

PLANNING COMMITTEE	DATE: 03/09/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE OFFICER	PWLLHELI

**Number: 4**

**Application Number: C18/0237/15/R3**

**Date Registered: 20/07/2018**

**Application Type: Full - Planning**

**Community: Llanberis**

**Ward: Llanberis**

**Proposal: Erection of a new foot bridge across Afon Goch between Glanrafon Estate and the former library together with a footpath**

**Location: Afon Goch, Llanberis, Caernarfon, Gwynedd LL55 4SH**

**Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS**

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## 1. Description:

- 1.1 This is a full application for the erection of a new foot bridge across Afon Goch between Glanrafon Estate and the former library in Llanberis. As part of the application, a footpath will be created along the southern boundary of the former library in order to connect the bridge with Capel Coch Road; the primary school lies to the east close to the site of the application. The bridge measures 9m in length, 2m in width with handrails on each side of the pathway of the bridge. The bridge would be laid on 2m deep concrete slabs on the banks of the river and the decking will be laid above the a once in 100 years flooding level.
- 1.2 The proposed bridge is part of the Safe Routes to School Strategy, its aim being to encourage more children/parents to walk or cycle to school by providing safer paths. The existing footpath to the school along Capel Coch Road is unsuitable for pedestrians as it is narrow and lacks a provision for pedestrians in the form of a footpath/pavement. The foot bridge will reduce the amount of walking currently on the road, and will lead to fewer encounters between vehicles and pedestrians on the road. As part of the application, a Design and Access Statement was submitted and since Natural Resources Wales has included the banks of Afon Goch within the C2 flood zone (Technical Advice Note 15: Development and Flood Risk, 2004), a Flood Consequence Assessment was submitted as part of the application.
- 1.3 The bridge lies opposite the residential dwellings of Glanrafon Estate to the west and the residential dwellings that stand parallel to Capel Coch Road to the east of the bridge which also includes the site of the former library.

## 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 made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven 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 **Gwynedd and Anglesey Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:-**
- Policy PS 4 - Sustainable Transport, Development and Accessibility
- Policy ISA1 - infrastructure provision.
- Policy TRA4 – managing transport impacts.
- Policy PCYFF2 – development criteria.
- Policy PCYFF3 – design and place shaping.

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Policy AMG5 - local biodiversity conservation.

#### 2.4 National Policies:

Planning Policy Wales, Edition 9, (2017).

Technical Advice Note (TAN) 12 Design (2016).

TAN 15 Development and Flood Risk (2004).

TAN 18 Transport (2007).

#### 3. Relevant Planning History:

- 3.1 Application number C11/0282/15/R3 - application to construct a footbridge was refused in September 2011, contrary to the officers' recommendation on the grounds that the proposal would affect the residential and general amenities of local residents.

#### 4. Consultations:

Community/Town Council: The Community Council understood the concern for the safety of children walking to school but children in the eastern part of the village will still have to use Capel Coch Road even if a bridge is built.

Transportation Unit: No objection since the proposal provides a pedestrian link which obviates the need to walk along narrow parts of Capel Coch Road where no pavements exist. The plan also provides a convenient and more direct link for children and parents of the Ffordd Tŷ Du area, and could help promote walking and cycling to school and reduce the dependency on cars for short journeys.

Natural Resources Wales: Following the Flood Consequence Assessment made by the applicant, the proposal is believed to be acceptable given the consequences of flooding on the safe use of the proposed bridge.  
Request a condition to ensure an Environmental Construction Management Plan is submitted so that any detrimental impacts from the construction work on habitats are reduced and mitigated.

Welsh Water: No observations.

Public Protection Unit: No response.

Land Drainage Unit: No response.

Biodiversity Unit: Agree with NRW that an Environment Management Plan must be submitted.

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Public Consultation: A notice was posted on site and neighbouring residents were notified. The advertising period has expired and correspondence was received objecting on the following grounds:

- Overlooking and loss of privacy to the rear of the property identified as 14 Capel Coch Road.
- A traffic survey should have been submitted with this application in order to show a reduction in any risk between pedestrians and vehicles since the road is busy with cars parking along its verges.
- Noise disturbance to the detriment of residential and general amenities of the residents of the Glanrafon Estate bungalows.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The principle of erecting a new foot bridge in order to create a safe route to school (Ysgol Gynradd Dolbadarn) for children and parents is based on Strategic Policy PS4 of the LDP which states that a development may be located to reduce the need for travel, with Council supporting transport improvements that enhance accessibility for every mode of transport but especially on foot, bike and public transport. This will be achieved by providing convenient access to paths, cycle infrastructure and public transport. To this end, approving this most recent application for the construction of a foot bridge will encourage more children to walk or cycle to school as part of the Safe Routes to School Strategy. The foot bridge will reduce the amount of walking currently on the road, and will lead to fewer encounters between vehicles and pedestrians on the road.
- 5.2 Policy TRA 4 of the LDP states, where appropriate, a development should be planned and designed in a way that promotes the most sustainable modes of transport, placing particular attention to the branch of users that includes pedestrians (persons with prams and/or young children), disabled people and cyclists. The policy goes on to state that proposals that would cause unacceptable harm to the safe and efficient operation of the highway, including public transport and other transportation networks, including pedestrian and cycle routes and public rights of way, will be refused. The aims of the above policies are reflected within TAN 18 Transport that states that local authorities should promote walking as the main mode of transport for shorter trips through the use of their planning and transport powers... Ensure that pedestrian routes provide a safe and fully inclusive pedestrian environment, particularly for routes to primary schools.
- 5.3 Given the content of this assessment as a whole, it is believed that the proposal to construct a foot bridge in this location is acceptable in principle.

### Visual amenities

- 5.4 The site is within the development boundary of the village as contained in the LDP and within a built up residential area, although there is vegetation on the western banks of the river. Considering the location, setting, scale and simple design and materials of the proposed bridge, it is believed that the proposal will not create a prominent or impactful structure in this part of the townscape. Therefore, the proposal is acceptable on the grounds of the requirements of Policy PCYFF3 of the LDP.

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### General and residential amenities

- 5.5 As referred to above, residential dwellings are located in the vicinity of the site of the application and correspondence has been received objecting to the application on the grounds of noise disturbance and loss of privacy. Residents on both sides of the bridge are concerned about loss of privacy and about the use of the bridge at unsociable hours by young people. However, the applicant has amended the plans in order to reduce any over-looking and loss of privacy to the property identified as 14 Capel Coch, by installing a timber fence measuring 1.8m high and 12m long opposite the gable end of number 14. A pavement/public road already leads to the far end of Glanrafon Estate and the curtilage of the library has also been used by the public and it is not possible to prevent this despite the library being closed. The action plan for the proposed bridge is that it would be used at school times and any concerns about anti-social behaviour would be dealt with by the police, as with any public space. It is also believed that the flow and design of the path, along with the higher standard of street lighting along the path will mean that the site of the application is naturally surveyed which could contribute to reducing any anti-social behaviour. However, the applicant has amended the plans in order to reduce any over-looking and loss of privacy to the property identified as 14 Capel Coch, by the installation of a timber fence measuring 1.8m high and 12m long opposite the gable end of number 14. In the context of the proposed use of the bridge and footpath, it is believed that the amended proposal is acceptable on the grounds of the requirements of Policy PCYFF2 and PCYFF3 of the LDP and that it will not cause substantial and significant harm to the residential and general amenities of nearby occupants.

### Transport and access matters

- 5.6 This latest proposal responds to the main aims of the Council's Safe Routes to School Strategy, which promotes and encourages children to walk to school on paths that are safe in relation to encounters with vehicles/traffic. The proposal aims to mitigate this problem by redirecting the existing path from the village to Ysgol Gynradd Dolbadarn through a housing estate and to the side of the former library rather than along the busy highway that has no pavement. Advantages of approving this proposal include:
- A route that includes a footpath all the way from the High Street to the school.
  - Improved street lighting on the new path.
  - The new path reduces travel time for some pupils.
  - Less traffic congestion on the road between 08:30 and 09:00.
  - No encounters between vehicles and pedestrians.
- 5.7 One of the objectors expressed concern that a traffic survey was needed to ensure that there would be no encounters between vehicles and school children. Although a formal survey has not been conducted on the flow of traffic using Capel Coch Road, road safety officers have already visited the site and have stated that the busiest times along the road are between 08:30 and 09:00am and at school closing time in the afternoon, with very little traffic using the road between these two times. Nevertheless, a survey has been carried out on the junction with the High Street and up Capel Coch Road to the school; it concluded that constructing a new bridge in this location would reduce the encounters between school children/parents and traffic using the road. The Transportation Unit has no objection to the application since the proposal provides a pedestrian link which obviates the need to walk along narrow parts of Capel Coch Road, where no footpath currently exists. The plan also provides a convenient and more direct link for children and parents of the Ffordd Tŷ Du area, and could help promote walking and cycling to school and reduce the dependency on cars for short journeys.

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The proposal is, therefore, acceptable based on the requirements of Policy PS4 and TRA4 of the LDP.

### **Biodiversity matters**

- 5.8 In response to the statutory consultation, the Biodiversity Unit has stated that the advice of NRW should be followed, which means submitting an Environmental Management Plan before commencement of any work on the proposal. Subject to including such conditions, it is believed that the proposal is acceptable on the grounds of the requirements of Policy AMG5 of the LDP.

### **Relevant Planning History**

- 5.9 The previous application submitted in 2011 was refused, contrary to the officers' recommendation, on the grounds of residential amenities. This decision was based on local policies that existed at the time and that were contained within the Gwynedd Unitary Development Plan. However, this latest application is considered within the context of the Gwynedd and Anglesey Joint Local Development Plan adopted in July 2017. Chapter 3 of Planning Policy Wales (2017) states that every application should be considered in relation to current policies. The relevant local policies along with national guidances to be considered with this current application are Policies PS4 and TRA4 of the LDP, along with Planning Policy Wales, Chapter 8 Transportation which concentrates on and places greater emphasis on the promotion of active travel by planning authorities such as walking and cycling for short journeys rather than using vehicles. Weighing up the implications of this most recent application, it is believed that it is acceptable in relation to road safety and based on residential and general amenities subject to the inclusion of relevant planning conditions.

### **Flooding matters**

- 5.10 As referred to above, the site lies within a C2 flood zone in the Technical Advice Note 15: Development and Flood Risk (2004) document. To this end, the applicant carried out a Flood Consequence Assessment together with amended plans, which show that the design and height of the bridge have been changed so that the bridge no longer interferes with the flow of Afon Goch. Subject to the inclusion of appropriate conditions, NRC has no objection to the amended plan and to this end, therefore, it is believed that the proposal is now acceptable based on the requirements of Policy ISA1 of the LDP which relate to flood mitigating measures.

## **6. Conclusions:**

- 6.1 Having considered this assessment and all the relevant matters including the local and national policies and guidance, as well as all the objections and observations received on the application, this proposal is believed to be acceptable and satisfies the requirements of the relevant policies as noted above.

## **7. Recommendation:**

- 7.1 To approve – conditions:-
1. Five years.
  2. In accordance with the plans.
  3. An Environmental Management Plan must be submitted before the development can begin.