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

Number: 1

Application Number: C23/0671/45/AM

Date Registered: 11/09/2023

Application Type: Outline

Community: Pwllheli

Ward: Pwllheli (North)

Proposal: Erection of residential dwelling houses including access

Location: Land Off Ffordd Caernarfon, Western Plot, Pwllheli, LL53 5LF

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

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

2. Relevant Policies:

- 2.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the

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Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PS 1: The Welsh Language and Culture

ISA 1: Infrastructure provision

ISA 5: Provision of open spaces in new housing developments

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 6: Water conservation

PS 16: Housing Provision

PS 17: Settlement strategy

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

TAI 8: An appropriate mix of housing

PS 18: Affordable housing

TAI 15: Affordable housing threshold and distribution

PS 19: Conserving and where appropriate enhancing the natural environment

AMG 5: Local biodiversity conservation

PS 20: Preserving and where appropriate enhancing heritage assets

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

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

Supplementary Planning Guidance (SPG):

SPG: Maintaining and Creating Distinctive and Sustainable Communities

SPG: Housing Mix

SPG: Affordable housing

SPG: Character of the landscape

SPG: Planning obligations

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

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

TAN 5: Planning and Nature Conservation

TAN 6: Planning for sustainable rural communities

TAN 11: Noise

TAN 12: Design

TAN 18: Transportation

TAN 20: Planning and the Welsh Language

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3. Relevant Planning History:

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

4. Consultations:

Community/Town Council: Not received.

Transportation Unit:

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

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

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

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

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

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

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

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

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

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

Condition 1: Lighting Plan

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

Protected Species

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

We advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided you attach the following condition to any planning permission granted:

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

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

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

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

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Welsh Water:

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

SEWERAGE

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

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

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

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

Conditions

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

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

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

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

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

WATER SUPPLY

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

Also provided advice for the developer.

Public Protection Unit:

3 March 2025 Observations

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

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the Property and externally.

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

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

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

6.1.2 Noise from deliveries to the Aldi Store

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

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

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

Internal noise levels

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

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

External Noise Levels

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

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

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

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A site-specific Construction Environmental Management Plan

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

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

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

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

Air Source Heat Pumps (ASHPs)

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

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

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

20 October 2023 Observations

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

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

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

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

CONTROL OF NUISANCE FROM CONSTRUCTION SITES

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

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

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

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

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

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

Reason: To protect the residents of the area

NOISE IMPACT ASSESSMENT

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

2. Description of the site and proposals

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

5.5. Site measurement survey

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

6. Assessment of noise

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

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

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

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

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

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

Conditions:

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

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

5. All mitigation measures set out in Section 6.3 of the NIA will need to be adhered to.

6. A complete Sound Insulation Scheme must be submitted for written approval from the Local Planning Authority before Construction commences. This should include, as a minimum, the individual sound insulation specification for the three main elements of the façades (window, wall and ventilator). All houses must be insulated to the indoor target levels specified in Table 12 of the NIA report.

7. As specified in the NIA report, each garden at the proposed Development should be enclosed by a close boarded timber fence, with a minimum height of 2.25m. Reason: to protect the residents of the area

Additional Notes:

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

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

Water and Environment Unit
YGC:

Flooding Risk and Land Drainage

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

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

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

SuDS Approval Body Comments

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

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

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

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

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

Fire Service:

ACCESS FOR A FIRE ENGINE

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

Minimum width between gateways of 3.1 metres (if applicable)

Road carrying capacity:
Minimum of 12.5 tonnes

TURNING FACILITIES

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

WATER SUPPLIES

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

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

Or

Alternate solutions:

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

Biodiversity Unit:

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

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

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

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

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

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

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

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

Language Unit:

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

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

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

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

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

Gwynedd Archaeological
Service:

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

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

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

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

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

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

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

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

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

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

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

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

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

Housing Strategic Unit:

1. Information about the need:

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

67 applicants from the Tai Teg register for intermediate property

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

2. Information about the type of need:

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

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

| Number | of | Need as a | Rent | Buy |
|--------|----|-----------|------|-----|
| | | | | |

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

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

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

3. Suitability of the Plan:

Based on the above information it appears that the Plan:

Partly addresses the need in the area.

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

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

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

5. Discount level:

The application does not include financial information.

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

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

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

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

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

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5. Assessment of the material planning considerations:

The principle of the development

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

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

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

Language and Community Matters

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

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- The estimated price of £230,000 has not taken into consideration the employment nature and the area's wages and a high proportion of the population have been priced out of the open market.
- No assurance can be given that local buyers would buy the houses.
- As a result of the Language Unit's human resources stating the importance of including everything that is relevant, which includes the proposed prices of the units and their type (flats, semi-detached houses etc.), the number of bedrooms, total individuals who could be attracted to the community etc. in the Language Statement as the Unit can only offer full comments on the Language Statements that come to hand, not any other documents that are part of the application pack.

- 5.11 As the existing site together with the application site for C23/0673/45/AM that forms part of the same housing designation in the LDP, it is considered that it has been reasonable to include one Language Statement for both sites. Housing designation T28 with the estimated number of housing at 150 where there would have been an expectation that 30% would be affordable housing. Although it is not viable to provide affordable housing on the site we also have to realise that the total proposed open market housing for designation T28 via the current application and application C23/0673/45/AM comes to a total of 36 that is substantially lower than the estimate in the LDP. As it is a designated site, consideration was given to the need for housing on the site as part of the LDP and its implications in terms of the Welsh Language. The Welsh Language Impact Assessment provided for the LDP did not expect a provision of 150 units for the T28 designation to adversely affect the Welsh language. Reference is made in the Welsh Language Statement that the T30 designation (a former hockey pitch) provided more affordable housing units compared to what would have been expected and that the proposed developments for the T28 designation would therefore address the lack of open market units lost from the T30 site. This, in turn, would address the imbalance/under-supply of open market units provided at other sites designated in Pwllheli and therefore align with the overall housing strategy for the Pwllheli area.
- 5.12 Also, through the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 it is now possible to bound the houses through a condition as class C3 use housing, which are dwelling-houses used as a sole or main residence. This would ensure that the houses in question would be permanent dwelling-houses and could not be used as second homes, holiday homes or holiday units. With such a condition as well as the fact that Article 4 is also in place, this means that if anybody wished to use one of the houses for an alternative use to C3 use, it would be required to submit a planning application before being able to use it for any other purpose. Whilst realising either way that there is no guarantee that the houses would be occupied by Welsh families, the fact that they would be permanent housing would mean that families who would occupy the houses would be integrated into the local community with the children attending local schools that provide education through the medium of Welsh.
- 5.13 The Welsh Language Statement also notes that there would be a Welsh name for the houses and it is proposed to use bilingual signage / advertising. It would be possible to condition a Welsh name to the development along with the use of bilingual signs.
- 5.14 It is therefore considered that the proposal is acceptable in terms of Policy PS 1 of the LDP.

Visual amenities

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

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

General and residential amenities

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

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

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

Transport and access matters

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

Biodiversity matters

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

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- Precautions will be required during the construction phase due to the potential presence of badgers, hedgehogs, nesting birds, and the presence of reptiles.
- Improvements must exceed the requirement for mitigation. As a result, it is recommended to establish a new management system to improve the quality of the nearby (Candidate) Wildlife Site.
- Improvements will also be carried out by installing bat tubes and bee bricks in the new buildings.

5.25 Conditions may be imposed on any permission that the work is to be completed in accordance with the Ecological Survey Report that has been submitted as part of the application. In addition, by receiving the observations of the Biodiversity Unit and Natural Resources Wales, it is considered that it would also be appropriate to include conditions in terms of agreeing details of external lighting, submitting and agreeing details for the meadow / wet meadow, submitting and agreeing a management plan for the woodland which forms part of the Candidate Wildlife Site. In addition to this, the reserved matters will include agreeing landscaping details for the site and any biodiversity improvements e.g. bee bricks, bat tubes would be shown on the detailed plans and, therefore, no additional condition is considered necessary for these as has been suggested by the Biodiversity Unit. It is also not considered reasonable to impose a planning condition that a project ecologist needs to be appointed to oversee construction.

5.26 An Arboriculture Report was also received as a part of the application. The observations of the Trees Unit state that the proposal would have very little impact on trees provided that all tree protection measures are implemented. It is therefore considered appropriate to impose a condition that the development is to be completed in accordance with the Arboriculture Report.

5.27 Although no Green Infrastructure Statement has been submitted for the application, the proposal has considered ecological matters and includes appropriate steps in terms of mitigation and proposing biodiversity enhancing opportunities. As noted above, it is possible to impose conditions to ensure the biodiversity mitigation / enhancement measures and, as a result, it is considered that the submitted details meet the requirements of Planning Policy Wales and also ensure that the proposal is acceptable in terms of Policies PS 19 and AMG 5 of the LDP.

Archaeological and Heritage Matters

5.28 Observations were received from the Gwynedd Archaeological Planning Service on the proposal. The observations state that the site has potential for archaeological features relating to a series of small buildings that were located in the south-western corner of the site and also with the spring located in the northern part of the site. The Gwynedd Archaeological Planning Service therefore recommend imposing conditions regarding a programme of archaeological work for the site. It is considered that from imposing appropriate conditions to carry out archaeological work that the proposal is acceptable in terms archaeological matters.

5.29 The site lies within a Landscape of Outstanding Historic Interest. The proposal involves the construction of a housing estate that will be located between a commercial garage and a supermarket. Although an outline application is before you, it is likely that the impact of the proposal would be local and would not have a wider impact on the historic landscape.

5.30.1. In light of the above, it is considered that the proposal is acceptable in terms of Policies PS 20, AT 1 and AT 4 of the LDP.

Drainage and Flood Matters

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

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

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

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Infrastructure matters and developer contributions

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

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6. Conclusions:

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

7. Recommendation:

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

Notes-

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