

PLANNING COMMITTEE	DATE: 14/07/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

Application Number: C23/0673/45/AM

Registration Date: 11/09/2023

Application Type: Outline

Community: Pwllheli

Ward: Pwllheli (North)

Proposal: Construction of residential dwelling houses including access

Location: Land off Ffordd Caernarfon, Eastern Plot, Pwllheli, LL53 5LF

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

1.1 It was resolved at the Planning Committee 24/03/2025 to refuse the application contrary to the officers' recommendation. The committee's reasons for refusing the application related to:

- Lack of affordable housing
- Lack of information about the housing mix / balance
- The detrimental impact on the Welsh language

In accordance with the instruction of the Assistant Head, Environment Department, as there was a significant risk to the Council in respect of the Planning Committee's intention to refuse the application contrary to officers' recommendation, the application was therefore referred to a cooling off period. However, by now the application has been amended to include 30% of affordable homes within the development. An updated Planning Statement and Welsh Language Statement was received for the application. For this reason, the application is resubmitted to the Committee for further consideration based on these changes instead of submitting a cooling off report.

1.2 This application has been submitted in the form of an outline planning application and, therefore, all the details of the development in terms of detailed plans to show the appearance/design and landscaping have not 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.

1.3 However, an indicative site plan was submitted for a residential development of 24 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

1.4 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

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- Design and Access Statement
- Planning Statement

1.5 The site is currently open fields. The application site is located off Caernarfon Road (A499), namely one of the main roads leading into and out of Pwllheli. The site is 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. There are some dwellings in the vicinity. The Aldi shop has opened recently on land to the south-west of the site. The site's topography means that the site slopes towards Ffordd Caernarfon to the east of the site with thick vegetation on the western side of the site.

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

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

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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

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 the T28 housing allocation within the JLDP.
- 3.4 C23/0671/45/AM - Construction of residential dwelling houses including access - Not yet determined. This is an application for a residential development on another part of the T28 housing designation 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.

The proposed improvements to the current highway are in accordance with those proposed within planning application C22/0969/45/LL and will need to be completed to achieve the planning conditions. To protect against the potential that these improvements are not completed, any proposed modifications to the highway should be subject to a planning condition that ensures that the work is undertaken in accordance with the submitted plans. The applicant would then be required to commit to a Section 278 agreement with the Council where the details of the changes could be agreed and the plans associated with the planning condition could be amended accordingly. These changes should include, but not be restricted to; reviewing the speed limit, introducing street lighting, construction of cycle path / footways, bus stops and crossings. The applicant would pay the cost of amending the Traffic Regulation

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Order to implement an amendment to the Speed Limit.

I request that the following conditions/notes are included with any planning permission granted:

The access must be planned and built completely in accordance with the plan as submitted.

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

The road and footways shall be surfaced to base-course and illuminated prior to the occupation of any dwellings which they serve.

The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and illuminated 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 is the sooner.

The car parking accommodation 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.

No development will be undertaken until a Construction Method Statement has been submitted to the Local Planning Authority and approved in writing. The Statement will include details for:

- Traffic management linked to the site during construction
- Parking for the vehicles of workers and site visitors
- Loading and unloading equipment and materials
- Storage of equipment and materials used in the construction work
- Building and maintenance of safety partitions
- Wheel washing facilities
- Measures to control dirt, dust, noise and vibration levels during the construction work
- Site waste management plan

NOTE The applicant is instructed to write to the Street Works Manager to receive permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.

Natural Resources Wales:

Thank you for consulting with Natural Resources Wales (NRW) regarding the above amended information, which we received on 08/11/2023.

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We still 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, 31 October 2023, Preliminary Ecological Assessment) 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.

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

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

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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 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.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

POTABLE WATER SUPPLY

Capacity is currently available in the water supply system to accommodate the development. We reserve the right however to reassess our position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually.

Also provided advice for the developer.

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Public Protection Unit:

Thank you for consulting with us on this application, and our observations are as follows;

This site is located near the proposed Aldi supermarket that is currently going through the Planning process. The noise report has been included to show that Aldi does not have a negative impact on the proposed housing development.

Noise

The noise report notes that neither the noise of receiving goods nor the mechanical plant will have a negative impact on the proposed housing. The report notes that background noise is very low in the area and refers to house 4, and it is not clear from the plan where this house is.

The report has not included noise from the car park and customers. This may have an impact on new residential housing, and it is advised should the application be approved that the acoustic fence is installed on the boundary between the two sites. In appendix B of the noise report there is a plan of the proposed housing estate and ALDI. It appears that a sub-station is located on the boundary and there is no mention of noise from the sub-station that is included in the report.

We have noted that the applicant has provided an additional plan of the site where the four houses on the boundary facing the car park have been removed, therefore the distance between the sub-station and the property has been increased.

Should the application be approved, we advise that a condition should be imposed that every property is built in accordance with proposed plan dated 09/23, received by the Planning Authority on 01/11/23. Should any property be constructed on the boundary facing the ALDI car park, a noise impact assessment would need to include noise from the car park and the sub-station.

We advise that a condition is imposed to ensure that every property must satisfy the acoustic performances, as noted in the acoustic report, in each of the habitable rooms across the site that is normally achieved by the following specification.

- Standard double-glazing unit (W + Ctr 25dB), usually including 4mm float glass, 12mm cavity, 4mm float glass.
- Standard hit and miss trickle ventilators (rating in Dn, e, w + CTR 32dB)

The houses must be insulated from noise to ensure that the levels noted in the following table are achieved.

These should be calculated assuming that windows in noise sensitive buildings are open for ventilation.

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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	-	-

A full Noise Insulation Plan must be submitted in writing for the approval of the Local Planning Authority prior to the commencement of the construction work, to indicate compliance with the above.

The internal plan layout of the housing has not been provided as this is an outline application, we would advise that a bedroom is located facing away from the proposed Aldi shop and car park.

In accordance with the acoustic report, for the residents to be protected in their gardens from traffic noise deriving from Ffordd Caernarfon, mitigation measures should be installed in the form of a 2m high acoustic fence. This may be conditioned should the application be approved.

Construction Noise

In order to safeguard the area's residents, any building work should be undertaken between the hours of 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 on Saturday and not at all on Sunday or Bank Holidays.

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

A detailed plan to manage dust, noise and vibration as a result of construction work should be submitted to the Local Planning Authority.

Drainage

Having assessed the public Welsh Water sewers maps, the public sewer is approximately 180m away from the site. No development will be undertaken until a clear plan is provided to the Planning Authority of the exact location where the site joins the public sewer. The approval and confirmation of Welsh Water must be provided to the Planning Authority.

Water and Environment Unit
YGC:

Flood Risk and Land Drainage

A Flood Consequence Assessment (FCA) has been presented which addresses flooding risk to the development site from all sources

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(Weetwood, v3.2, October 2023). We are satisfied that sufficient evidence has been provided to demonstrate that surface water flooding risk can be controlled (as noted in the latest Flood Maps for Planning) sufficiently, and that the proposed development does not increase the risk of flooding below by disposing of the surface water storage currently provided by the site.

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 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.

Education Department: Current capacity available in the local schools (see chapter 5.42 below).

Fire Service: Not received.

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 provided (Section 9). These are suitable and reasonable to mitigate the impact of the development and maintain the current biodiversity value of the

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site / status of protected species present.

- The landscaping design / GIS and design plan must show the hedge on the northern boundary will be improved and a new hedge will be planted along the southern boundary, meeting the specifications provided in sec. 9.1.2 of the report. It must also show the existing hedge along the roadside will be realigned and that a Sessile Oak tree (or other ornamental oak / maple) will be planted at either side of the new access. (I advise against beech or sycamore as these can respond poorly to the management expected in urban areas or can present future nuisance issues such as honeydew.)
- The site plan must show the grass verge on the inside of the roadside hedge is retained. A post-development management plan is required for the management of this. 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 other items raised.
- The garden designs must show 'hedgehog permeable' access. This may be through hedge only boundaries or installing hedgehog gates in fencing as per sec 9.2.3.
- A lighting scheme must be submitted and designed in liaison with the site ecologist and be consistent with all measures proposed in section 9.2.2 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 and longevity of ALL biodiversity features. 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 grassland.
- 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).
- The SuDS scheme must be designed in liaison with the site ecologist and contain enhancements as proposed in section 10 of the PEA. The biodiversity team should be asked to consult again when this is submitted.

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

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Language Unit:

Observations 23 June 2025

The amended statement now notes that it is intended for 30% of the development to be affordable housing. This would be likely to attract more local Welsh speakers to the development. Despite this, no evidence of the real local need has been included such as data from Tai Teg's register and information from local estate agents.

Observations 10 December 2024

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 view of the demand for so many open market housing in the town (although we do acknowledge that there has been engagement in the development of Awel Deg, Pwllheli, where the agent has informed the applicant that 6 out of the 14 have been sold or offers have 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 ensure 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 ensure local buyers. In addition, the officer responsible for these applications has confirmed in an e-mail that no letter has been submitted from a local estate agent outlining the local demand for the houses for either application.

The author of the statement points out that it is not possible to envisage how many prospective residents will be Welsh speakers and at the same time claims that there is an expectation a similar percentage will move into the development as there is 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 has to be emphasised, including the prospective unit prices (flats, semi-detached housing etc.), number of bedrooms, total number of individuals who can be attracted to the community etc. in the Language Statement. Due to the lack of human resources in the Language Unit, the Unit can only offer full observations on the

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Linguistic Statements that are received, not on other documents that are part of the application pack.

Gwynedd Archaeological Service:

Many thanks for following up. I do not have significant archaeological concerns about the proposed development at this outline stage but am inclined to recommend a very limited programme of trial trenching as a condition of outline consent (should it be granted) to rule out the risk of significant archaeological discovery during development.

The application site is in quite a constrained valley location, and although the flanking higher ground would be more likely to be occupied by defended or landmark sites, there is some potential for Romano-British and earlier occupation on the lower ground. This could range from a few earth oven pits to a formal settlement. This is the case despite the negative results of trial trenching at the Aldi site to the west, since archaeology occurs sporadically and, while a concentration of activity is a strong indicator of further remains nearby, the reverse does not apply. A programme of 6 or 7 trenches is suggested as a more pragmatic approach than proceeding direct to mitigation, which could prove unreasonably onerous if the site is found to be devoid of archaeology.

It is a pity that the central defunct boundary feature is proposed to be removed, although I do note that its route is to be retained as part of the estate road layout. This feature appears to be a local lane dating from at least 1840. It is a substantial bank and on later maps it defines a municipal boundary. This is not currently sufficient for it to qualify as an 'important hedgerow' under the 1997 Hedgerow Regulations, but land division on Llŷn has a long history and it may be that this feature has undocumented earlier origins. I would recommend that a record of this feature is made alongside the trenching, to reduce the need for future pre-commencement conditions.

The following usual condition wording is suggested to secure this work, but please do contact me if this isn't suitable - ideally, we'd want the trenching to be completed before reserved matters are submitted, in case something does turn up and we need to attach mitigation conditions then:

- a) No development (including site clearance or 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 and approved in writing by the

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Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reasons:

- 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2024 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).

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 on the type of need:

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

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

Number of bedrooms	Need as a %	Rent	Purchasing
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 bed	37%
2 beds	40%
3 beds	16%
4 beds	6%

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5 beds	2%
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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:

Observations 5 March 2025

There's nothing I'm overly concerned about with this case.

I appreciate the planning agent's response to my comments.

Observations 29 November 2023

The woodland onsite contains ancient woodland indicator species (as described in the ecology report). This development should not result in loss of this type of woodland at all - Natural Resources Wales / Advice to planning authorities considering proposals affecting ancient woodland. The application must demonstrate how the development applies the step-wise approach to reducing damage to this priority and irreplaceable habitat class (PPW 6.4.21). Ideally a buffer will be placed between the woodland edge and the development.

I note the site layout has been amended which reduces incursion into the woodland. I appreciate this amendment, however further specifications of tree work required should be provided to be able to understand exactly what will be undertaken. This will also be required to inform the mitigation and enhancement.

The arb. report does not address if root protection measures will be required, particularly regarding the access road. I advise the arboriculturist is asked to consult on this matter to ensure future longevity of woodland trees.

All tree protection measures described must be implemented. Planning should be conditioned in strict conformity to the tree protection specifications and method statement provided.

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

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Public Consultation:

A notice was posted on site and in the press, and nearby residents were informed. The advertising period has expired, and letters / correspondence were received objecting on the following grounds:

- Concern regarding road safety.
- Increase in traffic.
- Lack of pavement and enhancements for pedestrians.
- Walking /cycling paths crossing the private Plas Tirion road.
- Concerns about overdevelopment along Ffordd Caernarfon.
- Need to give serious consideration to make the road between the A499 and the A497 a one-way (from the west to the east).

Correspondence was also 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 limits 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.
- Traffic and capacity matters of Ffordd Caernarfon to deal with the developments.
- 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.

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 that it is expected that 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

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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 has been amended to confirm that the size of the site is 2.19 hectares. Based on a density of 30 units per hectare, it would mean that there would be 65.7 units on this site. This is an outline application before you and since the indicative layout plan has been submitted for 24 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. The area of the site that can be developed is considerably limited by the topography and the vegetation surrounding the western boundary is dense. There is also an earth embankment sloping towards Ffordd Caernarfon and therefore limits the potential to develop the site. The restrictions that are part of the topography and established vegetation of the site lead to a narrow section of development land, which explains the long plan proposed. 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 considered 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 the T28 housing designation which currently has no planning permission. The site of the current application forms part of the T28 housing designation and, therefore, it should be noted that the site in question is part of the figure of 150 units for the T28 designation. 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.
- 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 T28 housing designation 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 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 that the proposal subject to this application would not be viable even when no affordable housing provision was offered. Therefore, analysing the information within the Viability Assessment, together with additional figures requested, the Council accepts based on the current

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housing market that providing affordable housing on site is not viable. The Viability Assessment has used units of 1,000 square feet in size for all units, which reflects the average size of a mix of units that would likely be developed. The size of the units reflects a size similar to the size of units that would comply with DQR standards, which would reflect units of an affordable size. It is seen that the viability assessment has been carried out using a single size of proposed dwelling house and that the Design and Access Statement refers to houses that may be larger or smaller than those set out in the Viability Assessment. As this is an outline application then the specific size of the units is not determined but a minimum and maximum size range for the proposed houses is required. The exact size and type of housing will be determined in a reserved matters application.

- 5.6 Therefore, based on indicative details submitted as part of the outline application, the viability of providing affordable housing remains very difficult. However, the application has now been amended to include 30% of affordable housing, which is 7.2 units. Paragraph 7.2.2 of the Supplementary Planning Guidance confirms that when the affordable housing requirement is calculated, the proportion of the total housing required to be affordable housing will be rounded to the nearest whole number (and half will be rounded upwards). If the fraction of an affordable house is less than 0.5, then a contribution will need to be made through a commutative sum based on that fraction. In the case of this application, therefore, a provision of 7 affordable homes and a commutative sum worth 0.2 affordable homes would therefore be expected or alternatively, one additional affordable house can be provided to make a total of 8 on site. It would be possible to include a condition on the planning permission to submit and agree the details of the affordable housing. It can be stated in the condition that a contribution of 30% is required and the exact means of achieving this 30% in terms of number of affordable housing/commutative sum would be agreed as part of the condition. The applicant has stated that it is hoped that RSL and / or a housing developer/builder will be involved in the development by the time a reserved matters application is submitted and that this could offer a way forward in providing affordable housing through the possible support of a development grant from the Welsh Government. Those types of grants would give viability matters in the development of the site a better chance of being supported, compared to the support that would be available to a private sector developer. It must also be remembered that planning permission lasts for 5 years and the situation can change significantly within that time. As the proposal is now for the provision of 30% affordable housing, it is considered that the proposal is considered acceptable in relation to the Policy TAI 15 of the LDP.
- 5.7 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 for 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.
- 5.8 Confirmation was received from the agent that class C3 use dwellings, namely dwellings used as a sole or main residence are proposed for all the dwellings that are subject to the application. The proposal would therefore provide permanent housing (sole or main residence use) on the site, with 30% of those homes being affordable housing. The proposal would not provide additional second homes, holiday homes or additional holiday units in the area. As the proposal has been considered against housing policies in the LDP, it is considered appropriate to provide a condition that the houses be restricted to use class C3 only, which is dwelling-houses used as sole or main residence.
- 5.9 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 an outline application is before the committee, the exact details of the houses have not been submitted. While the specific size of the units is not determined as part of

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the outline application, a minimum and maximum size for the proposed housing is noted in the Design and Access Statement. The exact size, type and mix of houses will be determined in a reserved matters application. Consideration will therefore be required as to how the proposal meets the requirements of Policy TAI 8 as part of the reserved matters application.

Linguistic and Community Matters

- 5.10 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 would not originally be provided as part of the application due to viability issues, the applicant was asked to provide a Welsh Language Statement under clause 1c of Policy PS 1. As a result of this, a Welsh Language Statement was received for the development and this Welsh Language Statement has been amended in light of the proposal to provide 30% of affordable housing as part of the development.
- 5.11 The latest comments from the Language Unit indicate that the revised statement now states that 30% of the development is intended to be affordable housing. This would likely attract more local Welsh speakers to the development. Despite this, no evidence of the real local need has been included such as data from Tai Teg's register and information from local estate agents.
- 5.12 As the existing site together with the application site for C23/0671/45/AM form 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 had the estimated number of housing at 150 where there would have been an expectation that 30% would be affordable housing. While the information on the application continues to show that there are issues with the viability of developing the site, there are now plans to provide 30% affordable housing as part of the scheme. It must also be realised that the total number of houses intended for T28 designation through the current application and application C23/0671/45/AM totals 36 which is significantly lower than the estimated number of 150 in the LDP. As it is a designated site, consideration has been given to the need for housing on site as part of the LDP and its implications from a Welsh language perspective. The Welsh Language Impact Assessment provided for the LDP did not expect a provision of 150 units for the T28 designation to have an adverse impact on the Welsh language.
- 5.13 Also, through the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022 it was now possible to bind 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.
- 5.14 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.
- 5.15 It is therefore considered that the proposal is acceptable in terms of Policy PS 1 of the LDP.

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Visual amenities

- 5.16 This is an outline application and full details of the design of the proposal have 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.
- 5.17 The existing site is undeveloped fields and therefore it is true to say that building anything on the fields would change 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 that 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 be located near the Aldi shop and there are also some houses in the vicinity. It is not considered therefore that dwelling-houses in this location would look out of place. Therefore, by securing the design and use of suitable materials for the houses as part of a reserved matters application it is considered that it is possible to ensure a quality development that would comply with policy PCYFF 3.
- 5.18 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

- 5.19 The proposal would be located near a supermarket and there are some dwelling houses in the vicinity. 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 would have 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.
- 5.20 Demolition, construction, and landscaping work can cause a noise and dust problem for nearby residents. There are dwellings in the locality. 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 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 and also that the developers use the best practical methods to reduce noise and vibration from the development and consider the recommendations of practice code BS5228-1:2009+A1:2014: Control of Noise and Vibration on Construction and Open Sites. It is considered that it would be reasonable to propose conditions to control the building work hours and in terms of keeping the noise and vibration levels down and would be beneficial in terms of reducing the impact of the proposal's construction phase on householders in the vicinity. It is also considered that it would be appropriate to submit and agree on a Construction Environmental Management Plan.
- 5.21 Consideration must also be given to the amenities of the occupants of the proposed houses. The houses within this development will be located near a commercial shop, therefore there is a possibility that they will be subjected to noise disturbances. It should be noted that the granting of

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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. The noise report notes that neither the noise of receiving goods nor the mechanical plant will have a negative impact on the proposed housing. The report has not included noise from the car park and customers that may also have an impact on new residential housing. Public Protection advise that an acoustic fence be installed on the boundary between both sites. Observations from Public Protection also note that it is proposed to site an electricity sub-station on the boundary between the Aldi site and the application site. Since receiving these observations application C24/0631/45/AC has been approved on the Aldi site which amongst other matter entails that this electricity sub-station is removed from the Aldi development as it was not required. Should the application be approved, the Public Protection Service recommends conditions in terms of ensuring an acceptable level of noise in the proposed housing, submit and agree on a noise insulation scheme, submit and agree on suitable acoustic fence details for the gardens, development to be undertaken in accordance with the noise assessment.

- 5.22 By imposing appropriate conditions as outlined below 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

- 5.23 The proposal would entail creating a new vehicular access to the A499 Ffordd Caernarfon. It is also proposed to have a footway / cycle path along the frontage of the site with the A499. Also, it is proposed to move the endpoint for the speed designation of 30 / 40 miles per hour and the associated work and also to install streetlighting.
- 5.24 Observations on the application were received from the Transportation Unit and it has stated that the proposed improvements to the current highway are in accordance with those proposed in the planning application for Aldi namely planning application C22/0969/45/LL. This work would need to be completed to achieve the planning conditions on that application. To protect against the potential that these improvements are not completed, the Transportation Unit requests that a condition is imposed that the proposed modifications to the highway should be undertaken in accordance with the submitted plans to ensure that this work is carried out. The proposed plans and work to the highway have been included in the Transport Assessment and it is therefore considered appropriate to impose a condition that the development is to be undertaken in accordance with the Transportation Assessment. The applicant would then be required to commit to a Section 278 agreement with the Council where the details of the changes could be agreed and the plans associated with the planning condition could be amended accordingly. These changes should include, but not be restricted to: reviewing the speed limit, introducing street lighting, construction of cycle path / footways, bus stops and crossings. The applicant would pay the cost of amending the Traffic Regulation Order to implement an amendment to the Speed Limit.
- 5.25 The Transportation Unit is also keen that conditions relating to completing the access is in accordance with the plan submitted, estate road and pavement, lighting within the estate, completing the parking spaces before residing in the units and preventing surface water from the site discharging onto the highway, submission of a Construction Method Statement. It is considered that the conditions proposed are reasonable and that the proposal is acceptable in terms of Policies TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.26 As part of the application an Ecological Survey Report was submitted. The Biodiversity Unit has stated that the survey was undertaken to a good standard and that the impact assessment confirms

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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:-

- The plan was created to ensure that there is no negative impact on the broadleaved woodland habitat which is a 'priority' habitat.
- Due to the status of the hedgerows as a 'priority' habitat, it is recommended that the design of the plan will ensure that there will be no net loss from this habitat. The design must also consider habitat connectivity.
- Most habitat loss will be improved grassland of negligible ecological value. However, recommendations have been made to retain one grassland area which comprises a variety of species along the boundary 'clawdd'.
- Recommendations have been made to ensure that there is no negative impact on bats due to new lighting on the site.
- Precautions will be required during the construction phase due to the potential presence of badgers, hedgehogs, nesting birds, and reptiles.
- Biodiversity improvements will be delivered by establishing a new management system to improve the quality of the broadleaved woodland. It is also recommended that 'bee bricks' and 'bat tubes' are incorporated into the fabric of the new buildings and that an appropriate mix of wild flower seeds are used in the SuDS facility area.

- 5.27 The Ecological Survey Report sets out the mitigation measures and biodiversity improvements and therefore it is considered that it would be appropriate to impose a condition on any permission that the work is to be undertaken in accordance with the submitted Ecological Survey Report. 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 a management plan for the woodland. 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.
- 5.28 An Arboriculture Report was also received as a part of the application. In response to the initial observations of the Trees Unit an updated Arboriculture Report was received. The Arboriculture Report and the associated plans with the report indicate the intention to safeguard the most westerly area of the site with the safeguarding area line of tree roots shown. The indicative layout for the site shows the houses located on the eastern side of the site. The Trees Unit was re-consulted, and they had no concerns about the proposal in question. It is considered that it would be appropriate to include a condition to undertake the work in accordance with the Arboriculture Report.
- 5.29 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

- 5.30 As part of the application an Archaeological Assessment was received giving an archaeological assessment of the site based on a desktop method. The assessment undertakes an appraisal of the possibility that archaeological remains may be present based on the area's known cultural heritage assets, the current nature and historical land use, and the information available about the nature

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and condition of the sub-surface deposits. Therefore, the assessment assesses the site's potential to have archaeological remains based on the available evidence:

- Prehistoric: the probability of finding prehistoric remains has been appraised as low to medium, reflecting the archaeological features or deposits from a prehistoric date that are known within the area. It was also noted that the heritage significance to any assets from this period that may be present on the site is low / medium. It is therefore considered that the archaeological potential for the prehistoric period is low / medium.
- Roman and Early Medieval: there is no evidence of a Roman/Romano-British settlement within the study area. It is therefore considered that the archaeological potential for this period is low. This is also true of those heritage assets of the same period. There is no evident evidence here of early medieval activity in the defined study area and therefore, it is considered that the archaeological potential for the early medieval period is low.
- Medieval: It is likely that the site was enclosed during the post-medieval period. The boundary remains of modern agriculture may remain underground from the post-medieval period, but these would not be of heritage value.

5.31 It can be seen from the Archaeological Assessment submitted that there is a low to medium potential that archaeological remains are present on the application site. Observations were received from the Gwynedd Archaeological Planning Service on the proposal. The observations state that they have no significant archaeological concerns about the proposed development at this outline stage but recommend a limited programme of trial trenching as a condition of outline consent to rule out the risk of significant archaeological discoveries during development. The application site is in quite a constrained valley location, and although the flanking higher ground would be more likely to be occupied by defended or landmark sites, there is some potential for Romano-British and earlier occupation on the lower ground. The Gwynedd Archaeological Planning Service therefore recommend imposing conditions regarding a programme of archaeological work for the site. It is considered that by imposing appropriate conditions to carry out archaeological work that the proposal is acceptable in terms archaeological matters.

5.32 The site is 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.

5.33 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

5.34 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). 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 Philosophy Statement were submitted as part of the application, and Chapter 5 of the Planning Statement includes a Water Conservation Statement.

5.35 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

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indicate a flood risk. Although the site is not within a flooding zone the Flooding Consequence Assessment has been submitted as part of the proposal.

- 5.36 Observations were received from the Water and Environment Unit YGC stating that the Flood Consequence Assessment (FCA) had been presented which addressed flooding risk to the development site from all sources. The observations state that the Water and Environment Unit YGC are satisfied that sufficient evidence has been provided to demonstrate that surface water flooding risk can be controlled (as noted in the latest Flood Maps for Planning) sufficiently, and that the proposed development does not increase the risk of flooding below by disposing of the surface water storage currently provided by the site.
- 5.37 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. Therefore, the proposal is 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.
- 5.38 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 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 it 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 has it indicated that it objects to the application. Instead, it 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.
- 5.39 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.

Infrastructure and developer contributions

- 5.40 Policy PS 2 and ISA 1 of the LDP requires 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.
- 5.41 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 have not been stated the Planning Policy Unit cannot give an estimate of the contribution required should the proposal itself not include a purposeful play space on the development site. In the Planning Statement submitted with the application it is noted that the

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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, but the exact type and size are not 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.

- 5.42 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 24 houses, but the number of bedrooms does not appear to have been confirmed. However, the methodology included in appendix 2 of SPG Planning Obligations is based on the number of pupils that arise from every house with 2 bedrooms or more. 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 that the number of pupils estimated to derive from the development are as follows:-

- Primary School - 9.6
- Secondary school - Years 7-11 - 6.96
- Secondary school - Years 12 and 13 - 0.48

- 5.43 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; September 2027 - 204.
- Ysgol Glan y Môr, Pwllheli: Capacity 732 - Existing total - 482 - Projected numbers - September 2025 - 469; September 2026 - 446; September 2027 - 418.

- 5.44 Therefore, it is believed that the proposal would not create a direct need for additional education facilities. Nor would it create a need for additional education facilities jointly with application C23/0671/45/AM. Therefore there is no justification to request a financial contribution.

- 5.45 Due to the above, it is considered that the proposal is acceptable in terms of Policies PS2 and ISA 1 of the LDP.

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 delegate powers to the Head of the Environment Department to approve the application, subject to receiving the observations of the Gwynedd Archaeological Planning Service and to 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

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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 an Environmental Buildings Management Plan / Construction Method Statement
11. Construction work hours
12. Noise levels and reduction of noise and vibration during the construction period
13. In accordance with the Transport Assessment.
14. Entrance to be completed in accordance with the plans
15. Highways conditions in terms of completing the road work and pavements of the estate together with the street lighting
16. Parking
17. Prevention of surface water from discharging into the highway
18. In accordance with the Ecological Survey Report.
19. External lighting plan
20. Submission and agreement on a Management Plan for woodland
21. Condition to complete landscaping work as agreed in the landscaping details
22. In accordance with the Arboriculture Report
23. Welsh Water condition to undertake a hydraulic modelling assessment prior to the commencement of the development
24. No surface water / land drainage to connect with the public sewer
25. Ensure the acceptable noise levels of the proposed houses
26. Submit and agree upon a noise insulation plan
27. Submission and agreement of suitable acoustic fence details for the gardens
28. Development to be undertaken in accordance with the noise assessment
29. Archaeological conditions
30. Condition to submit and agree on details to provide 30% affordable homes.
31. Removal of permitted development rights for the affordable homes in terms of extensions, outbuildings etc.
32. Agree and provide details of how open space is intended to be provided as part of the development.

Notes -

1. Major development
2. SuDS
3. Refer to Dŵr Cymru comments
4. Street Works