

<b>PLANNING COMMITTEE</b>	<b>DATE: 03/02/2025</b>
<b>THE REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 4**

**Application Number: C20/1093/24/LL**

**Date Registered: 12/01/2021**

**Application Type: Full**

**Community: Llanwnda**

**Ward: Llanwnda**

**Proposal: Application to erect 16 dwellings with associated access, parking and landscaping**

**Location: Land by Talardd, Dinas, Caernarfon, LL54 7YN**

**Summary of the Recommendation: To delegate the right to the Assistant Head of the Environment Department to approve the application**

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## 1. Description:

1.1 This is a full application to provide 16 residential units, with associated access, parking and landscaping. The proposal has been submitted by Beech Development, and the site (once built) would be in the ownership/management of Adra, a Registered Social Landlord. The application can be split into several different elements, which include:

- The provision of 16 affordable units comprising of 2, two-bed bungalows for 3 persons (social rent) 4, two-bed houses for 3 persons (social rent), 6, two-bed houses for 4 persons (4 of these for social rent and 2 for intermediate rent) and 4, three-bed houses for 5 persons (2 for social rent and 2 for intermediate rent).
- Plots 1,2,10 and 11 will be flats, and plots 6 and 7 will be one-storey semi-detached houses with the rest of the development two-storey semi-detached or terraced housing.
- It is intended to provide an access for pedestrians from the development to the A487 highway.
- It is proposed to have a vehicular access to the site from the housing development site directly next door which has already been approved under reference C14/0386/24/LL on appeal.
- It is proposed to provide a formal play area with equipment at the centre of the site.

1.2 The site stands almost opposite a garage and an outdoor activities equipment shop, and residential housing is situated opposite and near its side. The Welsh Highland Railway passes on one side of the site and the A487 runs past its front. The site has been used until recently as an informal car park following the demolition of the restaurant that was located there. Currently the site is empty since the completion of the housing development directly next door.

1.3 The site is located partly within the development boundary of Dinas, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP). In order to support the application, the following documents were submitted -

- Housing Mix Statement November 2024
- An Affordable Housing Statement November 2024
- Green Infrastructure Statement 11.11.2024
- Planning, Design and Access Statement
- PAC Statement
- Transport Statement
- Construction Method Statement
- Language Statement January 2025
- Drainage Information
- Ecological Assessment
- Pollution Prevention Plan 15.11.2024
- Traffic Management Method Statement January 2025
- Trees Report
- Housing Needs Survey
- Lighting plan 14.08.2020

1.4 It was confirmed that the applicant had 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 defined as a major development. A Pre-application Consultation Report (PAC) has been included with the application to reflect this

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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 involve constructing more than 150 houses on a site that is larger than 5ha in size - Schedule 2, Regulation 2(1) of the Town and Country Planning Regulations (Environmental Impact Assessment) (Wales) 2017.

- 1.5 Amended plans have been submitted as part of the application in response to and in order to mitigate the concerns of the Welsh Government's Trunk Road Unit, however, it is noted that the A487 is no longer a trunk road as the Caernarfon By-pass has been completed. It is also noted that the revised application form has been submitted which confirms that all the units would be offered as affordable housing, together with the revised documents relating to this (Affordable Housing and Housing Mix Statement).
- 1.6 ADRA have confirmed the tenure of all units as a mixture of social and intermediate rents, together with confirming that it was intended to install PV solar panels on the roofs of the houses as well as air source heat pumps.
- 1.7 Revised documents and plans have been submitted to update the application as a result of the period of time since the application had been submitted.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017: -**

Policy PS1 - Welsh Language and culture.  
 Policy PS2 - infrastructure and developer contributions.  
 Policy ISA1 – infrastructure provision.  
 Policy ISA5 - provision of open spaces in new housing developments.  
 Policy TRA2 – parking standards.  
 Policy TRA4 – managing transport impacts.  
 Policy PS 4 – sustainable transport, development and accessibility.  
 Policy PS5 - sustainable development.  
 Policy PCYFF1 – development boundaries.  
 Policy PCYFF2 - development criteria.  
 Policy PCYFF3 – design and place shaping.  
 Policy PCYFF4 - design and landscaping.  
 Policy PCYFF5 - carbon management  
 Policy PCYFF6 - water conservation.

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Policy PS17 - settlement strategy.  
 Policy TAI 4 - housing in local, rural and coastal villages  
 Policy TAI8 - appropriate housing mix.  
 Policy TAI15 - threshold of affordable housing and their distribution.  
 Policy TAI16 - exception sites  
 Policy AMG5 - local biodiversity conservation.

Gwynedd Planning Guidance (2003).  
 Supplementary Planning Guidance (SPG): Housing Mix.  
 SPG: Maintaining and Creating Unique and Sustainable Communities.  
 SPG: Planning Obligations.  
 SPG: Affordable Housing.  
 SPG: Housing Developments and Educational Provision.

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

A letter from the Minister for Housing and Local Government, 2019 regarding focusing on supplying social housing in Wales.

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Regulation 63 of the Habitats and Species Conservation Regulations 2017 (as amended)

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

TAN5: Planning and Nature Conservation (2009).

TAN12 Design (2016).

### 3. **Relevant Planning History:**

- 3.1 C16/0122/24/HD - Demolition of a flat roof extension at the rear of the property – APPROVED - 31.03.2016.
- 3.2 C16/0463/24/HD - Demolition of former restaurant and laying hard standing to make the site safe - APPROVED - 26.07.2016.
- 3.3 C16/1093/24/AM – Erection of 2 two-storey houses - APPROVED - 14.10.2016.
- 3.4 Applications on the site nearby where it is proposed to create a through access to this application's site:
- 3.5 C14/0386/24/LL - Renewal of planning application number C08A/0568/24/LL and C09A/0532/24/LL for the erection of 24 dwellings, to include 12 affordable houses, alterations to the existing access and the creation of estate roads (amended plan to the plan originally submitted) - REFUSED - 13.02.2019 - APPROVED ON APPEAL

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- 3.6 C20/0088/24/AC - Application to amend condition number 2 of application C14/0386/24/LL permitted via appeal (APP/Q6810/A/19/3221957) to modify the site plan and elevations and floor plan to provide amended house type 5 in relation to plot 11 - APPROVED - 27.05.2020.
- 3.7 C20/0665/24/RA - Application to discharge the following conditions from planning permissions APP/Q6810/A/19/3221957 and C20/0088/24/AC: number 8 - surface water, number 9 - foul water drainage, number 10 - landscaping, number 13 - affordable housing, number 15 - dealing with non-invasive plants, number 16 - pollution avoidance, number 18 - construction management statement, number 19 - bilingual matters - APPROVED - 07.01.2021.

#### 4. Consultations:

Community/Town  
Council:

Observations 15.12.2024

There was a discussion in an extraordinary meeting of Llanwnda Community Council on 11 December regarding the above development to erect housing as part of Phase 2 of the land development near Talardd, Dinas. Concern was raised that the houses would be let by Adra under Gwynedd's Common Housing Allocations Policy which does not give consideration to protecting the Welsh language. This policy allows the relocation of many people who do not speak Welsh to live in the most Welsh of communities, without a system in place for them to assimilate or to support the Welsh language communities to cope.

We understand that recent information presented by the Welsh Language Commissioner notes that the impact assessment undertaken on the Gwynedd Common Housing Allocations Policy in 2029, failed to comply with the Welsh Language standards and that Cyngor Gwynedd had received a notice from the commissioner that a comprehensive impact assessment should be undertaken on the policy when assessing and revising it.

The decision of the members of Llanwnda Community Council was to object the development as houses would be let by Adra under Gwynedd's Common Housing Allocations Policy which operates contrary to the strategic aim of Llanwnda Community Council of 'protecting and increasing the use made of the Welsh language'. In doing so the Councillors committed as individuals, and as a Council, to strengthen the Welsh language and to support each other and all the Welsh Government's efforts to achieving the target of one million Welsh-speakers by 2050.

Specifically, we believe that the application is contrary to policy PS1 - the Welsh Language and Culture.

This policy states that proposals which would cause substantial harm to the character and language balance of a community that cannot be avoided or suitably mitigated by appropriate planning mechanisms should be refused.

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Over 80% of the local population speak Welsh, and therefore the area is significant in terms of use of the Welsh language.

The communities with a high number of Welsh speakers are becoming scarce, and therefore it is vital that we protect them. We note that the applicant has prepared a language statement, and table 6.2 on page 30 of the language statement specifically deals with the potential impact of the development on the Welsh language. However, the opinion and evidence in the statement is theoretical and notional.

As the Gwynedd Common Housing Allocations Policy does not consider the use of language at all, clear and unmistakable evidence is required that the development will not harm the Welsh language. In the absence of this, we must object to this application.

Another concern expressed regarding this application is that it does not appear that there will be a separate access from the A4871 in Dinas to the proposed estate, suggesting that all the traffic would go in and out of the Estate along the same access, namely the one on the turning to Rhos Isaf. It was suggested that it would be much better to use another access to the proposed estate, and to retain the two estates without a link road for cars - only for pedestrians - to encourage a sense of privacy, tranquillity and neighbourhood.

Transportation Unit:

Observations 13.01.2025

Thank you for sending this to us. I am satisfied with the new traffic statement; therefore, I have no objection. I ask for the following planning conditions to be included on any planning permission.

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

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

*The Applicant shall take all appropriate measures to prevent surface water from within the curtilage of the sites to discharge onto the county highway.*

*The estate road and footways shall be surfaced to basecourse standard before any dwellings which it serves are occupied.*

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

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*Authority, whichever is the sooner.*

Observations 18.12.2024

I refer to the above development and I wish to state that although I have no objection to the principle of the development, I ask that the Traffic Management Method Statement is amended to protect the current road constructed as part of Phase 1.

It is noted that the proposed access during the work of constructing the road and sewers should be via the former access to the public house. Once the road and sewers are in place, it is proposed to use the road of Phase 1 Gwel y Llan to construct the houses. Gwel y Foel was recently adopted, therefore we are not supportive of construction traffic using this section of the road.

To protect against this outcome, I ask for the follow-on work to be reviewed to allow access via the old access to the public house for most of the construction work. Only when it is not practical to use the former public house access anymore should access through Gwel y Llan start. I ask that the Traffic Management Method Statement is reviewed and re-submitted for approval prior to giving any permission.

Natural Resources  
Wales:

Observations 09.04.2024

Protected Sites

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 (August 2023), 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 water drainage that is released from the site in planning terms.

We note from the information submitted that the development has the potential to increase the amount of phosphorous released from the site. We note that information has already been submitted by the applicant regarding the main sewer, However, we advise you to ask for updated information from the sewerage undertaker (Dŵr Cymru Welsh Water) as is noted in the section titled 'What does this mean for development proposals involving a connection to private sewage treatment systems' of that advice.

Specifically, the sewerage undertaker, if the sewerage network and the associated treatment works have the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

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We can confirm that the environmental permit for the Llanfaglan waste water treatment works have been reviewed against the revised conservation objectives for water quality.

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.

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

#### Protected Species

We have reviewed the Impact on Bats Assessment (Etive Ecology Ltd, 12/11/2020), submitted to support the above application and we are satisfied with this. The mitigation measures recommended in this document should be fully adhered to. We recommend that you include the following documents within the condition that notes approved plans and documents on the decision notice:

Document - Etive Ecology Ltd, Assessment of Impacts on Bats, 12/11/2020.

Welsh Water:

Observations 16.12.2024

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

#### ASSET PROTECTION

We advise that the proposed development site is crossed by public sewers, 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 proposed site plan submitted as part of this planning application, it appears the proposed dwellings would be situated outside of the protection zones of the public sewers measured 3 metres either side of the centreline. However, as our record plans are a general guidance only and should not be relied upon in the event of excavations or other works, we would advise of the need to accurately locate the sewers on site. Should the proposed development be located within the protection zones of the public sewers there would be a need for the applicant to apply to divert the public sewers under Section 185 of the Water Industry Act 1991.

The proposed development site is in the catchment area of a



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public sewerage system which drains to Llanfaglan Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We would advise that this WwTW has a phosphorus consent limit and is currently compliant with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. Accordingly, we would advise there is currently suitable hydraulic capacity in the public sewerage system and downstream WwTW to accommodate foul water flows from the development subject of this application.

Notwithstanding the above, we would request that if you are minded to grant Planning Consent for the above development that the Condition and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.

#### Condition

No buildings on the application site shall be brought into beneficial use until such time as the surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development site, has been completed in accordance with the 'Off-site Highway Drainage Mitigation'. (Drawing No. 3753-CAU-XX-XX-DR-C-1601\_P05) and written confirmation of this has been issued to the Local Planning Authority.

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

#### Advisory Notes

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems.' It is therefore recommended that the developer engage in consultation with Gwynedd Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dŵr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design

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of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dŵr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times.

Rights of Way:

Observations 02.12.2024

Comments - I refer to the above application. It does not appear that there are any Rights of Way recorded that will be affected by this proposal.

Public Protection:

Observations 24.12.2024

Construction work may cause a noise and dust problem to nearby residents. I note that the site is very close to houses. In order to safeguard the area's residents, any building work should be undertaken between the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturday and not at all on Sunday or Bank Holidays.

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

A detailed plan to manage dust, noise and vibration as a result of construction work should be submitted to the Local Planning Authority. It was advised that a noise barrier should be installed opposite nearby housing to reduce noise.

The site is close to residential dwellings and therefore an acoustic fence should be installed around the site to ensure that noise does not have a negative impact on the area's residents during the construction period.

The development must adhere to the guidance on noise insulation and ventilation in Approved Document E and F of the Building Regulations.

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Construction can cause noise and dust problems for residents nearby. It has been noted that the development is very close to properties. To protect the area's residents, construction should take place between the hours of 08:00-18: 00 Monday - Friday, 08: 00-13: 00 Saturdays, and not at all on Sundays and Bank Holidays.

Best practicable methods should be used to reduce noise and vibration at work and consider the recommendations of the BS5228: Control of Noise and Vibration on Construction and Open Sites, which may include mitigation such as erecting acoustic barriers around the site near residential properties. A detailed construction plan to control dust, noise, and vibration as a result of construction should be submitted to the Local Planning Authority. It was advised that a noise barrier is erected opposite neighbouring houses to reduce noise.

The site is close to residential houses and therefore an acoustic fence should be installed around the site to ensure that noise does not have a negative effect on the residents of the area during the construction period.

#### Language Unit

Observations 13.01.2025

Following our previous observations, while we appreciate the fact that the revised statement includes statistics on the language ability of Adra tenants with the revised application, which highlight that most of the tenants are Welsh speakers, current data for schools is still missing in the statement. Consequently, there was no change to our observations dated 18 December. Please see the following:

The Statement has highlighted evidence of a demand for homes in the area with the Housing Options Team and Tai Teg data.

However, Dinas has reached its indicative growth level and a number of other developments have been approved in the Llandwnda/Bontnewydd/Caeathro area in recent years.

The current data for schools was required as a result of the closure of Ysgol Felinwnda.

It was the 2020 figures that were in the assessment.

As a result of the local demand, there was a possibility that the development may have a minor positive impact. However, it should be borne in mind that a minor change in population may lead to a major change in the percentage of Welsh speakers in the area.

#### Housing Strategic Unit:

Observations 07.01.2025

Information about need:

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

88 options on the Tai Teg register for intermediate properties.

84 applicants on the common housing register waiting for a social property.

Information on the type of need:

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

Number of bedrooms (owned or part-owned)			
Number of bedrooms	Need as a %	rent	buy
1 gwely / bed	0%	0%	0%
2 gwely / bed	31%	13%	18%
3 gwely / bed	63%	28%	34%
4+ gwely / bed	7%	1%	6%

Number of bedrooms  
(Housing Options Team)

Number of bedrooms	Need as a %
1 gwely / bed	21%
2 gwely / bed	45%
3 gwely / bed	23%
4 gwely / bed	8%
5 gwely / bed	3%

Suitability of the Plan:

Based on the above information it appears that the Plan:-  
Meets the area's needs

The plan has been included within the programme to receive a Social Housing Grant from the Welsh Government.

These schemes contribute directly to the aim of the Cyngor Gwynedd's Housing Action Plan to provide more housing to meet with the current high demand that exists in the county.

Education Information  
Officer:

Observations 10.01.2025

Below, we include the numbers of the two primary schools that are close to the site, namely Ysgol Llandwrog and Ysgol Bontnewydd.

For information, a review of the future of Ysgol Felinwnda's catchment area is currently ongoing, and it is expected that a decision regarding the school and the catchment area will be

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made early in the spring term.

Llandwrog – confirmation that there is capacity.

Bontnewydd – confirmation of capacity at the new school in 2026

Syr Hugh Owen – confirmation that there is capacity.

Drainage Unit:

Observations 06.01.2025

Thank you for the following consultation and apologies for the late reply.

This unit does not have any observations to propose further to those submitted for this development on 05/02/2021.

Observations 05.02.2021

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 100m<sup>2</sup> 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 made to the SuDS Approval Body for approval before construction work commences. The drainage strategy and plan submitted shows that the developer intends to use sustainable drainage methods; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SAB is recommended.

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Biodiversity Unit:

Observations 14.01.2025

Confirmation that the plans are fine.

Observations 19.06.2024

Pollution Prevention Plan – still needs to be provided.

Lighting – Thank you for information for street light types and the illumination map and the proposal to dim the streetlights between 10pm and 6am. However, the illumination map of the site does not show the potential light emitted from the proposed houses, nor does it show the lux levels lower than 5 lux. I assume that the illumination map is before the streetlights are dimmed at 10pm. Will there be any external light fixture on the proposed houses? If so, are you able to provide the specifications and illumination angles?

Green Infrastructure Statement – we recommend that this integral to the development and that it is produced by someone who has an overall understanding of the whole development and all works to take place.

Observations 30.04.2024

Since my comments on the 7th July 2021 NRW have reviewed Dŵr Cymru's Environmental Permit for the discharge of treated water into the Afon Gwyrfaï from the Llanfaglan Sewage Treatment Works. The review by NRW has maintained the phosphorus limit of the permit at 1mg/l.

Dŵr Cymru, in a letter dated 28th March 2024, have confirmed that the Llanfaglan WWTW has the capacity to process sewage from the proposed planning application for 16 houses within their phosphorus limit of 1mg/l.

Cyngor Gwynedd as the competent authority Under the Habitats Regulations have considered the impact of this development on the Afon Gwyrfaï SAC and concluded that the proposed development is unlikely to have a significant impact on the Afon Gwyrfaï SAC.

Observations 22.06.2021

I agree with the findings of the Preliminary Ecological Appraisal.

However, it should be noted that reports such as this are usually only applicable for 2 years. This report was provided in 2018.

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I have checked with Cofnod, and no additional protected species have been recorded within 1km of the site since the report was issued, therefore, I am willing to accept it for this application.

According to the PEA report, the following points will need to be added as a condition:

- Habitats: 4.3.1; 4.3.2 and 4.3.3
- Bats: 4.3.4 and 4.3.5
- Birds: 4.3.6 and 4.3.7
- Otters: 4.3.8 and 4.3.9
- INNS: 4.3.10

Additional observations (that need to be conditioned):

- I would like to see the retained hedgerows enhanced by planting native species where needed (e.g. in sparse sections).
- The applicant needs to provide a site management plan (that includes hedgerow management).
- Need to provide a lighting plan.
- Need to provide a landscaping plan – I would suggest that the plan includes planting native species as well as creating native wildflower meadows.
- Need to provide INNS eradication and management plan.

Trees Unit:

Thank you for consulting on this matter.

The trees report is very detailed and assesses the impact of the development on the trees and their roots. One group of trees and one singular tree have been identified for removal to enable the development.

With the remainder, the report identifies areas where care needs to be taken with the trees so as not to damage them with the development work. There is an outline of this in the arboricultural impact assessment, in the report - it is noted that there is a need for working methods that will reduce damage e.g. manual excavation, laying a hard path that will not damage the trees.

Due to the specialist work around the trees, I would suggest that arboriculture supervision is required for this project.

Gwynedd  
Archaeological  
Planning Service:

Archaeological work condition due to the archaeological potential of the site - this is not relevant for the access as it has already been permitted.

Assembly  
Transportation (Trunk

No observations to the second consultation in November 2024 have been received, however it is noted that the A487 is

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roads): no longer a trunk road.

Observations 29.07.2021

I refer to your consultation of 08/07/2021 regarding the above planning application and advise that the Welsh Government as highway authority for the A487 trunk road directs that any permission granted by your authority shall include the following conditions:

- 1)The existing trunk road access shall be stopped up in permanent materials to the written satisfaction of the Planning Authority in consultation with the Welsh Government
- 2)The construction works shall be carried out in accordance with plans titled 'Dinas Planning Layout Phase 2-BD0127-PL-01 rev G' previously agreed by the Welsh Government

The above conditions are included to maintain the safety and free flow of trunk road traffic.

The following points should be brought to the attention of the applicant:

- A) The applicant should be advised that they may be required to submit a Stopping Up Order application for approval by the Welsh Government prior to works commencing on site
- B) The applicant should note that planning permission does not constitute permission under the Highways Act for various activities that may be associated with the development i.e. use of the highway/footway/verge to: for example; deposit material, deposit skips, erect scaffolding, excavate within the highway or erect traffic management apparatus. Such activities will require the separate consent of the Highways Authority;
- C)Any temporary traffic management arrangements required in connection with this application shall be in accordance with Chapter 8 of the Traffic Signs Manual and in accordance with the Safety at Street Works and Road Works Code of Practice and shall be approved by the highway authority.
- D)Road traffic signs in Wales must be bilingual, Welsh above English, and adhere to Welsh Government specifications



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Public Consultation: A notice was posted on the site and nearby residents were notified with a notice placed in the newspaper. The advertising period has already expired, and correspondence was received objecting on the following grounds:

- Concern regarding using the access through the estate next door rather than directly from the highway where there is an existing access
- Question the need for flats
- Question the use of Spanish slate
- Drainage matters
- Gas / electricity matters
- Too many houses in the area
- Site design matters
- Sustainability matters
- Language and housing allocations policy

The response dated 14.12.2024 from Cylch yr Iaith on language matters regarding the development. The response questions the suitability of the Welsh Language Statement submitted as well as the Council's response to it.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The principle of constructing houses on this particular site is based on policies PCYFF1, PCYFF2, TAI4, TAI15, TAI 16 and PS5 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with other policies and proposals in the Plan, national planning policies and other material planning considerations. As referred to above, most of the site is located within the development boundary of Dinas which is a village under Policy TAI 4, and a small part of the site is situated outside the development boundary and is therefore subject to policy TAI 16 as an exception site. 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 development. In this case, the site is approximately 0.4ha, therefore it is confirmed that a density of 16 units for this plot of land is acceptable and complies with criterion 3 of policy PCYFF2.
- 5.2 Policy TAI 4 states that housing in local, rural and coastal villages will be granted provided the site is within the settlement's development boundary and that the size, scale, type and design of the development corresponds with the settlement's character.
- 5.3 The indicative supply level of housing for Dinas (Llanwnda) over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 8 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.). In the period 2011 to 2023, a total of 26 units have been

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completed in Dinas (Llanwnda). The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, stood at 0 (zero) units as of April 2023 (disregarding units identified in the JLDP as unlikely to be completed). This entails that the proposal will mean that Dinas (Llanwnda) will go beyond the indicative growth level.

- 5.4 In accordance with criterion (1b) of Policy PS1 'The Welsh Language and Culture', as this development provides more than the total indicative housing provision for Dinas (Llanwnda), a Welsh Language statement should be submitted in favour of the application. It is noted that a Language Statement has been submitted and is addressed under the relevant heading below.
- 5.5 As the settlement will see its expected growth level on windfall sites through units completed in the period from 2011 to 2020, and as part of the site is located outside the development boundary, there will be a need for a justification with this application, outlining how the proposal will address the needs of the local community. This could be done by:
- submitting any market research work they have undertaken i.e. demonstrating the need for this type of development in the area;
  - the proposal meeting local recognised need for affordable housing;
  - that the proposal provides for specialist housing needs e.g. units for the elderly.
- 5.6 The proposal before you involves providing housing that would be managed by Adra, a Registered Social Housing Landlord, which provides community housing for the area. The development is subject to a grant from the Government for completion and provision for a specific need. The Affordable Housing Statement and the Housing Mix Statement have been submitted and they note that there is a proven need for smaller houses to satisfy the needs of smaller families. These houses are a mixture of single-storey and two-storey houses and flats with no more than three bedrooms. By now housing tenure has been confirmed and it is proposed to provide a mix of social rent and intermediate rent. In terms of planning policy, it is considered that the proposal provides an appropriate number of affordable housing and that an appropriate mix of housing has been proposed in accordance with the identified need and confirmed by the Strategic Housing Unit. It is noted that housing figures confirm that in April 2023 of the 1,953 units expected from the Villages and Clusters tier 1,698 had been completed. This means that there remains a deficit of 255 units in this tier, and therefore as a result and the proven need it is considered that there is justification for the units.
- 5.7 The proposal involves providing 16 residential units and in accordance with the requirements of policies TAI 15 and TAI 16 at least 10% of the units on this site (namely 1.6 houses) that are located within the boundary should be affordable, and all the units located outside the development boundary. In this case, all the proposed units will be affordable and will be designed to the Wales Development Quality Requirements. In order to manage the affordable provision in terms of planning policy, it is proposed to impose a standard condition that will require agreement on a plan to provide affordable housing.
- 5.8 Policy PS5 states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including suitable sites within the development boundaries. It is deemed that this specific site can be defined as a sustainable site based on its location with the majority within the development boundary and opposite an established residential area, its location close to the local road network and public transport together with its location in relation to local facilities such as shops, and educational establishments.

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- 5.9 Given the above and the likelihood that all the houses would be offered and managed as affordable housing, it is considered that the application is acceptable in principle. It is also a requirement that the proposal complies with other relevant policies and these are discussed below.

#### **Affordable housing and housing mix matters**

- 5.10 An Affordable Housing Statement and Housing Mix Statement were received as part of the application. This information notes that the proposal includes a mix of two-storey and single-storey houses, as well as flats. There are no units larger than three bedrooms provided as a result of an assessment of the market that notes that there is a need arising for smaller houses to address the increase in smaller families in the area.
- 5.11 The application involves the provision of the following affordable houses, designed to DQR standard, in compliance with the size requirements of affordable housing as noted in the Affordable Housing SPG. (that is a requirement by the WG grant) and therefore is acceptable as affordable houses in terms of floor area. The mix of houses is acceptable and meets the local needs in accordance with the information the applicant has submitted and the Strategic Housing Unit have confirmed that the proposal addresses the recognised need.
- 5.12 As noted above, in order to manage the affordable provision in terms of planning policy, it is proposed to impose a standard condition that will require agreement on a plan to provide affordable housing.
- 5.13 Considering that the proposal responds to the recognised need and provides an appropriate mix of units, it is believed that the proposal is an opportunity to develop a quality scheme to satisfy recognised requirements and therefore is in accordance with the requirements of policies TAI8 and TAI15 of the LDP, along with the advice included in the SPG: Housing Mix and SPG: Affordable Housing.

#### **Visual amenities**

- 5.14 There is a mix in terms of form, construction and design of existing developments in the application site's catchment area of traditional houses to commercial buildings such as a vehicle sales garage and a shop selling outdoor equipment. The proposal provides a mix of single-storey and two-storey houses, together with flats with slate pitch roofs and walls with render and timber cladding. It is considered that the design and finish of the houses is acceptable and appropriate for the area.
- 5.15 It is noted that the site is not located within a designated landscape at all, and the site is fairly flat and slopes away from the A487 highway. This site is directly opposite an existing housing development that is being constructed and the majority is within the village development boundary.
- 5.16 It is proposed to landscape around the site and it is considered appropriate to receive full landscaping details as a planning condition.
- 5.17 On this basis, it is considered that the proposal is acceptable based on the requirements of policies PCYFF3 and PCYFF4 of the LDP.

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### **General and residential amenities**

- 5.18 The site is located at the side of the A487 highway with residential housing (including a development of 24 new housing) on one side and the Welsh Highland Railway on the other side. Commercial buildings and residential houses are located directly opposite the site across the highway. The nearest dwelling would be situated directly next door to the site (Talardd), and the site has been designed so as not to have a significant detrimental effect on this property. The development will provide two flats in the form of a two-storey building directly alongside this property with gardens and parking to the rear. Windows from the main rooms will not face the property. It is therefore not considered that the development would have a detrimental impact on privacy or the amenities of these residents.
- 5.19 The Public Protection Unit has responded to the proposal and have noted the requirements that can be ensured via planning conditions in terms of safeguarding the existing houses from noise, dust and unacceptable nuisance during the construction phase.
- 5.20 Bearing in mind the above assessment, it is considered that the proposal is acceptable and would not have a substantial unacceptable impact on the residential or general amenities of nearby occupants. Therefore, it is considered that the proposal is in accordance with policies PCYFF2 and PCYFF3 of the LDP.

### **Transport and access matters**

- 5.21 The proposal entails the provision of parking spaces for each house, creating a pedestrian access to a pavement on the A487, as well as providing an estate road and vehicular access to the development from the vehicular highway leading to Rhos Isaf.
- 5.22 It is noted that there is public objection and from the Local Member to the intensification of use of the access for the development directly next door, rather than using the existing access to the A487 from the site. It is noted that the Transportation Unit has no objection to the further use of the access on the main road to Rhos Isaf. When the application was submitted the A487 was a trunk road, however, this road has by now lost its status since the Caernarfon bypass has opened.
- 5.23 Following the original observations of the Trunk roads Unit an amended plan has been submitted with further details to close the access, provide footpaths and boundary finishes. The Trunk roads Unit responded by confirming that the proposal is acceptable subject to conditions and notes, however no response has been received following the second consultation in November 2024. Recognising that the A487 is no longer a trunk road, and the additional level of traffic emanating from the development and travelling on the new trunk road would be acceptable, it is considered therefore that the proposal is unlikely to have a detrimental impact on the trunk road.
- 5.24 The Trunk roads Unit has also raised the noise matter and the need for a noise assessment to assess the impact of the road on the development. Given that the A487 is not a trunk road by now, this matter has been referred to the LPA for assessment. To this end, the Transportation Unit has confirmed that there is no need to provide a noise assessment, and Public Protection does not consider that noise from the road will have an impact on the houses.
- 5.25 In response to the public objection, it is necessary to consider the proposal on its own merits, and on the basis that using the access via the estate which is being constructed is acceptable by the Transportation Unit, there is no basis to consider any other option. Based on this, and subject to conditions, it is considered that the proposal complies with the requirements of Policy TRA2 and TRA4 of the LDP.

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### **Flooding and drainage matters**

- 5.26 The proposal would be subject to a separate permission for a Sustainable Drainage System and it would be necessary to design the surface water system in order to conform with the requirements of the Sustainable Drainage System SuDS. To ensure the efficiency of the new drainage system, maintenance measures will be included within the sustainable water system plan (SuDS) that would be approved by the Council's Water and Environment Unit in its role as a Sustainable Drainage System (SuDS) Approval Body.
- 5.27 Dŵr Cymru Welsh Water in their response to the application confirm that they do not object on the grounds that a surface water condition is imposed on any approved planning permission.
- 5.28 It is noted that the proposal is subject to a Habitats Regulations Assessment and the LPA is the competent authority to undertake the assessment. Natural Resources Wales (NRW) originally confirmed that they had significant concerns together with the increase in phosphate emissions from sewage treatment works to afon Gwyrfaï and the impact that this may have on the river that is a Special Area of Conservation.
- 5.29 By now, NRW have reviewed the Dŵr Cymru Welsh Water Environmental Permit to release treated water into afon Gwyrfaï from Llanfaglan Sewage Treatment Works. NRW's review found that the permit's phosphorous limit is maintained at 1mg/l. Welsh Water has confirmed that Llanfaglan Sewage Treatment Works has capacity to process sewage from the proposal for 16 houses within their phosphorous limit of 1mg/l. Based on this information the Council's Biodiversity Unit on behalf of the LPA as the competent authority under the Habitats Regulations have considered the impact of this development on the afon Gwyrfaï SAC and have concluded that the proposed development is unlikely to have a significant impact of the afon Gwyrfaï SAC.
- 5.30 Therefore, based on the above, it is considered that the proposal is acceptable and satisfies the requirements of policies ISA1, PS2, PCYFF6 and PS5 of the LDP in terms of drainage matters.

### **Linguistic matters**

- 5.31 A Welsh language Statement was submitted with the application and criterion 1c of Policy PS1 of the LDP, as well as the advice included in the document SPG: Maintaining and Creating Unique and Sustainable Communities, states that any development of 5 or more housing units on allocated or windfall sites within development boundaries that do not address evidence of need and demand for housing recorded in a Housing Market Assessments and other relevant local sources of evidence.
- 5.32 In accordance with criterion (1b) of Policy PS1 'The Welsh Language and Culture', as this development provides more than the total indicative housing provision for Dinas (Llanwnda), a Welsh Language statement should be submitted in favour of the application.
- 5.33 The information submitted by the applicant to this end includes a Welsh Language Statement that concludes that the proposed development would not be expected to lead to any negative impacts on the Welsh language and would be likely to have a minor beneficial impact given that it is affordable houses for local people that are being proposed. As many of the area's residents speak Welsh, it is likely that the proposed development would reinforce the language in this way.
- 5.34 The observations of the Welsh Language Unit on the development were received and they are of the view that the proposal would have a minor positive impact on the Welsh language in the area. It is noted that objections have been received including a comment that the Gwynedd Common

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Housing Allocations Policy does not give consideration to the Welsh language, and therefore there can be no certainty what the impact of the development will be on the Welsh language. The application's agent has provided information to demonstrate that 94% of the residents of Gwel y Foel estate (the housing development directly nearby provided by Adra) are Welsh speakers. This percentage is much higher than the percentage for the Llanwnda ward at 81%. The majority of the application site is located within the development boundary of the village, with only a small area outside the boundary. Dinas is defined as a Local Village in the LDP, and paragraph 4.1.9 of the SPG Affordable housing confirms that the provision of affordable housing must also reflect the site of the settlement and Table 2 within that paragraph confirms that affordable housing for local need (people who need an affordable house that have lived in the Village or the nearby rural area) will be permitted within local villages. Although objections have highlighted the concern about the allocations policy, the development will have to comply firstly with the planning permission that requires that the provision is for local people.

- 5.35 Based on the above, and having given full consideration to the observations received and subject to planning conditions to ensure that the estate will receive a Welsh name and installs Welsh signage, it is not considered that the proposal would be likely to have a detrimental impact on the Welsh language and the proposal is considered to be acceptable on the grounds of the requirements of Policy PS1 and SPG: Maintaining and Creating Unique and Sustainable Communities.

#### **Educational matters**

- 5.36 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. The SPG adopted to support the previous Development Plan continues to be a material consideration when determining planning applications until they are replaced by new ones. To this end, it is material to consider the contents of SPG: Housing Developments and Educational Provision when discussing this application. The information/formula within the SPG suggests that 6.4 primary and 4.9 secondary school-age pupils would derive from the proposed development.

- 5.37 The SPG notes that consideration should be given to the situation in the school that serves the catchment area where the development is located. In response to the original statutory consultation, the Education Department's Information Officer states that Ysgol Gynradd Felinwnda and Ysgol Syr Hugh Owen have sufficient capacity. Ysgol Gynradd Felinwnda has by now closed and therefore the Education Department was requested for current information. Although a report on the future of Ysgol Felinwnda's catchment area is currently ongoing, it was confirmed that there is capacity in the nearest primary schools (Llandwrog and Bontnewydd - when the new school opens in 2026), as well as in the secondary school of Ysgol Uwchradd Syr Hugh Owen. Considering this, the proposal would not lead to schools exceeding their capacity and therefore a financial contribution will not be required to comply with the requirements of Policy ISA1 together with the SPG: Housing Developments and Educational Provision.

#### **Open spaces matters**

- 5.38 According to ISA5 of the LDP, it is expected that proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will provide suitable provision of open spaces in accordance with the Field in Trust (FIT) benchmark standards. The second part of policy ISA 5 states:

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*In exceptional circumstances, where it is not possible to provide outdoor playing spaces as an integral part of a new housing development, the developer will be required to:*

- *Provide suitable off-site provision which is close to and accessible to the development in terms of walking and cycling, or, where this is not feasible/practical:*
- *Contribute financially towards new facilities including equipment, improving existing facilities on readily accessible sites or improving accessibility to existing open spaces.*

5.39 The proposal includes a proposed open space within the development that contributes positively to the lack of similar spaces in the area. To this end, it is considered that the proposal complies with the requirements of policy ISA5 of the LDP and the SPG: Open Spaces in New Housing Developments and the development ensures appropriate provision in the local area.

### **Biodiversity matters**

5.40 Ecological and Trees Reports have been submitted as part of the planning application, and confirmation has been received from the Biodiversity Unit that the original surveys continue to be acceptable. It is noted that the surveys were completed some time ago, and since then the site has been used under approved delegated powers as a compound and work site to construct the nearby estate, and the site has been empty since then. The Trees Unit has confirmed that the development is acceptable, provided that the recommendations of the tree report are followed and there is supervision during the development work. The Biodiversity Unit has submitted very detailed observations and has noted further requirements, confirming that it is possible to provide those requirements through planning conditions. Further documents have been submitted more recently (lighting plan and plan to prevent pollution) and confirmation has been received that their contents is acceptable. This would meet with the relevant requirements in terms of local and national policy.

5.41 Chapter 6 of Planning Policy Wales (PPW) deals with green infrastructure and the net benefit to biodiversity. The Green Infrastructure Statement was submitted with this application, and it gives an overview of all the surveys provided and the current situation on the site. The statement includes a reference to Chapter 6 of PPW that deals with green infrastructure and the phased approach that have been considered. The statement proposes biodiversity enhancements throughout the site and suggests that the details will be provided via a Habitats Management Plan that will be subject to a planning condition. To this end, it is considered that the PPW requirements have been considered and the proposal is in compliance subject to appropriate conditions.

5.42 As noted above in the chapter on flooding and drainage, the proposal is subject to a Habitats Regulations Assessment and the LPA is the competent authority to undertake the assessment. The Biodiversity Unit has confirmed that the proposed development is not likely to have a significant impact on the Afon Gwyrfai SAC.

5.43 Based on the above it is considered that the proposal is acceptable and complies with the requirements of policies of AMG5 and PS5 of the LDP, along with the advice included in the PPW and TAN5: Planning and Nature Conservation and Regulation 63 of the Habitats and Species Conservation Regulations 2017 (as amended).

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## **Sustainability Matters**

- 5.44 The proposal before you includes the provision of housing that will be managed by Adra, Registered Social Landlord and the development will deal with run-off water through the SUDS scheme. The houses have been designed to DQR standards and make acceptable use of this designated site in terms of building density. To this end, it is considered that the proposal has considered sustainability matters and therefore complies with the requirements of policy PS5 of the LDP.

## **Response to the public consultation**

- 5.45 Following the public consultation, observations were received as noted above. The site is mostly located within the development boundary of the village, and transportation and land drainage and Language matters have been addressed appropriately as part of the above assessment. The electricity and gas matters are separate matters to the planning system and the appropriate bodies will deal with those matters.

## **6. Conclusions**

- 6.1 Having considered the above assessment, it is believed that the proposal to develop 16 houses affordable houses is a positive response to the various housing needs that have been identified in the area. In assessing the application, full consideration has been given to the observations received in response to the consultation period and the response received from statutory consultees. Based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, it is considered that the proposal is acceptable subject to the conditions listed at the end of the report.

## **7. Recommendation:**

- 7.1 To approve subject to the following conditions: -
1. Five years.
  2. In accordance with the documents/plans submitted with the application.
  3. Natural slate.
  4. Samples of materials and colours for the houses to be agreed with the LPA.
  5. Highways Conditions.
  6. Soft and hard landscaping.
  7. Biodiversity and Tree Conditions including biodiversity enhancements and a habitats management plan.
  8. Working hours limited to 8:00 - 18:00 during the week, 08:00 - 12:00 on a Saturday and no working at all on Sundays and Bank Holidays.
  9. Agree on details regarding Welsh names for the development together with advertising signage informing of and promoting the development within and outside the site.
  10. Ensure a plan/arrangements to provide the affordable units.



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11. Removal of general development rights for the affordable units.
12. Submit a Construction Method Statement including parking provision for the builders' vehicles.
13. Submit outdoor lighting details to be agreed with the LPA prior to installation.
14. Archaeological mitigation measures condition.
15. Provide and safeguard the open space for the future
16. Welsh Water Condition
17. Public protection conditions (Noise, Dust, Nuisance)
18. Construction environmental management plan
19. Details of PV solar panels on the roofs of the houses and the air source heat pumps.
20. Welsh language Signs  
Welsh Water Notes, Highways, SUDS