

PLANNING COMMITTEE	DATE: 10/02/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

**Number: 1**

**Application Number: C19/0524/14/R3**

**Date Registered: 06/06/2019**

**Application Type: Full**

**Community: Caernarfon**

**Ward: Peblig**

**Proposal: Full application to erect four self-contained living units and creation of access road together with associated resources.**

**Location: Land at Canolfan Segontiw, Pendalar, Caernarfon LL55 2RP**

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

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## 1. Description:

1.1 Full application to erect four self-contained living units to be used as temporary accommodation for the needs of vulnerable individuals. It is proposed to use the access and the existing road into the site to lead to the four individual plots with associated work within the site, including improvements to the road itself, fencing, installation of street lighting and landscaping will also be provided.

1.2 The proposed development site is located on part of the former Canolfan Segonitwm site and within the development boundaries of the town of Caernarfon, which has been designated in the Local Development Plan as an Urban Service Centre. Its last use was as a site for Ysgol Pendalar together with Canolfan Segontiw, namely a day centre for adults with learning disabilities. The site's use ended some years ago with all the buildings demolished leaving only concrete floors in place. Therefore, the site is empty, unused with overgrown vegetation and brambles throughout the site. However, one section of the site (which does not form part of the existing proposal) includes an electricity sub-station and a communications mast. The site is mainly surrounded in all directions by residential housing, with the rear gardens of Llys Talar and Cae'r Saint abutting the site to the north. To the south, is the Roman fort of Segontium, a scheduled monument.

1.3 To confirm, the proposal would entail:

- The construction of four units or living 'pods' that would be one storey with a floor area of 30m<sup>2</sup> and 4.3m high to the ridge within individual plots.
- Internally, there would be an open plan living room/dining room and kitchen with a bathroom and one separate bedroom.
- Externally, the walls would be finished with timber cladding and a dark grey coloured one layer membrane roof.
- Individual footpaths can be seen leading to the four units from the nearby road with a 2m high wooden fence surrounding the site.
- A bin store will be provided adjacent to the access road near the junction to the site.

1.4 The documents below have been submitted as part of the application:

- Design and Access Statement (with amended versions)
- Affordable Housing Statement
- Archaeology Assessment (with amended versions)
- Assessment of the Impact on Heritage (with amended versions)
- Ecology Impact Assessment
- Reptile Survey

1.5 The application is submitted to Committee bearing in mind the contentious nature of the proposal and the concerns highlighted during the consultation period.

## 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 Unitary Development Plan.

2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the

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2015 Act; in making the recommendation the Council has sought to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

### 2.3 Anglesey and Gwynedd Joint Local Development Plan.

PS 1 - The Welsh Language and Culture  
 ISA 1 - Infrastructure Provision  
 ISA5 - 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 Developments  
 PS 6 – Mitigating the Effects of Climate Change and Adapting to Them  
 PCYFF 1 – Development Boundaries  
 PCYFF 2 - Development criteria  
 PCYFF 3 - Design and Place Shaping  
 PCYFF 4 - Design and Landscaping  
 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  
 TAI 15 - Threshold of Affordable Housing and their distribution  
 PS 19 - Conserving and enhancing the natural environment  
 AMG 5 – Local Biodiversity Conservation  
 PS 20 - Conserving and enhancing cultural assets  
 AT 1 - Conservation areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens.  
 AT 4 - Protection of non-designated archaeological sites and their setting

Supplementary Planning Guidance: Open Spaces in New Housing Developments  
 Supplementary Planning Guidance: Affordable Housing  
 Supplementary Planning Guidance: Housing Mix  
 Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

### 2.4 National Policies:

Planning Policy Wales, Edition 10 2018

TAN 2: Planning and Affordable Housing  
 TAN 5: Planning and Nature Conservation  
 TAN 12: Design  
 TAN 18: Transportation  
 TAN 24: The Historic Environment

### 3. Relevant Planning History:

There are a number of varied applications concerning the previous use of the site e.g. as a school and day centre, temporary buildings and extensions to the buildings on the site at the time.

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#### 4. Consultations:

Community/Town Council: Agree

Transportation Unit: No objection to the proposal and it is suggested that standard conditions are imposed. It was confirmed that initial discussions had taken place where it was agreed that there was no need for parking spaces but it was necessary to provide an estate road of a standard width where it was possible to park on one side while leaving sufficient space for vehicles to be able to pass. It is noted that if there are further future plans to develop the remainder of the land, that it is possible to transform the turning area into a specific parking area for the four living units. These aspects will be expanded upon in the following assessment.

Welsh Water: Advice and standard conditions.

Public Protection: Not received

Natural Resources Wales: No observations to offer. Having received further information in the form of ecological assessments, a second formal consultation was conducted and a response was received to confirm that no European protected species use the site, there are no further comments to be made on the application, however, it is suggested that the Council's ecologist should be consulted due to the reptile interest on the site.

Biodiversity Unit: Initial observations note that the land is green land and therefore requires an ecological assessment. Assessments and further information were received from the applicant and a further response was received from the Biodiversity Unit for inclusion. They confirm that the information is thorough and correct and there would be conditions to ensure that the proposal is implemented appropriately in accordance with the suggested mitigation measures.

Strategic Housing Unit: The proposal addresses the need in the area with arrangements in place to work with a Housing Association to implement the development. It does not appear that there are sufficient arrangements currently available locally and this proposal provides specialist units that would meet with a specific need.

CADW: Concerns were highlighted regarding the impact of the proposed development on archaeological remains, bearing in mind the location of the nearby Segonium monument and a lack of clear information. Several versions of further information were received in response by the applicant's Archaeological Consultant. It is suggested to include a condition to undertake work on the site. These aspects will be expanded upon in the following assessment.

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Gwynedd Archaeological Planning Service: Discussions took place between the applicant and his archaeological consultant and GAPS to satisfy the concerns highlighted regarding the proposal's impact on archaeological remains. Further information was received in due course which is acceptable and sufficient for it to be formally set as a condition. Please see further observations regarding this aspect in the following assessment.

Public Consultation: A notice was posted on the site and nearby residents were notified. A second full consultation was undertaken following the receipt of further information. The first and second advertising periods have expired and the following comments/objections were received including a petition signed by approximately 30 local residents stating the following:

- Concern about the proposed use including concerns about anti-social behaviour
- Lack of information
- Detrimental effect on the area's general amenities
- Contrary to the requirements of Council policy that refers to health and safety issues of new developments.

## 5. Assessment of the material planning considerations:

### The principle of the development

- 5.1 The proposed site is located within the development boundary of the town of Caernarfon and in a mainly residential area. The site has already been developed and the second criterion of policy PS 5 states, *"development will be supported ... that give priority to effective use of land and infrastructure, prioritizing wherever possible the reuse of previously developed land and buildings within the development boundaries of the urban service centre"*.
- 5.2 The proposal is to erect four living units or 'pods' that have been designed and provided to satisfy the needs of vulnerable individuals. They will be in the Council's ownership and managed as short-term accommodation via the Council, in partnership with a registered social landlord.
- 5.3 The explanation of the proposal states that it has been designed to satisfy the needs of vulnerable individuals with multiple and complex needs. It is further noted that the proposal will encourage engagement and will give the occupiers stability by providing high quality established accommodation with access to nearby support networks, community links and essential amenities and will facilitate the transfer from temporary living units to more established long term accommodation.  
The location will enable close support and monitoring of clients by professionals such as the probation service, Social Services, health, substance misuse network etc. By providing the proposed pods, the Council is trying to satisfy a specific housing need for short/medium term accommodation. It is said that the Homelessness Services have noted that the number of clients who seek accommodation are greater than the supply and there is insufficient capacity within the social rental sector to provide for this group.
- 5.4 Therefore, the proposal in this case as noted is to provide four units or residential pods on the site. Their form and to an extent their size are intentional, in order to meet the requirements of the individuals who require support for specific needs. It is noted that the units are temporary

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accommodation to assist users to stabilise their lives and move forward to more permanent accommodation.

- 5.5 Policy TAI 1 approves the erection of houses within suitable sites in the development boundary, and policies PS 16 and PS 17 refer to the housing provision and settlement strategy. It can be seen that through a combination of location, number and capacity the proposal in essence is totally acceptable based on the fundamental requirements of policies TAI 1, PS 16 and PS 17.
- 5.6 Policy TAI 15 attempts to ensure that an appropriate level of affordable houses are provided in the Urban Service Centres. From the submitted information, it is recognised that specialist self-contained accommodation is what is intended in this case, provided by Gwynedd Council with the support of a social landlord. Due to the nature of the proposed use as well as the size of the units themselves, it appears that all the units offer affordable accommodation to those in need and not living units available on the open market. Consequently, it is considered that the proposal is suitable and acceptable in terms of the relevant criteria in policy TAI 15.
- 5.7 Policy TAI 8 'Appropriate Mix of Housing' seeks to ensure that every new residential development contributes to improving housing balance and meets the needs noted for the entire community. The Supplementary Planning Guidance Housing Mix (2018) note: "Every proposal for residential development is expected to provide market housing and/or affordable housing that meet the proven need and demand for housing." It is noted that information has been presented in the form of an Affordable Housing Statement with the application that justifies the need for such units, namely one bedroom units only. The Strategic Housing Unit have confirmed that the proposal addresses the need in the area and that arrangements are in place to work with a Housing Association to implement the development. They also note that it does not appear that there are sufficient arrangements currently available locally and this proposal provides specialist units that would meet with a specific need. Therefore, it is considered that the proposal, as it stands, is appropriate and in compliance with policy requirements and the SPG.
- 5.8 Based on the above, it is therefore considered that the proposal complies with all the requirements of policies PCYFF 1:Development Boundaries, PS16:Housing Provision, PS17: Settlement Strategy TAI 1: Housing in the Sub-regional Centre and the Urban Service Centres, TAI 8: An appropriate mix of housing and TAI 15: Threshold of Affordable Housing and their Distribution from the Local Development Plan and the SPG Housing Mix, and consequently is acceptable in principle.

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

- 5.9 This proposal is to erect four new one storey buildings on a site that was previously used as an education and care/training site. The previous buildings were significantly larger than the current proposal and on part of the site that was higher and therefore not visible within the local landscape. This use obviously meant that there were fairly intensive movements and activities deriving from the site, especially at specific times of the day.
- 5.10 The proposed buildings would be one storey and comparatively small in size. They will be erected on the lower section of the site in terms of land level, and will therefore blend into the location and will not prominently stand out from areas further away from the site. The proposal includes fairly modern elements in terms of elevations and external form but are appropriate for the proposed use. They have been planned in order to reach current requirements concerning various needs including energy saving etc. Policy PCYFF 3 notes that innovative and energy efficient design will be particularly encouraged, while policy PS 6 states that proposals that demonstrate sustainable design standards will be permitted.
- 5.11 Locally, there is a variety in terms of elevations and sizes of buildings, with the majority of residential housing being two-storey, while Pendalar Flats which are nearby, are three storey. It

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is considered that the size, location and elevations and external finishes of these units are acceptable and have been designed for a specific purpose and they will not cause a detrimental visual impact at this location. In addition, the energy efficiency standard of these buildings also contribute to creating a sustainable site. It can be seen that the layout and design of the units achieve inclusive and effective design that allows full access to all. These requirements are noted in criterion 7 of policy PCYFF 3 and therefore it is considered the the proposal achieves this requirement. As a result, it is deemed that the proposal is acceptable in respect of the relevant requirements of policies PS 6 and PCYFF 3.

- 5.12 The proposed development entails that the preparatory work will clear the unacceptably overgrown site. Additionally, it is seen that the proposal intends to undertake soft landscaping on each plot and along the sides of the access road. It is also anticipated that the trees on the wider boundaries of the site will be retained. It is deemed that the development has considered landscaping matters by retaining and adding to the site's natural features and by doing so it is considered acceptable in terms of the relevant requirements of policy PCYFF4.
- 5.13 The closest section of plot 1 (the nearest to Llys Talar housing) is situated behind numbers 4 and 3 Llys Talar. The distance between the unit and the boundary wall is approximately 10m, while the proposed fence gives approximately 8m between the site and the boundary with Llys Talar houses. There is approximately 18-22m between the nearest section of the unit and the rear of the houses with approximately 16-18m between the fence and the rear of Llys Talar housing. It is considered that these distances between the new buildings and the boundary with the rear of Llys Talar houses is acceptable and that it would not have a substantial detrimental effect on the amenities of the nearby residents. It is acknowledged that the proposed development would lead to changes in terms of the site's use from the current situation, however, it is considered that this in itself does not create a detrimental situation to the degree where it would be unacceptable. Criterion 7 of policy PCYFF 2 states that proposals will be refused if they have an unacceptable adverse impact on various considerations including health, safety or amenity of occupiers of local residences. In this case there is proposed residential use and the proposal's scale is small, namely four, one bedroom units. The location and setting of the proposed units do not suggest that they will as a result lead to an adverse detrimental impact locally and therefore it is not considered that the proposal is unacceptable in terms of criterion 7 of policy PCYFF 2.
- 5.20 Therefore, based on the above, it is considered that the proposal is acceptable in terms of its design, size, scale and exterior materials, and that the proposal is unlikely to have an unacceptable substantial detrimental impact on any residents or local property. It is therefore considered that the proposal meets with the relevant requirements of policies PCYFF 2, PCYFF 3 and PCYFF 4.
- 5.15 It is acknowledged that observations have been received from residents from Ffordd Cwstenin, Ffordd Llanbeblig and Stryd y Faenol in the form of a petition with concerns about the impact of the development on their amenities and the area in general. These locations are to the west, south-west and south and abut the wider boundary of the whole site. The location of the development is in the northern section of the site, with a formal access towards the units via the established entrance in the northern part of the site only. There is no suggestion that the rest of the site is open to unit users and it is seen that a 2m fence will be erected around the units themselves. It is also seen that there is an existing fence along the wider boundaries of the site and therefore it is deemed that an element of protection is already in place. The full management of the site will be in the Council's hands, while the day to day management of the units will be in the hands of the social landlord in cooperation with the Council. It is considered that current and proposed measures noted on the plans are suitable and reasonable for such a site and are acceptable in the context of planning considerations. The issue of the management of the units and to a degree the users themselves, are not material planning considerations and therefore these are outside what can be considered as part of a planning application.

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### Highway Matters

- 5.16 The proposal involves re-using the access and the access road into the site off Ffordd Fictoria to the north. It is proposed to undertake improvements to the road including widening the road from the existing 4-4.5m to 5.5m and to create a footpath together with a turning area in towards the units. Due to the nature of the use of the units, no car spaces are provided for users, however, it is deemed that there would be plenty of room nearby for visitors to park temporarily, e.g. on Ffordd Fictoria and Ffordd Pendalar where there are no existing parking restrictions. The site is in an accessible location approximately 400-500m from the town centre whilst the layout and design will ensure access to a wide range of users. The footpath from the site to connect with Ffordd Fictoria ensures that there is a complete footpath from the site towards the town centre and established transport links.
- 5.17 The Transportation Unit has confirmed that there is no objection to the proposal and suggest that relevant conditions should be included to ensure an acceptable development. In order to confirm the views in terms of highways, further observations were received from the Transportation Unit noting that it was agreed during initial discussions that specific parking spaces were not required for each unit, however, an estate road of a standard width had to be provided with a standard size turning area to ensure sufficient access not only to transport the prefab units to the site, but also for access to the fire or ambulance service in an emergency. It is considered that the road and the turning area currently proposed are sufficient for the application in question. The width of 5.5m is sufficient for two cars to pass, therefore for this use one side can be allocated for parking for 'visitors' with the other side as an access road. If another plan is submitted in the future, then an additional turning area will be required further into the site and it would be possible to convert this into specific parking spaces for the four single units.
- 5.18 On this basis, it is, therefore, considered that the proposal complies with the relevant requirements of policies PS4, TRA 2 and TRA 4.

### Language Matters

- 5.19 The indicative supply level of new houses to be erected for the town of Caernarfon states a figure of 415 during the Plan's lifespan. Briefly, the numbers completed or designated for development are 286 and therefore there is sufficient capacity available to erect these new units. Since criterion 1b of policy PS 1 states that a Welsh Language Statement will only be required when the proposed residential development will provide more than the indicative housing provision, in this case it is considered that the proposal complies with the requirements of this policy. It should also be noted that the local need has been recognised and therefore the development that will be realised will support the local demand. In addition, it is considered that it is possible to ensure that a Welsh name is given to the site that would reflect the local character.

### Open spaces/Educational Provision

- 5.20 Policy ISA 5 ensures an appropriate provision of open spaces within new residential housing developments of ten or more units where the existing open spaces can not meet the needs of the proposed development. In this case, the proposal involves a number of living units that are less than the threshold as noted in the policy and therefore the requirements of policy ISA 5 are not completely relevant. However, the Joint Planning Policy Unit have noted that the application site is within a wider site and if there is any intention to develop the remainder of the site in the future, then this element will have to be considered at that time.
- 5.21 In the same manner, as it is one bedroom units that will be provided in this case, the need for an educational contribution would not be relevant to satisfy the requirements of policy ISA 1.



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### **Biodiversity Matters**

- 5.22 The Biodiversity Unit has confirmed that there is a need to provide an ecological assessment for the site. An Initial Environmental Assessment was received together in due course with a Bat Survey and an Ecological Impact Assessment that have assessed the site in terms of relevant considerations.
- 5.23 A series of recommendations are offered in the reports, and in order to be able to support the proposal it is suggested that a condition is imposed stating that the recommendations in the ecological assessment need to be followed. The survey confirms the ecological position of the site and the type of mitigation required and it is deemed reasonable to agree and control this information via a formal planning condition.
- 5.24 On these grounds, the Biodiversity Unit confirmed via formal consultation that the proposal is acceptable and therefore it is considered that the proposal is acceptable in terms of its local ecological impact and its impact on protected species, subject to the receipt of a relevant mitigation statement, and it is considered that the proposal therefore complies with the requirements of policies PS 19 and AMG 5 and the advice in TAN 5. It is also noted here that NRW have confirmed following the second consultation, based on the additional Ecological information, that they have no further comments but suggest the matter is discussed with the Council's ecologist, who as noted above, has confirmed that the proposal is acceptable and to the inclusion of appropriate standard conditions.

### **Archaeological Matters**

- 5.25 The site is located near the Roman fort of Segontium which is a scheduled monument. There was considerable discussion regarding the impact of the proposed development on this scheduled monument including the impact on the setting of the fort itself and any likely archaeological remains on the site to be developed which abuts a site of high importance such as this.
- 5.26 As a result of the observations and concerns raised by CADW as well as the Gwynedd Archaeological Planning Service (GAPS), the information was updated namely the Archaeological Assessment and an Assessment of the Impact on Heritage was submitted. Briefly, observations were received on the contents of the information by CADW and GAPS noting concerns about the information together with referring to the likely costs of undertaking excavation work on the site that may have an impact on the viability of the proposed development. Responses were received to the comments from the archaeological consultants on behalf of the applicant by amending the specialist assessments. A second full consultation was undertaken with the specialist bodies and the following responses were received:
- CADW - additional information was submitted by the applicant in support of this application including a fuller justification for the work of recording the site and the likely costs of undertaking a full site survey. As the applicant was aware of the costs attached to the condition to undertake work on the site and their responsibility of undertaking the work as suggested, the condition reaches the relevant requirements.
  - GAPS - the amended information has responded to the majority of the concerns highlighted in our initial observations. It is suggested that appropriate conditions are included to mitigate the development's impact including reaching agreement on an archaeological work programme for the site and to prepare a detailed report on the results of the survey work following the completion of the work.
- 5.27 Developing a site such as this, so close to an important monument at Segontium, is bound to raise several questions in terms of the impact on likely archaeological remains. Although the site has already been developed by erecting the buildings that operated as Ysgol Pendalar and Canolfan Segontium and all the associated resources, it is necessary to ensure that further developments do

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not have any further impact on any likely remains. By receiving confirmation from CADW and GAPS that conditions would be suitable in this case, we have to assess the proposal in the context of specific policies and guidance.

- 5.28 Policies AT 1 and AT 4 both note the importance of undertaking a thorough assessment and an assessment of the impact of the new developments and sites or protected designations. It is deemed that suitable and sufficient information has been submitted in this case to fully assess the proposal and by including specific conditions it can be ensured that no development can be undertaken until a programme of further archaeological work is agreed upon that satisfies the concerns of CADW and GAPS. It should be noted, although a recommendation can be made to approve the application, that such a programme can be complex and costly with the potential to make the plan non-viable. The applicant is aware of the situation, and has provided outline costs. Therefore it is considered that a thorough assessment and information have been submitted, that observations from relevant bodies have been received and as a result a full assessment has been made against adopted policies. In TAN 24, the following advice is given: *"The needs of archaeology and development may be reconciled and potential conflicts between development proposals and the preservation of significant archaeological remains can often be avoided through pre-application discussion. This should be between the applicant, the local planning authority, their archaeological advisors and, in cases where scheduled monuments may be affected, Cadw.... The local planning authority must take into account relevant policies and material considerations, and will need to weigh the significance of the remains against the benefits of and need for the proposed development"*. Consequently, and as a result of full consideration of all the relevant Planning matters it is deemed that the proposal is acceptable in terms of the relevant requirements of policies PS 20, AT 1 and AT 4 as well as Technical Advice Note 24: The Historic Environment and Planning Policy Wales.

#### **Drainage matters**

- 5.29 The proposed development has been designed to include and incorporate standard and current drainage measures. The current requirements for the provision of new living units state that it is required that every new development in Wales that is 100 sqm or more has a Sustainable Drainage System to control surface water. This is expressed in criterion 6 of policy PCYFF 3 that states the need for drainage systems to be designed to limit surface water run-off and flood risk and prevent pollution. As is customary, standard instruction is attached by Welsh Water and information regarding submitting an application to authorise sustainable drainage schemes. By so doing, it is considered that the proposal is acceptable and in accordance with the requirements of criterion 6 of Policy PCYFF 3.

#### **Response to the public consultation**

- 5.30 A notice was posted on the site and nearby residents were notified. Observations were received from local residents as noted above. It is acknowledged that significant concern has been highlighted regarding this proposal. The location of the units within a small section of a wider site making use of features that have already been created including the access and the current access road. The setting of the proposed site is planned to ensure a suitable location for prospective users. It is considered that the location and form of the development would not lead to direct obvious concerns regarding local amenities and therefore in this case is considered that there are no obvious planning reasons to refuse the application.

### **6. Conclusions:**

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

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**7. Recommendation:**

7.1 To approve – conditions

1. Time
2. Compliance with the plans
3. Landscaping
4. Biodiversity conditions
5. Highway conditions
6. Working hours
7. Archaeology
8. Provision of a bin store prior to the units being occupied
9. Fence to be installed prior to occupation
10. Welsh Water
11. Withdrawal of PD

Notes:

Welsh Water

SUDS

Highways