

<b>PLANNING COMMITTEE</b>	<b>DATE 02/03/2026</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

**Number: 3**

**Application Number: C25/0914/44/LL**

**Date Registered: 26/01/2026**

**Application Type: Full**

**Community: Porthmadog**

**Ward: Porthmadog (East)**

**Proposal: Proposal to remove the existing boundary wall to provide better access to Cob Crwn and create a new footpath for pedestrians and cyclists.**

**Location: Llyn Bach, Porthmadog, LL49 9DF**

**Summary of the Recommendation: To approve with conditions**

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## 1. Description:

- 1.1 This is a full application to demolish an existing boundary wall to provide better access to Cob Crwn, and to create a new footpath (2.75m wide with a parallel 1.5m wide drainage pit) for pedestrians and cyclists. The informal route to Cob Crwn currently consists of a grassed area and an uneven surface that does not comply with Active Travel standards and contemporary accessibility standards. The proposal includes the construction of a joint active path for pedestrians and cyclists. The improvement will replace sections of existing grassy surface with a sturdy, level and accessible path.
- 1.2 The site lies adjacent to the Llyn Bach car park in an area designated as Flood Zone 3 under policy TAN 15 and outside the development boundary as set out in the Anglesey and Gwynedd Joint Development Plan and is within the Area of Outstanding Historic Interest designation.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PS1: The Welsh Language and Culture

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

ISA 2: Community facilities

AMG 5: Local Biodiversity Conservation

PS19: Conserving and where appropriate enhancing the natural environment

PS 4: Sustainable transport, development and accessibility

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

PS 20: Preserving and where appropriate enhancing heritage assets

Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019)

## 2.4 National Policies:

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Future Wales: The National Plan 2040  
 Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note 15: Development, Flooding and Coastal Erosion  
 Technical Advice Note 20: Planning and the Welsh Language

### 3. Relevant Planning History:

3.1 There is no relevant planning history

### 4. Consultations:

Community/Town Council: Not received

Transportation Unit: No observations

Natural Resources Wales: Not received

Welsh Water: Not received

Rights of Way Unit: Not received

Trees Unit: Not received

Land Drainage Unit: Confirm that the application for a sustainable drainage system has been approved

Biodiversity The applicant has included an Initial Environmental Appraisal, dated September 2025. There is some vegetation, mainly buddleia on the site and an otter resting area has been recorded within 30m of the plan therefore, an otter disturbance licence is required from NRW. In line with Planning Policy Wales, all planning applications should demonstrate a net benefit to biodiversity by following the stepwise approach: avoid, reduce, mitigate and remedy. The Green Infrastructure Statement should explain how the development has followed this approach and outline the proposed biodiversity enhancements. It should also refer to the findings of the ecological reports and demonstrate how they have been incorporated into the design. All biodiversity enhancements should be detailed within the approved planning design. It appears that this development may affect trees on the site, and therefore I have referred the application to the trees officer for further assessment.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and the following observations were received:

- Concern about accident risk due to increased use of the route
- It is not clear which path is the safe route for cyclists once they reach the bridge
- Impact on availability of open space for dogs/recreation
- Lack of consideration of other options

### 5. Assessment of the material planning considerations:

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## The principle of the development

5.1 It is believed that policy ISA 2: Community facilities, is the primary policy consideration in this case. The requirements of this policy state:

*"The Plan will help sustain and enhance community facilities by:*

*1. Granting the development of new community facilities, provided that:*

*i. they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community;*

*ii. in the case of new buildings, the local community cannot be satisfied by making dual use of existing facilities or converting existing buildings;*

*iii. where the proposal is for a facility being relocated, it can be demonstrated that the existing site is no longer suitable for that use;*

*iv. that the proposal is of an appropriate scale and type compared to the size, character and function of the settlement.*

*v. that the proposal is easily accessible by foot, bicycle and public transport".*

Criterion i: this site is located outside but directly adjacent to the development boundary of the town of Porthmadog. It is therefore believed that the proposal is in accordance with this requirement.

Criterion ii: no building is part of the proposal, so this criterion does not apply.

Criterion iii: this criterion does not apply.

Criterion iv: this is a proposal to create improved access to the Cob Crwn site by creating a new footpath for pedestrians and cyclists which will also be wheelchair accessible with seating areas and picnic tables, it is therefore considered that the scale of the proposal is acceptable for the location on the outskirts of Porthmadog town centre.

Criterion v: this site is on the outskirts of the town of Porthmadog, and level access would be via an existing car park serving a nearby town and supermarket. Its location is believed to be completely central and easily accessible by various roads whether on foot, public transport or by bicycle.

5.2 The explanation to this policy confirms that the policy is intended to protect existing community facilities and encourage the development of new facilities where appropriate. It notes the importance of local recreation and community facilities to the health, social, educational, linguistic and cultural needs of the Plan area, as well as its economic well-being. Community facilities are defined as facilities used by local communities for health, recreation, social and educational purposes and include schools, libraries, leisure centres, healthcare provision, theatres, village halls, cemeteries, places of worship, pubs, and any other facility that fulfils the role of serving the community. This is a scheme for a public path with seating areas and picnic tables to enjoy the outdoors, which will be accessible for all. It is believed that the proposal and location are appropriate to the site and accessible to the local community. It is therefore considered that the proposal is fully acceptable based on the policy requirements of ISA 2.

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### **Visual, general and residential amenities**

- 5.3 As has already been noted, the site is on the outskirts of the town off the existing Llyn Bach car park. The proposal involves the removal of an existing boundary wall and the creation of a new public path. Although a new public path will be created, it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood. Visually, it is not considered that the proposal would significantly impair the visual amenities of the area more than what currently exists in the area. It is noted that an objection has been received on the grounds of the loss of recreational use of the site, but it is not considered that the path would have a significant adverse impact in this regard on existing users of the site. The proposal is therefore considered acceptable in terms of policies PCYFF 2 and PCYFF 3 of the LDP.

### **Transport and access matters**

- 5.4 No comments had been received at the time of writing from the transportation unit on this application. It is not believed that the proposal is likely to cause any disruption to matter relating to transport. Access to the site would be in the form of a footpath and would start from one side of an existing car park. Its location is convenient from the town of Porthmadog and makes it accessible in terms of being able to reach it via existing paths and roads as well as using public transport as there is a permanent bus stop nearby as well as a standard size car park at the start of the path. It is noted that an objection has been received based on concerns about accidents and it is not clear where cyclists would travel having arrived at the bridge. The proposal is not considered likely to cause an uncontrollable hazard, and this proposal does not go beyond the bridge. It is therefore considered that the proposal is acceptable based on the relevant requirements of policy PS 4

### **Biodiversity Matters**

- 5.5 The applicant has included an Initial Environmental Assessment, and the Biodiversity Unit notes its contents. It is noted that no biodiversity enhancements have been submitted as part of the application, but it is considered appropriate to impose a planning condition to agree on the enhancements. It is noted that there are several trees on the site and that a tree survey has been submitted as part of the application. The survey highlights root protection zones and a plan indicates an intention to install a fence-like barrier along the trees during the works, and the path bypasses tree preservation zones. Based on the information submitted and a condition for securing enhancements, the proposal is considered acceptable and complies with the requirements of policies AMG 5 and PS19 of the LDP together with Chapter 6 of Planning Policy Wales which relates to the stepwise approach.
- 5.6 It is noted that the site is located approximately 220m away from the Pen Llŷn a'r Sarnau Special Area of Conservation and on the basis of the reasonable avoidance measures relating to otters, together with measures to avoid pollution during the working period, it is considered that the proposal would be unlikely to have a significant impact on the SAC and therefore the proposal is considered acceptable in terms of the requirements of the Habitats Regulations together with policy PS19 of the LDP.

### **Flooding and Drainage Matters**

- 5.7 The site is located within Flood Zone 3 (Rivers and Sea) together with Protected Zones. Paragraph 10.22-23 of TAN 15 confirms that highly vulnerable development on grassland in Zone 3 should not be permitted, and other proposals will only be appropriate if they are essential to the Development Plan's strategy to regenerate existing settlement or achieve key economic or environmental objectives. It is proposed to provide a formal path on the outskirts of the town of Porthmadog and is not a highly vulnerable development and based on the above assessment it is considered essential to the Development Plan's strategy to regenerate the existing settlement. It is therefore considered that the proposal complies with Section 10 of TAN 15.

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- 5.26 A Flooding Consequence Assessment has been submitted as part of the application and at the time of writing no response has been received from Natural Resources Wales. The Assessment states that the path would be raised higher than the existing land and would act as an additional layer of protection against flooding. It is expected that the proposal will comply with the requirements of part 11 of the TAN and it will be possible to confirm Natural Resources Wales's comments in the Committee.
- 5.9 A copy of an application for a sustainable drainage system consent has been submitted as part of the application. The Land Drainage Unit has confirmed that an application has been approved and therefore the proposal is considered acceptable and compliant with part 7 of TAN 15.

### Language Matters

- 5.10 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 12, 2024), along with Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.11 It is noted that there are some specific types of development where the proposal will be required to submit a Welsh Language Statement or Report on the Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the types of developments in question, the following are noted: The proposal does not reach the thresholds for submitting a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing, retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should demonstrate how consideration has been given to the language.
- 5.12 The proposal is to provide a new accessible path within an area on the outskirts of the town of Porthmadog. The proposal would provide a facility for the local community and allow more people to enjoy the area, and therefore the proposal is not considered likely to have an adverse impact on the Language and therefore complies with the requirements of policy PS1 in this regard.

### 6. Conclusions:

- 6.1 Having weighed up the proposal in the context of the relevant policies, the proposal is considered acceptable and consistent with the relevant policies.

### 7. Recommendation:

Approve with conditions -

1. 5 years
2. Completion of the proposal in accordance with the Plans
3. Complete the proposal in accordance with the reasonable mitigation and avoidance measures, and pollution avoidance measures contained within the Initial Environmental Assessment and the tree preservation measures included within the Tree Planning Review.
4. Biodiversity enhancements condition.