policies PS2 and ISA 1 of the LDP which involves the provision of infrastructure.

Language Matters

- 5.54 A Welsh Language Impact Assessment has been submitted as part of the application. Observations were received on it from the Language and Scrutiny Unit of Cyngor Gwynedd, which confirms that a fair analysis has been submitted of the ward where the application is located and the two nearest wards in terms of the position of the Welsh language. However, it was noted that considering the size of the development, having an analysis of all the wards in Llŷn would have given a more comprehensive picture of the position of the Welsh language in Llŷn and the potential impact of the development, and that there was not enough information within the assessment of the change in population that the development could represent because a small number in population can lead to a big change in the percentage of Welsh speakers.

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Reference was also made to the lack of information regarding the occupancy and that there was no evidence of statistics from Tai Teg or the Council's Housing Register in the assessment.

- 5.55 Further information regarding the occupancy of the units has now been received which confirms that the units would be for a specific need for social housing within the Llŷn area and that ClwydAlyn would act with Cyngor Gwynedd in securing the occupancy of the units. As the residents would be from the Llŷn area, or would be working on the site, it is not considered that the proposal would have a detrimental impact on the Language in the context of the Llŷn area as the residents would live or move to live in this area anyway. The proposal is in line with plans to redevelop the site as a whole including the provision of a care home and would ultimately provide a facility which means that the ageing population within the Llŷn area would not need to move out of the area to receive care. It is emphasised again that the 107 affordable houses will replace 107 open market houses.
- 5.56 To this end, it is not considered that the proposal would have a detrimental impact on the Welsh Language and that the proposal complies with the requirements of policy PS1 and TAN 20: The Welsh language in this regard.

Response to the public consultation

- 5.57 A number of comments were received from the public as a result of this application, and the issues raised varied and included issues relating to the amenities and needs of the current residents of the site, together with the amenities of residents, landowners and nearby businesses; the impact of noise, nuisance and inconvenience during construction; the location of the site; impact on infrastructure and local schools; flooding issues; transport issues; language issues; conservation issues; sustainability issues including the lack of justification for the demolition work's impact on trees and biodiversity; the use of the site and that this application does not include constructing a new nursing home; and the lack of community areas and buildings compared to the present.
- 5.58 It is considered that all the above issues have received due consideration in the report, and that none of the issues raised change the recommendation for the application in this case.

6. Conclusions:

- 6.1 The proposal submitted is a unique plan, and will provide residential units for the ageing population of the Llŷn area, and enable them to receive homes with elements of care without having to move from the local area. Ultimately, this application is part of a wider plan for a care village with a nursing home and an extensive provision of medical and social facilities. The applicant is working with Cyngor Gwynedd to reach this goal. It is recognised that the current site is unique and has implemented this model of providing self-sufficient care homes together with a nursing home and social facilities for years, but that the buildings and maintenance costs mean that the site requires a major overhaul with a programme of investment and redevelopment.
- 6.2 The above assessment confirms that there is justification for demolishing the existing buildings on the site based on the condition of the buildings and that it does not comply with standard requirements without investment and redevelopment. The residential provision which forms part of this application is 100% affordable for the population of the Llŷn area, the majority of them with a need for care which will derive from the nursing home which will form part of a separate planning application. A lawful use certificate application has established that the lawful use of the

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site includes 107 open market houses which is an important consideration when assessing the merits of this application.

- 6.3 It is not considered that the proposal would have a substantial detrimental impact on residents or the local area, the roads network, trees or biodiversity subject to planning conditions to ensure the protection of nearby residents during the work period, and to implement mitigation measures and biodiversity improvements. Conservation issues have been addressed and planning conditions will be imposed to ensure that there is a comprehensive record of the structures prior to any demolition work and to use archaeological monitoring during groundworks to ensure that any potential subsurface deposits are correctly identified and recorded.
- 6.4 Surface water and flooding issues are acceptable subject to the provision of an alternative access road during periods of flooding and the need for an Ordinary Watercourse Consent for any work that could affect the flow of afon Penrhos together with the need for the approval of a sustainable drainage system to manage surface water with Cyngor Gwynedd in its role as an SDC Approval Body before construction work begins.
- 6.5 The proposal includes more than enough open spaces to meet the need that the development would have created if it were a new development, and an educational contribution of £141,344 has been calculated to ensure that the proposal does not have a detrimental impact on the capacity of local schools. A Welsh Language Impact Assessment has been submitted as part of the application and it is not considered that the proposal would have a detrimental impact on the Welsh Language considering that the proposal is for meeting local residential needs in the Llŷn area.
- 6.6 It is acknowledged that a number of observations have been received as a result of the public consultation, and it is considered that they have been addressed in full in the above report.
- 6.7 Based on the assessment above therefore, it is considered that the proposal is acceptable and is not contrary to the requirements of the national and local policies noted above.

7. Recommendation:

- 7.1 To approve subject to planning conditions and agreement 106 for an educational contribution
1. Five years
 2. In accordance with the plans and documents submitted as part of the application
 3. Slate on the roof/agree roof finish and pv panels
 4. Agree on external finish
 5. Agree details
 6. Agree affordable housing matters
 7. Phased demolition and development condition
 8. Land contamination conditions
 9. Submit details of a plan either to protect the structural condition or to divert the main water supply that crosses the site

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10. Submit a plan for dealing with foul water
11. Dust, noise and vibration control plan as a result of the demolition work
12. Working hours 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 on Saturday and not at all on Sunday or Bank Holidays
13. Submit and agree an ecological, habitat and grassland/wildflower meadow management plan
14. A tree specialist must be present on site throughout the work
15. Any work that would disturb bird nests during the nesting season between 1 March and 31 August is not permitted unless otherwise agreed in advance
16. Archaeological conditions
17. Withdrawal of permitted rights
18. Landscaping
19. Welsh language advertisements