

<b>PLANNING COMMITTEE</b>	<b>DATE: 29/07/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 3**

**Application Number: C23/0556/19/LL**

**Date Registered: 12/07/2023**

**Application Type: Full**

**Community: Bontnewydd**

**Ward: Bontnewydd**

**Proposal: Development of 21 residential units comprising of 6 one-bedroom flats, 12 two-bedroom flats and 3 three-bedroom houses, along with associated landscaping and new vehicular access.**

**Location: Land at Cae Stanley, Bontnewydd, LL55 2UH**

**Summary of the Recommendation: TO REFUSE**

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 1. Description:

1.1 This is a full application for the construction of 21 residential units of which 6 are affordable units, together with the provision of infrastructure, parking spaces and access. The site is an agricultural green field and is within the development boundary of the village of Bontnewydd. As part of the initial information submitted with the application, 21 residential units with 11 of the units (50%) affordable were planned.

Reports and information were resubmitted during the application which confirmed the following:

- 12 buildings on the site forming 21 residential units (6 affordable units - 30%).
  - The 21 units will include 18 flats and 3 houses.
  - There will be 4 one-bedroom flats (2 persons), 8 two-bedroom flats (3 persons) and 3 open market three-bedroom houses (5 persons) as well as 2 one-bedroom flats (2 persons) and 4 affordable two-bedroom flats (3 persons).
  - Provision of infrastructure to include removal of existing above ground electricity cables to underground, flood basin within the site, bin/recycling storage for each house, estate road and associated footpaths together with parking spaces for users/residents of the site.
  - Provision of a total of 32 parking spaces. 2 parking spaces for the three-bedroom houses, 1 parking space each for the two-bedroom houses and one-bedroom flats. 8 additional parking spaces will be provided for visitors.
  - New access to be created off Lôn Caeathro to adopted standards.
  - Set back the existing parking lay-by along Lôn Caeathro and the southern boundary of the housing estate by 0.5m and create a new footpath from the estate entrance and link it with a new lay-by for 4 cars 50m to the east from the estate's proposed entrance.
  - Provision of amenity spaces within the site.
- 1.2 The site is located adjacent to Lôn Caeathro and the Llwyn Beuno housing estate is located opposite the proposed site. Currently, the site is an area of agricultural grazing land and the agricultural land extends further eastwards where the "Gypsy Wood" Visitor and Play Centre is located approximately 350 metres away. The whole site measures approximately 1 acre. The river Beuno runs along the northern boundary with a corridor of mature trees growing along the river bank and the site boundary. The land levels slope gradually from Lôn Caeathro down to the river Beuno.
- 1.3 The site is located within the Bontnewydd development boundary as included in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP), with the site designated for 10 dwelling units within the plan. In order to support the application, the following documents were submitted - Supporting Planning Statement, Design and Access Statement, Transport Statement, Arboricultural Method Statement, Arboriculture Impact Assessment, Habitats Regulation Assessment (HRA), Initial Ecological Report, Porosity Report, Drainage Strategy Statement, Flooding Risk Assessment, Welsh Language Impact Statement, Housing Statement.
- 1.4 It was confirmed that the applicant has undertaken a pre-application consultation in accordance with Article 1 of the Town and Country Planning Act (Development Control Procedure) (Wales) (Amendment) 2016, as the proposal is a development that is defined as major. A Pre-application Consultation Report (PAC) has been included with the application to reflect this consultation. Although the development is one that is described as a *major* development, there is no need for an Environmental Impact Assessment in relation to this development as it does not reach the thresholds noted in Schedule 2, Regulation 2 (1) (infrastructure projects - (b) Urban development projects) of the Act i.e. it does not involve erecting more than 150 houses and the site does not measure more than 5ha.

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 2. Relevant Policies:

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

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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

PCYFF 1 - development boundaries

PCYFF 2 – development criteria

PCYFF 3 - design and place shaping

PCYFF 4 - design and landscaping

PCYFF 5 - carbon management

PCYFF 6 - water conservation

PS17 - settlement strategy

TAI 3 - housing in service villages

TAI 8 - an appropriate mix of housing

PS 16: Housing provision

TAI 15 threshold of affordable housing and their distribution

ISA 1 - infrastructure provision

ISA 5 - provision of open spaces in new housing developments

PS 1 - the Welsh language and culture

PS 4 - sustainable transport, development and accessibility

PS 5 – sustainable development

PS 19 - conserving and where appropriate enhancing the natural environment

TRA 2 - parking standards

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

TRA 4 - managing transport impacts

AMG 5 - local biodiversity conservation

Gwynedd Design Guidance (2003)

Supplementary Planning Guidance (SPG): Housing Mix

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Planning Obligations

SPG: Affordable Housing

SPG: Housing Developments and Educational Provision

SPG: Open Spaces in New Housing Developments

## 2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

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

TAN 12: Design

TAN 20: Planning and the Welsh Language

## 3. Relevant Planning History:

3.1 This site has no relevant planning history.

## 4. Consultations:

Transportation Unit: I do not have an objection to the development; however, we will request the following conditions:

- The access shall be laid out and constructed strictly in accordance with the plan SCP/220728/D03 Rev. A contained within the Transport Statement.
- The access shall be constructed with visibility splays 2.4 metres by 43 metres on either side. Within the line of the visibility splays nothing more than 1 metre above the level of the adjoining highways shall be allowed.
- The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lit before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Authority, whichever is the sooner.

- The estate road and footways shall be surfaced to basecourse standard before any dwellings which it serves are occupied.
- The car parking accommodation shall be completed in full accordance with the details as submitted before the dwelling(s) is/are occupied.

Natural Resources **24/4/24 Observations**  
Wales:

Thank you for consulting with us on the additional information regarding application C23/0556/19/LL. We have no additional observations to make and our original response dated 08/08/2023 (see attachment for convenience) remains relevant.

### **8/8/23 Observations**

Thank you for consulting with Natural Resources Wales regarding the above, received by us on 14/07/2023.

We have concerns regarding the application as submitted because insufficient information has been provided to support the proposal. To overcome these concerns, further consideration is required regarding foul drainage. We also advise you should seek further information from the applicant regarding flood risk. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding protected sites should be attached to any planning permission granted. We also advise that the report identified below (protected species section) should be included in the condition identifying approved plans and documents. Without the inclusion of these conditions and documents we would object to this planning application.

### **Protected Sites**

#### **Foul Drainage**

We note that the application site is within the catchment of the Afon Gwyrfai and Llyn Cwellyn Special Area of Conservation (SAC). As you are aware, on 21 January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. In accordance with our Planning Advice (July 2022), under the Habitats Regulations, Local Authorities must consider the phosphorus impact of proposed developments on water quality within river catchment areas of SACs. Therefore, we advise you to consider whether the proposals, as submitted, would increase the volume of foul drainage that is released from the site in planning terms.

This application for the erection of 21 dwellings proposes connection of foul water to the mains sewer. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant as identified in the section titled 'What does this mean for development proposals involving connection to public waste water treatment works'. We also note the submission of a Shadow Habitat Regulations Assessment with the application.

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Your Authority will need to take the above into account in your determination of whether the development is likely to have a significant effect on the SAC. Should you determine that an Appropriate Assessment is required, the Applicant will then need to submit whatever evidence they deem appropriate (seeking advice from consultants as may be necessary) to demonstrate no adverse effect on site integrity. You should then consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for your Authority to determine.

### **Pollution Prevention**

The development site is located adjacent to a watercourse (Afon Beuno), which is hydrologically connected to the Afon Gwyrfa and Llyn Cwellyn Site of Special Scientific Interest (SSSI), which is part of the Afon Gwyrfa and Llyn Cwellyn Special Area of Conservation (SAC). Our response to the statutory pre-application consultation identified pollution as a potential pathway to the protected sites. The use of standard pollution prevention guidelines was advised. To secure appropriate mitigation measures, we advise that the following conditions set out below should be attached to any planning permission for this development. Provided the development is carried out in accordance with those conditions, we do not consider that it will adversely affect the integrity of the SAC.

Condition 1: Protected Sites: Construction Environmental Management Plan No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed
- General Site Management: details of the construction programme including timetable, details of site clearance; Details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Details of a 15m buffer zone where practicable, to be maintained between the development and Afon Beuno watercourse to ensure risk of disturbance is minimised.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures
- Soil Management: details of topsoil strip, storage and amelioration for re-use
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures
  - Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
  - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed and implemented for the protection of the environment during construction.

### Mobile Features

We note the Arboricultural Impact Assessment submitted in support of the application (Enfys Ecology, January 2023, Land Adj. Cae Stanley, Bontnewydd; Arboricultural Assessment) recommends 4 category U trees for removal (as referenced in section 5.3). Drawing number D.RTA.89.01-A within the AIA illustrates these trees to be within the river corridor and not within the development site boundary.

Mobile features of the Afon Gwyrfai SSSI/SAC including otters must be able to continue to use the river corridor with minimal disturbance. We therefore advise that trees along the river corridor should be maintained and not cleared as a result of development. We advise the following condition should be attached to any planning permission for this development:

### Condition 2: Protected Sites: Landscape Scheme

No development shall commence until a Landscape Scheme has been submitted to and approved by the Local Planning Authority. The Landscape Scheme should include:

- Details of existing habitats/trees and hedgerows on the site to be retained and measures for their protection, remedial work and management
- Details of the extent, distribution and type of new planting
- Details of contingency measures should any trees or plants die, be removed or become seriously damaged within 5 years of planting

The Landscape Scheme shall be carried out in accordance with the approved details.

Justification: A Landscape Scheme should be submitted to ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long-term. As the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), your authority must, before deciding to give consent for a project which is likely to have a significant effect on a SAC/SPA/Ramsar site, either alone or in combination with other plans or projects, make an appropriate assessment of the implications of the project for that site in view of its conservation objectives. You must for the purposes of the assessment consult NRW and have regard to any

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

representations we make within such reasonable time as you specify. In the absence of that assessment, NRW cannot advise that the proposals would not result in an adverse effect upon the SAC/SPA/Ramsar site.

Protected Species We note that the Preliminary Ecological Assessment (PEA) Report submitted in support of the above application (Cambrian Ecology, 14 February 2023, Preliminary Ecological Assessment, Land at Cae Stanley, Bontnewydd, Caernarfon, Proposed Residential Development) states in section 5.2 ‘The protected species survey was negative, with no field signs or direct sightings of any protected species recorded’. However, it does highlight the following: 5.2.2 ‘The surrounding area contains optimal foraging habitat for bats and the treeline and riparian corridor present at the north of the site provides excellent habitat connectivity within the surrounding area. As such is it deemed very likely that this treeline supports commuting bats at the appropriate time of the year’ 5.2.5 ‘The proximal Afon Beuno and the nearby Afon Gwyrfai are both highly likely to support otters at some point along their courses. As such, it is deemed possible that otters may cross the proposed development site when moving between water courses.’

In view of the above observations, the PEA recommends a precautionary approach. NRW would advise the use of reasonable avoidance measures as outlined in section 9. We advise the PEA is included as an approved document in the condition identifying approved plans and documents.

### **Flood Risk**

The planning application proposes a highly vulnerable development. The application site is within Zone A of the Development Advice Map (DAM) contained in TAN15 (2004). However, our Flood Map for Planning (FMFP) identifies the application site to be partially within Zone 2 and 3 rivers.

An ordinary watercourse (Afon Beuno) flows along the northern boundary of this application site. NRW provided advice on flood risk during the statutory pre-application consultation (dated 04/04/2023). However, since that time we have been made aware that the Lead Local Flood Authority (Cyngor Gwynedd) are in the final stages of completing a site-specific flood modelling exercise on Afon Beuno. The LLFA are responsible for managing flood risk from ordinary watercourses and the exercise is to inform possible flood alleviation measures for the ordinary watercourse following the flooding experienced in the village during 2015.

A proportion of the application site is shown to be at flood risk from Afon Beuno. However, it is noted and accepted that the dwellings, gardens, car parking and estate roads appear to be elevated above the estimated flood levels. The submitted Flood Consequence Assessment (Egniol, June 2023) is based on readily available information and has not been informed by site specific hydraulic modelling; as such no figures for freeboard have been quoted for the 1% (1 in 100) annual exceedance probability flood event (plus allowance for climate change).

It is noted that the only element of the proposal within the flood zone is that of the ‘flood basin’ as shown on the drawings, we assume this to be the attenuation basin associated with the surface water drainage arrangements. This will be inundated by flooding and any flood borne debris may compromise the effectiveness of the attenuation basin and outflow control devices. We would therefore advise that the views of your colleagues acting in their capacity as the Lead Local Flood



PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Authority/SuDS Approval Body are sought.

However, our advice is that outputs from the LLFA modelling work should be used to better inform the FCA/development and ensure that the development proposed is acceptable and that it will not increase the risk to third parties. It is therefore suggested that the FCA should be revised once the modelling work has been finalised.

We reiterate that the authors should approach Cyngor Gwynedd acting in their capacity as the LLFA to discuss the flood risk from this ordinary watercourse and review the FCA. As such we would advise that we have concerns with the proposal at this moment in time.

As it is a matter for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN 15, we recommend you consider consulting other professional advisers on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

### **Land Contamination**

We have reviewed the submitted document ‘Engineering Desk Study – Site at Bontnewydd, Caernarfon. Soils and Structures, Project number: 20206, 5 July 2023’ and have no objection to the development with regards to land contamination but provide the following advice. The treatment and disposal of contaminated soils and groundwater is 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. In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

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

In respect of the aforementioned planning application, we can confirm Welsh Water have been previously informed of the proposed development and consulted, as a ‘Specialist Consultee’, in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales)

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

(Amendment) Order 2016.

We note that our consultation response has been acknowledged within the accompanying 'Statement of Community Involvement', prepared by Kingscrown Group, which highlights that foul water flows can be accommodated at a specified location within the public sewerage system, whereas surface water flows are subject to Schedule 3 of the Flood and Water Management Act 2010. With respect to latter, we acknowledge receipt of a 'Proposed Surface Water Drainage Layout Plan' (Drawing No. ECL.9516.D.05.003 Rev. B) which appears to indicate proposals to dispose surface water flows to the local watercourse and, in principle, we offer no objection.

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. The site lies within the catchment of Llanfaglan WwTW which has a phosphate permit. The WwTW is currently compliant with the existing phosphorous consent limit of 1mg/l, and we can confirm there is capacity at the WwTW to accommodate foul only flows from the proposed development. This matter will need to be considered further by the local planning authority.

Notwithstanding this, if you are minded to grant planning consent for the above development, we would request that the following Condition and Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Welsh Water's assets:

**Condition:**

Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made to manhole reference numbers SH48602109 or SH48602108 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Housing **22/5/2024 Observations**

Strategic  
Unit:

In response to the Amended Housing Statement:

The Housing Statement notes the proposal to erect 21 units as a mixture of open market housing and affordable housing (point 2.1).

They provide an analysis of the units (point 2.3), but only highlight 17 units. I would like to know the size and type of the remaining 4 units.

The application does not specify which units would be affordable nor does it specify the number of units that will be affordable. Neither does the application specify if these will be units to buy or rent.

Point 3.3 refers to the Local Housing Market Report by Countrywide, but I cannot see this report being shared. The report states that 3500 applicants have registered in the last 6 months, but does not mention which register they are referring to, nor what they have registered for. This number (3500) is significantly higher than the data coming from the Housing Options Register and Tai Teg register and, therefore, I question its validity.

Point 3.6 states that the majority of Bontnewydd households consist of 1 or 2 people, but does not state if these individuals already live in 1 or 2 bedroom houses. The report does not state that the individuals are under-occupying either, and therefore it would be difficult to agree with their conclusion that 1 and 2 bedroom units are in high demand in the area (open market housing).

Point 3.7 announces numbers on the Housing Options Register, which apply to the development of social units. I see no reference in the application to the development of social units. The report notes that data was received from the Housing Strategic Unit, but the Strategic Unit also shared affordable (intermediate) housing need data from the Tai Teg register, which is shared below.

Here is the information given to the Developer, which indicates that there is no need for 1 bedroom units:

Number of bedrooms	Need as a %	rent	purchase
1 bed	0%	0%	0%
2 beds	28%	16%	13%
3 beds	60%	24%	36%
4+ beds	11%	5%	7%

From a more detailed analysis, it appears that the specific demand for flats is very low and not in line with what is proposed to be developed

Stafell gwely	Fflat				Tŷ				Byngalo			
	1	2	3	4	1	2	3	4	1	2	3	4
Rhentu	0	0	1	0	0	14	20	4	0	0	0	0
Prynu	0	0	0	0	0	11	32	6	0	0	0	0

### 1/3/2024 Observations

1	<p><b>Information about need:</b></p> <p>The following indicates the number of applicants who wish to live in the area:-</p> <p>84 options on the Tai Teg register for intermediate properties</p>	<p><b>Data source:</b></p> <p>Tai Teg</p>	<p><b>Observations:</b></p> <p><b>** The figures could be</b></p>
---	--	---	---

	287 applicants from the Common Housing Register waiting list for social property	Cyngor Gwynedd's Common Housing Register	<i>duplicated **</i>																																
2.	<p><b>Information on the type of need:</b></p> <p>The following shows the number of bedrooms that the applicants wish to have:</p> <p><b>Number of intermediate bedrooms (owned or part-owned)</b></p> <table border="1" data-bbox="400 891 1035 1261"> <thead> <tr> <th>Number of bedrooms</th> <th>Need as a %</th> <th>rent</th> <th>purchase</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>0%</td> <td>0%</td> <td>0%</td> </tr> <tr> <td>2 beds</td> <td>30%</td> <td>15%</td> <td>14%</td> </tr> <tr> <td>3 beds</td> <td>61%</td> <td>24%</td> <td>37%</td> </tr> <tr> <td>4+ beds</td> <td>10%</td> <td>5%</td> <td>5%</td> </tr> </tbody> </table> <p><b>Number of social bedrooms (Housing Options Team)</b></p> <table border="1" data-bbox="400 1585 852 2029"> <thead> <tr> <th>Number of bedrooms</th> <th>Need as a %</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>28%</td> </tr> <tr> <td>2 beds</td> <td>41%</td> </tr> <tr> <td>3 beds</td> <td>23%</td> </tr> <tr> <td>4 beds</td> <td>6%</td> </tr> <tr> <td>5 beds</td> <td>2%</td> </tr> </tbody> </table>	Number of bedrooms	Need as a %	rent	purchase	1 bed	0%	0%	0%	2 beds	30%	15%	14%	3 beds	61%	24%	37%	4+ beds	10%	5%	5%	Number of bedrooms	Need as a %	1 bed	28%	2 beds	41%	3 beds	23%	4 beds	6%	5 beds	2%	<p><b>Data source:</b></p> <p>Tai Teg</p> <p>Cyngor Gwynedd's Common Housing Register</p>	<p><i>** The figures could be duplicated **</i></p> <p>I question the accuracy of data on need within the Planning Statement (para 6.32 – 6.24) and the Housing Statement (para 3.7), which are now over a year old, nor do I consider that individuals can register a need for 1, 2, 3 or 4 bedrooms, and therefore be counted twice. The figures are not unique and</p>
Number of bedrooms	Need as a %	rent	purchase																																
1 bed	0%	0%	0%																																
2 beds	30%	15%	14%																																
3 beds	61%	24%	37%																																
4+ beds	10%	5%	5%																																
Number of bedrooms	Need as a %																																		
1 bed	28%																																		
2 beds	41%																																		
3 beds	23%																																		
4 beds	6%																																		
5 beds	2%																																		

			therefore cannot be accumulated.
3	<p><b>Suitability of the Plan:</b></p> <p>Based on the above information it appears that the Plan:-</p> <p><b>Partially satisfies</b></p> <p>the need in the area</p>	<p><i>It is expected that plans include 30% of affordable housing.</i></p>	

#### 4/4/2023 Observations

The housing need data as of March 2023 is as follows (please be advised that numbers can duplicate between datasets):

Number of applicants on the Housing Register for Social Housing: 298

Number of beds	Need as a %
1 bed	27%
2 beds	40%
3 beds	23%
4 beds	8%
5 beds	1%

Number of applicants on the Tai Teg Register for Intermediate Housing: 84

Number of bedrooms	Need as a %
1 bed	0%
2 beds	32%
3 beds	58%
4+ beds	10%

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

While we welcome the prospect of quality affordable housing, it is not clear if they are intended to be Social or Intermediate units. If they are intended to be social units, I would ask whether or not you have held any talks with a Registered Social Landlord?

The DAS Vision Statement states that the development will be a mix of market and affordable for sale or rent. We value the importance of getting the right mix of units in a development and so I would ask what mix of market / affordable units is proposed, and whether you have considered including some 3 bed units, as there also seems to be a healthy demand. The proposal does not seem to include any financial / unit cost for the properties. When available, this would assist us to identify an affordable price for the units.

I should also note that your Housing Statement references data for Bethesda (3.1 and 3.2) rather than Bontnewydd. While this may be a typing error, I would urge you to verify the correct information has been incorporated.

During 2021, 67% of households in Bontnewydd were deemed to be priced out of the market.

Language and  
Scrutiny Unit,  
Democracy and  
Language Services

**1/5/2024 Observations**

In order for the Unit to provide a fair and balanced view of the application, we encourage the applicant to use the latest data now available from the 2021 Census, and include a more detailed analysis, for example, by age groups for the study area. Consideration should be given to resubmitting the updated assessment before submitting the application to Committee. The Assessment conclusion cannot be justified without current evidence.

**6/9/2023 Observations**

In order for the Unit to provide a fair and balanced view of the application, we encourage the applicant to use the latest data now available from the 2021 Census, and include a more detailed analysis, for example, by age groups for the study area. Consideration should be given to resubmitting the updated assessment before submitting the application to committee.

A great deal of emphasis is given in the document on the "need" for units in the local area as justification. Although the residents would come from the surrounding area, the development still leads to the adding to the housing stock, and therefore to an increase in population in the ward. There is also no guarantee that residents would come from the Bontnewydd area only. That does not seem to be considered in the statement. Recognising that the developer has no control or responsibility for the indirect and subsequent impact, it would have been expected to see a reference to the cumulative impact and potential side effects.

It would also be good to consider the cumulative impact of this development, and particularly the potential impact on local services and the school, as a result of other recent developments –that have either been granted and have been developed or are underway – in the surrounding area (Bontnewydd, Caeathro, Dinas). There is a possibility of a significant increase in the population of the area in a short period of

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

time, which could have an impact on demographics and the Welsh language. There should be evidence that the developer has communicated with the Council's Education Department to discuss potential side effects on Ysgol Bontnewydd as a result of reorganisation plans.

Gwynedd  
Archaeological  
Planning Service:

Thank you for consulting us on the above application. Having reviewed the area of proposed works with reference to the regional Historic Environment Record (HER), I have determined that there is a potential for archaeological impact and would like to draw your attention to the comments below.

The proposed development is for the erection of 21 residential units on land adjacent to Cae Stanley, a dwelling located on the north-eastern extent of Bontnewydd. The land comprises undeveloped grassland, with historic mapping showing both earlier field systems as well as structures on the southern boundary, itself noted as *Cae Stanley*.

Bontnewydd and the surrounding landscape has been subject to a variety of archaeological investigation over recent years, including the connecting Caernarfon by-pass, which identified a plethora of previously unidentified archaeological remains. The village itself has medieval origins on and around *afon Gwyrfai*, which is typical for most settlements providing access to water and materials. Whilst the core expansion of the village took place in the post medieval period, there are likely medieval origins. Several proposed Roman roads run through the centre of the village, along with peripheral prehistoric remains throughout the locale.

Lidar data for the site suggests a possible mound on the western part of the field, however it is difficult to be certain. Street-side imagery confirms the topography of the field to be variable, and whilst the earthworks could relate to natural geology, the feature is not dissimilar from prehistoric sites of similar size and shape.

Regardless, if the authority is minded to grant permission, the proposed development falls within a landscape of moderate archaeological potential, with known medieval and post medieval activity in the locale. Despite the relatively limited scope of the proposals, the sub-surface soil profiles at the site are unknown, and similar mitigation in the locality has proved that archaeology can exist at varying depths. As such a programme of mitigation should be undertaken to ensure no archaeological deposits are unduly lost or destroyed without appropriate measures.

Water and  
Environment Unit:

With reference to the above site this unit is in the process of building a detailed flood model for this area as part of a flood risk management plan for Bontnewydd. The model will show a more detailed flood outline for the area of the development and also consider the impact of having a barrier at the mouth of the nearby culvert

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

(i.e. lower side of Lôn Caeathro) on the Beuno and its floodplain. We are in discussion with NRW about the results of the model but hope to have it completed within the next few weeks. Our feeling is that flood risk to the site may be higher than is suggested in the FCA submitted and given this, would it be reasonable to wait until the model is ready until comments are made on this application?

As our NRW colleagues would normally comment on flooding issues in zone C1/C2 or Z2/Z3 I have copied them into this message.

Biodiversity Unit: **27/09/23 Observations**

I visited the site today and found Himalayan balsam growing along the edges of the field and Japanese knotweed on the river boundary (see photographs below). The field is a grassland habitat of high biodiversity importance and qualifies as a meadow habitat listed by the Welsh Government under section 7 of the Environment Act (Wales) 2016 as a habitat of biodiversity importance. The grassland contains botanical species: birds-foot trefoil, sorrel, common bentgrass, Sheep's fescue, knapweed, red clover, yarrow, cats-ear, ribwort plantain, Imperforate St John's-wort, chickory, perennial rye-grass, white clover, meadow buttercup, common vetch, lesser trefoil and creeping soft grass.

The ecological survey was undertaken in February at a time of year when many plants are dormant especially non-native invasive species such as Himalayan balsam and Japanese knotweed and difficult to identify and birds and animals are also dormant. Ecology report says that there are patches of bramble and blackthorn.

- Reptile survey required

The document to inform the Habitats Regulations process (sHRA) has been produced to a good standard. However I have some queries.

Possible impacts

- Certain impact would be the loss of 3010 square meters (3 hectares) of meadow habitat which is important to Welsh biodiversity.
- Bats and lighting, this can be mitigated through sensitive external lighting. Details and lighting maps required before determination.
- Potential harm to reptiles & loss of reptile habitat – reptile surveys required and mitigation strategy required before determination.
- Further ecological surveys for non-native invasive plant species, updated botanical & habitat survey.
- Pollution to Afon Beuno and subsequently Afon Gwyrfai during construction –



PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

pollution prevention plan and CEMP required before determination.

- Eutrophication of Afon Gwyrfai SAC, required further confirmation from Dŵr Cymru & NRW
- Fragmentation of the river corridor – green infrastructure

#### Ecological & Biodiversity Concerns:

1. Loss of a significant area of section 7 habitat (meadow) – significant biodiversity impact.
2. Development by river. Rivers are important ecological corridors and should be enhanced for nature and wildlife. Developments & constructions with hardstandings near rivers compromise the functionality of the river corridor. I recommend that the development layout plans be amend to ensure that the future of the river corridor is not fragmented.
3. Grassland at the site appears to be semi-improved but the survey was carried out in the winter, when many plants are still dormant and difficult to identify. Further surveys required.
4. The River (Afon Beuno) is a tributary of Afon Gwyrfai designated as an SAC. The applicant must provide a Construction Environmental Plan and Pollution Prevention Plan before the application to determine that the building of the proposal will not cause pollution.
5. The houses would connect to the public sewer for Llanfaglan WTW which discharges into the Afon Gwyrfai. Sewage contains phosphate and nitrates which will cause nutrient enrichment of habitats, this can be damaging especially for habitats such as rivers, lakes and bogs. Household sewage is treated at The Llanfaglan Waste Water Treatment Works to remove the majority of these nutrients and chemicals. The Llanfaglan WTW is licensed by NRW to discharge into the River Gwyrfai at 1mg/litre, but it is expected that NRW will soon be reducing the phosphate limit of the licence to 0.7mg/litre. Dŵr Cymru need to confirm that they have the capacity to take and process the sewage from this development.

In summary, I object to this proposal due to the impact it would have on biodiversity due to the loss of a meadow and compromising the river corridor (green infrastructure). I also require further surveys & information.

#### Trees Department

Arboricultural report: this has been completed to a good standard, however an arboricultural method statement (AMS) is required (as advised in the report) to demonstrate how the tree protection measures will be implemented during development, particularly in areas where RPA incursion is proposed. A site arboriculturist is required to be appointed to oversee development and ensure the AMS is followed.

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Tree amenity wise, despite losses of Cat U. / C. trees, the overall arboricultural value of the site should be retained and possibly improved if all of the proposed tree planting is successful. It may be expedient to protect retained trees and trees which will be planted for mitigation via TPO to ensure their longevity following development works.

Tree biodiversity wise, the woodland along the north and west of the development boundary is of high environmental value, acting as a corridor for wildlife and supporting the riverbank. This will ultimately be degraded when dead standing trees are removed and activity within the vicinity increases as a result of the development. The future use of this development is also likely cause disturbance (light, noise, litter) and potentially result in further tree removal due to nuisance issues (proximity to property). Again, securing the longevity of trees via TPO should albeit this potential degradation providing it is expedient to do so

Public Consultation: A notice was posted in the press and on the site (x2) and nearby residents were informed. Observations have been received stating the following:

- While there is a need for housing, there is no need for this number of flats. We would be more supportive if there was more family housing in the development. As for the new information that has been submitted with the application I believe there is room to properly challenge this.
- Having considered the new information received, Bontnewydd Community Council remains of the view that the mix of units is unsuitable for a rural village such as Bontnewydd.
- We are of the view that there are too many one-bedroom units as part of the development, and that the various units have been compressed very close together.
- We have concerns about potential flooding at the site as a result of the river nearby.
- Concerns regarding excessive traffic and nearby road parking with more houses proposed are exacerbating the situation.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The site is located within the Bontnewydd development boundary (identified as a Service Village) as noted in the Joint Local Development Plan and the site is allocated specifically for housing in the Plan (T60 - Land adjacent to Pont Glan Beuno). Based on this, the principle of developing the site for residential units is considered against Policy PCYFF 1 and Policy TAI 3 of the LDP.
- 5.2 Criterion 3 of Policy PCYFF 2 states that proposals should make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential developments. Policy TAI 3 states that an estimated 10 units will be provided on this site. The plan is to deliver 21 new units. Based on this figure, it is considered that the proposal to provide this amount would be substantially higher than what is noted in the policy.

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 5.3 The indicative level of housing for Bontnewydd over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 40 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period between 2011 and 2023, a total of 32 units have been completed in Bontnewydd. The windfall land bank, i.e., sites with extant planning permission on sites not designated for housing, in April 2023, was 1 unit.
- 5.4 The other designation for housing in the plan, namely the Glanrafon Estate in Bontnewydd (T59), has been completed and the figures have been included in the above information. Since the site subject to this application is an allocation (T60) in the Plan, the number of units estimated on the site (i.e. 10 units - in Policy TAI 3) falls under the 'housing allocations without consent'. In considering all of the above information jointly, please note that this additional provision of 11 units exceeds the estimate figure noted in the Plan, which means a housing provision in Bontnewydd that is higher than the figure conveyed in the Policy.
- 5.5 In such circumstances, consideration will be given to the units that have been completed thus far within the Villages and Clusters tier. Policy PS 17 in the Plan states that 25% of housing growth will be located within Villages, Clusters and Open Countryside. A survey of the situation in relation to provision within all the Villages, Clusters and Open Countryside in April 2022 indicates that 1,565 units from the total of 1,953 units have been completed, and 592 are in the land bank (and are likely to be completed).
- 5.6 Currently therefore, as the settlement will see its expected growth level based on this proposal together with the units already completed during the Plan's lifespan and what is in the current land bank, justification will be needed with the application outlining how the proposal would address the needs of the local community. This could be done by: - (i) submitting any marketing research they have undertaken i.e. showing there is a need for this type of development in the area; (ii) that the proposal meets a recognised need for affordable housing; (iii) that the proposal provides for specialist housing needs e.g. units for the elderly; (iv) the units in the land bank are unlikely to be developed in the lifespan of the Plan.
- 5.7 In response to this requirement, the applicant submitted a Housing Statement containing the following information:-
- There is a high demand for one- and two-bedroom houses in Bontnewydd.
  - 309 applicants are waiting for one-bedroom and two-bedroom intermediate and affordable housing for rent.
  - 136 applicants are on the waiting list for three-bedroom intermediate and affordable housing for rent.
  - Demand for houses of four-bedrooms or more is very low in Bontnewydd.
  - Demand is 602% more for 1&2 bedroom units than what it is for 4 bedrooms while demand for 1 & 2 bedroom housing is 134% greater than that for 3 bedroom housing.
  - 3 out of the 21 (or 25%) houses on the site are 3 bedroom houses.
  - Following recent changes to the benefits system, tenants are now being penalised as a result of an empty bedroom tax. As a result, tenants are looking to move into smaller homes.
  - This will then enable under-occupied housing to be released for families who need 3/4 or more bedrooms in Gwynedd.
  - The one- and two-bedroom flats and houses that are part of this application will attract individuals/families affected by the "empty bedroom tax".
- 5.8 In response to the above information, the Local Planning Authority notes the following:

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- Not enough information has been provided for the need for one- and two-bedroom flats.
- There is no specific evidence from local estate agents about any waiting lists for this type of open market units in the area.
- It must therefore be considered whether the evidence submitted by the applicant for a general need for one- and two-bedroom units is sufficient to justify granting permission for 11 additional units in Bontnewydd, which would mean increasing the figure conveyed in the Policy.

5.9 In response to the above observations, additional information was submitted by the applicant stating:

- A local market housing report by "Countrywide" states there is high demand for flats and housing for rental and sale properties.
- 3500 applicants on the waiting list within the County with 11% being first-time buyers.
- Shortcomings within the Planning system to free up more land for Construction within the last 12 months are increasing the demand for Building more houses.
- High demand for rented housing with 9% of housing stock on the current market representing tenure and similar properties.
- Census data continues to show three-bedroom dwelling houses are the most prominent type of housing in Bontnewydd.
- Gwynedd Housing Strategy April 2024 notes 219 people on the register. 198 people show the need for 1/2 bedrooms.

5.10 The key issue here is that the proposal, cumulatively with the current land bank and land designations for housing developments in Bontnewydd, involves a level of development that would be above the indicative demand for residential units during the LDP period. Therefore, the Local Planning Authority must be convinced that this intention would help to meet the needs of the local community (see paragraph 5.6 above).

5.11 It is noted that information was received from local estate agents and the applicant himself and a reference to the current situation is expected and how it would affect the need mentioned by the estate agents and the applicant, i.e. (i) The statements state that 3500 applicants have registered for housing in the last 6 months and that several of the applicants are first-time buyers. Therefore, there is a need for one- and two-bedroom flats. It is also noted that only 9% of houses on the market today are available for long-term rent. Despite this, there are weaknesses in the validity of the data presented here, as there is no reference to which register is being referred to, nor for what, nor the number of bedrooms these applicants have registered for. The Local Planning Authority questions the figure of 3500 as this figure is significantly higher than the data coming from the Council's Housing Options Register and Tai Teg register and is therefore not a fair reflection of the current situation (ii) the applicant refers to information off the Housing Options register which is relevant to the development of social units. There is no reference in the application or within any plan that social units are being developed as part of the proposal. It is also noted that no valid information has been submitted to prove the need for affordable units with information from the Housing Strategic Unit showing there is no need for one- and two-bedroom affordable (intermediate) flats within the village of Bontnewydd; (iii) the applicant states that specific housing is needed for 1 or 2 persons, with Bontnewydd households including similar properties within the village. There is no evidence to show if these individuals already live in one- or two-bedroom houses and whether there is under-occupation which, therefore, makes it difficult to agree with the conclusion that there is a demand for one- and two-bedroom units in this area; (iv) analysis of the current land bank shows that developments within the lifespan of

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

the plan include the Glanrafon housing estate for 26 houses occupied by the local community for open market housing and affordable housing.

- 5.12 Taking into account the above assessment, the Local Planning Authority has not been undoubtedly convinced that the applicant has justified the provision of 11 additional residential units within the plan and that there is a real need for 18 units for one- and two-bedroom flats, therefore, it is not believed that the proposal meets the needs of the local community in accordance with Policy TAI 8. To this end, it is believed that the proposal is contrary to the requirements of Policies PS 17 and TAI 1 of the LDP.

### **Affordable Housing Matters**

- 5.13 As part of the initial information submitted as part of the application, a Housing Statement was submitted by the applicant along with a Planning Statement. This information only stated:

- The proposal to provide 11 affordable units (which is more than 50% of units on the whole site)
- There was little information about partnerships with a Social Housing Landlord, only a reference mentioning there will be a partnership at some point in the future and that a grant from the Welsh Government and Cyngor Gwynedd would help fund the project.
- There was lack of information and assurance in the information submitted in the form of: 1. There was no information on the type, tenure and location of affordable housing provision 2. There was no mention of links with any Social Housing Landlord 3. Lack of information about the costs or rent levels of affordable units; 4. Lack of information about the timing of construction of the affordable homes.

- 5.14 There has been regular dialogue with the developer during the application and in response to the above information the Local Planning Authority noted the following:

- Confirmation was received in an e-mail from the developer on 28/3/24 confirming that no partnership with any local Housing Association had been established.
- There were inconsistencies in the information provided in the assessments that have been submitted, due to the total number of units on location.
- It is not entirely clear what the exact division is between the affordable and open market units. It is therefore difficult to assess if the proposal meets relevant needs e.g. are the affordable units all of the same type or is there a mix of social, intermediate and open market?
- No comments on the affordability of the units have been submitted as no open market valuation has been submitted.

- 5.15 In response to the references made by the Planning Authority when mentioning the inconsistent information, statements were received in an e-mail from the applicant stating that the original plan was to provide 100% affordable housing on the site. But over time, the number has dropped to 50% affordable housing (11 units) and by the time the latest revised information was received; it is intended to provide 30% affordable housing on site (6 units in total in the form of 2 one-bedroom flats and 4 two-bedroom flats).

- 5.16 As the developer has confirmed that 6 affordable units will be constructed on the site, this would comply with the requirements of Policy TAI 15 of the LDP regarding the thresholds of affordable housing and their distribution.

- 5.17 Following discussions as part of the application planning process, revised information was submitted rectifying the information initially obtained as part of the application. However,

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

deficiencies remain part of the application as the applicant has not provided an open market valuation for the site nor for affordability at intermediate level. Therefore, based on a lack of information, it is difficult for officers of the Council's Housing unit to assess the real affordability of the residential units for the site. However, should this application be approved, considering the type and size of affordable units that can be provided on site, it would be possible to agree on a discount for the affordable housing by means of a planning condition.

### **Housing Mix**

- 5.18 In order to promote sustainable mixed communities, Policy TAI 8 states that proposals will need to show that they improve the balance of housing and will meet the needs noted for the entire community. For example, proposals would have to provide an element of affordable housing; contribute to compensating for the lack of balance in local housing markets; ensure the correct mix of the types of tenures of housing to meet existing community needs and make provisions for specific housing needs.
- 5.19 In this case, and as reiterated in the above assessment, the Local Planning Authority has not been undoubtedly convinced that this current proposal meets the need for this type of small units in the form of one- and two-bedroom flats. The Housing Strategic Unit is not convinced that adequate information has been provided as part of the application and proved that there is a need for one-bedroom units, and insufficient evidence has been received confirming why an increase in these numbers of flats in Bontnewydd is necessary. Such a proposal, if granted, could create an imbalance in the type and mix of small units within the village. To this end, therefore, it is believed that the proposal would be contrary to criterion 2, 3, 4 and 5 of Policy TAI 8 of the LDP.

### **Visual amenities**

- 5.20 The area is mainly a residential area with a mix of houses in terms of form, age, construction and design. The existing construction within the site catchment area consists of individual and terraced housing with the structure of Ysgol Bontnewydd not far from the site together with a listed structure in the form of Siloam Chapel located approximately 300m south of the site.
- 5.21 The site is prominent in this part of the streetscape located on a green field on the side of Lôn Caeathro with the "Gypsy Wood" visitor and play centre just east of the site along with Bontnewydd football pitches located approximately 350m to the east. The main building materials that are common to the surrounding area are dwellings of clean red brickwork, natural slate, smooth and rough render and pebble-dash along with a number of dwellings in the form of terraced houses in the centre of the village constructed of local stone. The design principles of the proposed building are set out as follows: -

a) Scale - the site is prominently situated on the side of the class III county road between Bontnewydd and Caeathro. The land descends gradually to afon Beuno which consists of a corridor of mature trees growing along the banks of the river and the northern boundaries of the site. As noted above, the land has been designated for 10 units within the LDP and it is intended to build 12 new buildings on the site which will be a mixture of 3 individual houses and 18 residential flats. The height of the proposed two-storey buildings will be similar in nature and feel to the residential buildings seen within an adjacent housing estate, namely the Llwyn Beuno Estate and also within the village itself. The scale of the buildings in terms of size is considered acceptable.

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

b) Design - the design concept is to create a residential development that has a modern feel to it with finishes of various contemporary materials and the design reflects the dwellings within the village. The brick and rendered finish will create a smooth appearance that is sympathetic to the vernacular feel of the village itself.

The dwellings will feature varieties of gable ends with a few porches on the front of the dwellings to add character and variety to the appearances. As part of the discussions with the application, some concern was raised regarding movement within and across the site along with the accessibility of the site for wheelchair-users. Note the different levels across the site and no disabled parking spaces have been designated. An enquiry was also made about the treatment and cross-section levels of the northern boundary abutting the river with the retaining wall extending along the northern boundary. This information was not received but it is considered that a condition may be imposed to agree on the levels and treatment of the northern boundary should the application be granted.

c) Layout – the site is situated within a village context with the site evident on the side of the road when travelling from Bontnewydd to Caethro. The site is set on a specific site near the village roundabout with good road links to Caernarfon to the north and then to Porthmadog and Pwllheli to the south. The row of front houses will be clearly set from the road where the slope to the river leading to the houses within the estate would be less prominent.

Ch) Landscaping - it is intended to undertake landscaping work around the building and on the edges of the site which includes soft landscaping (plants and trees) and hard landscaping (paths and walls) and the purpose of landscaping is to create private amenity spaces for prospective residents and contribute towards the quality of the development. There will also be a flood basin located in the western corner of the site. It is noted from the consultation with the Trees Unit that there is concern regarding the corridor of trees along the boundary of the site and the banks of the nearby afon Beuno. The Trees officer notes that a more detailed examination is needed of the impact of the development on these trees with the risk of loss of vegetation and the flora and fauna which are important for the wildlife of the area. The officer notes that an assessment to protect the trees in the long-term would be required to assess the value of the trees to preserve and protect this corridor of trees for the future.

5.22 It is acknowledged that there are concerns about the design and lack of information about the levels and treatment of the northern boundary and, should other elements of this application have been acceptable, further dialogues would have been held to resolve these concerns or planning conditions on any approved application would have been imposed to resolve these concerns before commencing any work on the site. With significant concerns regarding issues relating to housing figure considerations, affordability and mix of housing, the LPA did not ask for further details regarding design until other issues from the application were resolved.

#### **General and residential amenities**

5.23 As referred to above, residential dwellings are located to the south and north of the application site. A number of objections were received as a result of the public consultation process. Mainly, and from an amenities perspective, the concerns relate to transport matters, flooding and housing mix. The element of housing considerations and flooding matters is discussed in another part of this report but, based on the impact of traffic movements, loss of parking spaces and overall impact on the amenities of nearby residents as a result of this development, the following is noted:

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- While the proposed development would see an increase in the number of vehicles using Lôn Caeathro from this estate, the biggest increase is anticipated during busy hours in the morning and during the afternoon. The travel assessment completed by the consultant assumes there will be 10 two-way trips during the peak hours of the morning with 8 two-way trips during the busiest hours of the afternoon resulting from the proposed residential development (i.e. occasionally during the day). As the frequency of traffic coming and going from the site is so low, it is not believed that granting this application would produce a substantial or significant increase in the intensity of transport (and associated noise disturbance) that will use Lôn Caeathro.
- As it is intended to build a housing estate on an existing field then it is inevitable that there will be some inconvenience and disruption to local residents while construction is underway. It would however be possible to impose a condition on the permission to limit the hours of construction work and to submit and agree on a construction method statement.

5.24 In light of the above it is not considered that the proposal would have a material adverse effect on the amenities of the local neighbourhood and the proposal is considered acceptable in terms of criterion 7 of policy PCYFF 2 of the LDP.

#### **Transport and access matters**

5.25 A Transport Statement was submitted with the application, which concluded that transport levels that may derive from the development would be acceptable on the grounds of road safety along with the safety of road users. It is intended to create a new access on the southern part of the site with a new additional lay-by for 4 cars located approximately 50m to the east which will include a footpath linking the site to the new lay-by. The existing lay-by will be set back 0.5m from the existing road to improve visibility from the access of the Cae Stanley site. With this stretch of road now at 20mph along with the changes to the lay-by to the west of the site access, it is considered that there are no concerns in terms of the visibility of the access to this housing estate. It is also intended to create 32 parking spaces which include 4 visitor spaces within the site.

5.26 In response to the statutory consultation process, the Transportation Unit has no objection to the application based on road safety and accessibility of the site, subject to the inclusion of relevant conditions/notes. To this end, therefore, it is believed that the proposal complies with the requirements of Policies TRA 2 and TRA 4 of the LDP.

#### **Drainage and Flooding Issues**

5.27 Following the statutory notification period an objection was received on the basis that the Flood Map for Planning showed that the site was partly within Zones 2 and 3 rivers. Following the process of submitting a pre-application enquiry, the applicant received advice on flood risks for this site, but in the meantime, Cyngor Gwynedd is in the final stages of completing site-specific flood modelling exercises on Afon Beuno to inform potential flood mitigation measures following a flooding event in the village during 2015.

5.28 The applicant has submitted a Porosity Report along with a Flood Risk Assessment with this application which explains the system of disposing surface and foul water from the application site. As required on estate applications of similar residential housing, it is expected to submit a water conservation statement. This document was not received.



PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 5.29 The reports received state that the surface water disposal system can be designed to comply with the requirements of a Sustainable Drainage System (*SuDS*) with the foul water disposed of by connecting to the existing sewerage network.  
In accordance with the current statutory requirements, surface water run-off from the site will be limited to the speed of existing greenfield surface water and the majority of the existing drainage system will be renewed with a new drainage system. The Drainage Statement states that there will be a reduction in surface water run-off from the site as well as the inclusion of water attenuation areas and surface water storage within the site itself, together with use of the flood basin in the western corner of the site. This basin will also act as a basin in mitigating the risk of flooding from the nearby afon Beuno.
- 5.30 NRW and the Water and Environment Unit were consulted on the flooding matter. NRW confirmed that the flood basin, which also acts as a surface water slowing basin, increases the risk of flooding on the site. During periods of heavy rainfall in times of flooding, any flood-borne debris can compromise the effectiveness of the slowing basin and the external flow control devices. As referred to above, the Land Drainage Department is in the process of constructing a detailed flood model for this particular area, and it is considered that the existing data submitted as part of the Flood Statement to this application is not up-to-date with assumptions. It is considered that flooding to the site may be significantly higher than what is suggested in the information submitted as part of the application. When considering responses from Natural Resources Wales and the Council's Drainage Unit, it is considered that the developer will have to submit a flood management plan containing data from the flood model referred to above. Therefore, it is considered that the information is premature and the revised report will have to include the correct data from the flood model before determining the application.
- 5.31 Taking into account the above assessment, without the current flood information included in the flood report that has been received as part of the application, it is not believed that flooding and site drainage matters can be effectively managed. The proposal is, therefore, considered to be contrary to the requirements of Policies ISA1, PS2, PCYFF6 and PS5 of the LDP together with the requirements of NCT15.

### **Biodiversity and Trees Issues**

- 5.32 A Preliminary Ecology Report and Trees Assessment were submitted which confirm that the comprehensive composition of the site is of negligible ecological value and species importance. In response to the statutory consultation process the Biodiversity Unit states that further study relating to protected species and the impact of light on these habitats is needed along with reptile reports before any decision is made. There was also concern from the trees officer regarding the loss of a corridor of trees along the northern boundary of the site as part of the development. It was noted that this area of trees plays an important role in maintaining local wildlife habitats and special species. It was recommended to submit revised site plans indicating the role of the river and green corridor along the northern boundary integrated as part of the development and these details would be necessary before a final decision was made on the application.
- 5.33 On 7 February 2024, the Welsh Government published an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, net worth to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. Although it is considered that such a statement was not required as part of the initial information to the application, it is required with applications since the announcement by the Welsh Government to submit such statements. Although the council reminded the developer about the information, no statement has been submitted. To this end, on the basis of a lack of information relating to the protected species

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

and wildlife of the site together with the fact that there is no Green Infrastructure Statement which explains how the proposal addresses ensuring net benefit for Biodiversity and the protection of Trees and Woodlands of the site, it is considered that the proposal is contrary to the requirements of Policy AMG 5, PS19 of LDP and the new requirements of Chapter 6 of version 12 of Planning Policy Wales (October 2023).

- 5.34 In accordance with the Habitats and Species Regulations 2017, the Council is required to undertake a Habitats Regulations Assessment (HRA) and Appropriate Assessment. Under the provisions of the regulations, the Local Planning Authority has a statutory duty to consult with Natural Resources Wales when it undertakes an appropriate assessment for a new plan or project, and is required to consider any representations made by NRW to show that this particular proposal, together with the cumulative and joint impact of permitting other developments within the area, would not undermine the designation of the SAC and SSSI.
- 5.35 The applicant has provided a Shadow Habitats Regulation Assessment (HRA) which concludes that the SAC will not be affected. No full assessment has been undertaken by the Council's Biodiversity Unit, but initial comments (based on lack of information) have identified a potential adverse impact this development may have on the integrity of the Afon Gwyrfai and Llyn Cwellyn Special Area of Conservation (SAC). Without receiving this further information, it is not possible to conclude that there would be no significant impact on the Special Area of Conservation.
- 5.36 It is also noted that Natural Resources Wales has made representations regarding other protected species and raised the concern of a potential impact of pollution risks to the water environment that would arise from the proposed development. The foul water of this development would flow to the Llanfaglan sewerage system with a permit to discharge into afon Gwyrfai which has been designated as a Special Area of Conservation.
- 5.37 Since 2021, phosphorus levels in Welsh rivers have been being strictly monitored, with afon Gwyrfai being one of them.  
For some time now there has been uncertainty regarding the capacity of Llanfaglan sewerage treatment plant to accept and process more foul water from housing developments such as the one in question on this site. However, following a second consultation with Welsh Water at the end of April 2024, confirmation was received that the Llanfaglan Sewerage system has the capacity to accept foul water from this development.
- 5.38 Although the confirmation was received from Welsh Water regarding foul water drainage, without the further information responding to the comments relating to protected species by NRW and the Biodiversity Unit, Ecological concerns remain with this development and therefore the proposal is contrary to Policies PS 19 and AMG 5 of the LDP.

### **The Welsh Language**

- 5.39 A Welsh Language Impact Assessment was submitted with the application in accordance with the requirements of Policy PS1 of the LDP, along with advice included in the SPG: Maintaining and Creating Unique and Sustainable Communities document. In response to the statutory consultation process, in order for them to undertake a fair and balanced analysis of the application, the language unit has stated that it will be necessary to include up-to-date information from the 2021 Census to assess the impact of the development on different age groups within the

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

study. In addition to this, as there is no robust evidence in proving the need for the number of additional housing and the housing mix proposed as part of this proposal, no evidence has been submitted to prove the certainty that this development will have a positive impact on the language. To this end, without this up-to-date information, it is not possible to reach a firm conclusion and based on the lack of information, it is considered that the proposal is contrary to Policy PS 1 of the LDP.

### **Heritage Assets**

- 5.40 In response to the statutory consultation process, representations were received from the Gwynedd Archaeological Planning Service stating that a condition would have to be included before work commences on the site to submit a programme of Archaeological work and to be agreed by the Local Planning Authority within any planning permission, along with the need to submit details of a programme of archaeological recording within 6 months of completing the fieldwork. Based on this, the proposal is considered acceptable based on the requirements of Policies PS 20 and AT 1 of the LDP.

### **Educational matters**

- 5.41 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP together with the SPG: Housing Developments and Educational Provision. In response to the statutory consultation, the Education Department has provided new figures with a statement stating that a new school is being built in Bontnewydd with capacity for 210 pupils and 30 in the nursery school. It has also been confirmed that adequate capacity is available at the secondary school of Ysgol Syr Hugh Owen for this development. Therefore, it is believed that no educational contribution will be needed should this application be approved. Therefore, it is believed that the proposal complies with the requirements of Policy ISA 1 of the LDP as well as the relevant SPG requirements.

### **Open space matters**

- 5.42 According to Policy ISA 5 of the LDP, proposals for 10 or more houses in areas where existing open spaces cannot meet the needs of the proposed housing development are expected to offer suitable provision of open spaces in line with Field in Trust (FIT) benchmark standards of 24ha per 1,000 of the population.  
The proposal is for 21 residential units and to this end consideration will need to be given to the need for open spaces as part of the development if there is no adequate provision close to the site.
- 5.43 Current information shows that there is a lack of play areas for children (with and without equipment) within 1.2km of the application site. Policy ISA 5 and the supplementary planning guidance for open spaces emphasise that the provision of play/open spaces should initially be "within the site". If on-site provision is not possible, a developer is able to offer a financial contribution when this is justified. Therefore, based on costs for open space provision for children and in accordance with FIT requirements the amount of a financial contribution would be:

- Informal Play Areas for Children = £1733.94
- Play Areas with Equipment for Children = £2630.43

PLANNING COMMITTEE	DATE: 29/07/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

5.44 It is understood by the applicant that he would be willing to contribute to improve existing provision within the community if the application was granted but that alone is insufficient to meet the needs of policy ISA 5 as the policy initially requires on-site provision. Based on the assessment that is part of this report, the need for 21 units has not been proven, with this high figure resulting in a high density of housing that exceeds what is noted in the LDP. As a result, there is no space on site to provide a play area. Without obtaining evidence about the need for the number of houses and the development density and without receiving justification otherwise, it is not possible to meet the needs of policy ISA 5. The proposal as it stands, is therefore considered to be contrary to policy ISA 5 of the LDP together with the relevant SPG.

## **6. Conclusions:**

6.1 Having considered the above assessment, it is considered that the proposal to develop 21 residential units in the form of 18 flats and 3 dwellings on this site would not be acceptable in principle. Based on a lack of evidence it is unclear if there is a real need in Bontnewydd for small one- and two-bedroom units. Although the Council recognises that the site has been designated for 10 residential units, based on a lack of information in proving the need for an additional 11 units and the mix of housing, it is believed that granting this application would lead to an imbalance in this type of residential accommodation provision in the village and that it would not respond positively to housing needs that have been identified in Bontnewydd itself. It is also considered, with the insufficient and inconsistent information that has been submitted as part of this application, that there are significant concerns in terms of flooding and biodiversity matters in the local area and that no full consideration has been given to the impact of the development on the Welsh language and open spaces within the site. In assessing the application, full consideration was given to the observations received in response to the consultation period and to the response received from statutory consultees.

6.2 Based on the above assessment, the proposal is considered to be contrary to local and national policies and although the applicant has stated that developing the site would help to move Gwynedd residents to smaller houses in Bontnewydd and who have suffered from the one bed tax, which would be a material consideration of such a scale that it would outweigh any policy concerns/conflicts, the Local Planning Authority does not agree with this opinion given the content of the above assessment. Therefore, to this end it is considered that the proposal is not acceptable based on the reasons for refusal below.

## **7. Recommendation:**

7.1 To delegate powers to the Senior Planning Manager to refuse the application based on the following reasons:

1. The proposal is contrary to the requirements of Policies PS 17, TAI 1 and TAI 8 of the Gwynedd and Anglesey Joint Local Development Plan (2017) as it is considered that the applicant has not submitted sufficient evidence with the application to convince the Local Planning Authority that there is a need for additional one- and two-bedroom flats in Bontnewydd considering that this proposal exceeds the indicative figure noted in the Plan and would create an imbalance in the type and mix of small units within the village and no evidence has been received that the proposal would respond positively to the needs of the local community.
2. No evidence was received about the need for the number of houses and up-to-date information within the Welsh Language Assessment to be able to assess if the proposal meets the

<b>PLANNING COMMITTEE</b>	<b>DATE: 29/07/2024</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

requirements of criterion 1c of Policy PS1 of the Gwynedd and Anglesey Joint Local Development Plan which requires a Welsh language statement indicating how proposed developments would protect, promote and strengthen the Welsh language. On this basis, the Local Planning Authority is not convinced that the proposal would not have a negative impact on the Welsh language in the plan area.

3. The site lies within an area at risk of surface water flooding and as sufficient information was not submitted with the Flood Consequence Assessment, including a Water Conservation Statement which would have considered the safe development of the site and demonstrated that the proposed development would not displace surface water towards other properties, it is not believed that the proposal is acceptable based on flood risk and that it is, consequently, contrary to criterion 8 of policy PS 5, criterion 7 of policy PCYFF 2, criterion 6 of policy PCYFF 3, criterion 4 of policy PS 6, policy PCYFF 6 together with the instruction provided in paragraph 11.1 of Technical Advice Note 15.
4. Insufficient information has been submitted as part of the application for assessing the impact of the proposal on the Special Area of Conservation, protected species and wildlife of the site. No Green Infrastructure Statement was submitted either and, therefore, the proposal is contrary to the requirements of policies PS19 and AMG 5 of the Anglesey and Gwynedd Joint Local Development Plan (2011-2026) which protect species and wildlife along with the requirements within Chapter 6, Version 12 of Planning Policy Wales.
5. The proposal is contrary to policy ISA 5 and the SPG for open spaces as there is no justification for the lack of provision of open spaces within the development while also considering the lack of evidence of the need for the number of houses and the high development density.