

PLANNING COMMITTEE	DATE: 21/12/2020
SENIOR PLANNING AND ENVIRONMENT DEPARTMENT MANAGER	

Number: 1

**REPORT TO THE PLANNING COMMITTEE
REFER TO A COOLING OFF PERIOD**

DATE OF THE PLANNING COMMITTEE: 21 December, 2020

DESCRIPTION AND LOCATION OF APPLICATION: A residential development of 30 units (to include 12 affordable units) together with infrastructure, parking spaces, access, paths and an open space. Land off Ffordd Pen y Ffridd, Penrhosgarnedd, Bangor.

Application Number: C19/1072/11/LL

REPORT BY: Assistant Head of Environment Department

RECOMMENDATION: To accept the recommendation, namely to delegate powers to the Assistant Head of Department to approve the application, subject to conditions

1. PURPOSE

1.1. Originally this application was reported to the Planning Committee on 20 October 2020, and the recommendation of that committee was to refuse the application, contrary to the officers' recommendations, on the grounds of the six following reasons:

1. Lack of need for housing
2. Insufficient Linguistic Assessment
3. Flooding matters
4. Land contamination matters
5. Transportation matters - Penrhos Road junction and also Pen y Ffridd Road
6. Insufficient provision / contribution of open spaces

1.2 In the opinion of the Assistant Head of Environment Department, there is a significant risk to the Council in respect of the decision to refuse the application for the six above reasons, contrary to officer recommendation; therefore, the matter was referred to a cooling off period in accordance with the Committee's standing orders. The purpose of reporting back to the Committee is to highlight planning policy issues, the potential risks and options for the Committee before it reaches a final decision on the application.

1.3 For information, the agent acting on behalf of the applicant has provided a letter and amended plans (dated 12/11/20) which provides observations about each refusal reason suggested by the Committee and also submitting additional/amended information in the form of:

- An amended Linguistic Statement updating/amending the previous and the matters of accuracy raised by the Committee.
- Plan showing a children's play area and equipment within the site

1.4 As a result of receiving the additional/amended information a second formal consultation was undertaken with the Language Unit and the Joint Planning Policy Service. In addition, and

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based on the concerns about the lack of need for housing; flooding matters; land contamination matters and the transport matters, a second formal consultation was undertaken with the statutory consultees in order to receive confirmation of their original comments regarding the situation. The relevant planning matters are noted further in this report.

2. **DESCRIPTION and BACKGROUND**

- 2.1 This is a full application to erect 30 residential units (to comprise 12 affordable houses) together with providing infrastructure, parking spaces, access, paths and open space. Since the application was submitted to the Committee on 20 October this year, the application has been amended to include children's play equipment on the open space. The site is in Penrhosgarnedd and is a site that was previously used by Bangor University as a horticulture field centre.
- 2.2 The site measures approximately 2.3ha and is located within the Bangor development boundary, as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP), however, it has not been allocated for any specific use.
- 2.3 As referred to above, the previous application was submitted to the Planning Committee on 20 October, 2020 with the officers' recommendation to delegate the right to the Assistant Head of Environment Department to approve the application with relevant conditions subject to the signing of a 106 agreement relating to financial contributions towards open spaces. Based on the information and the evidence submitted and the responses received from the statutory consultees, it was considered that this application was acceptable and in compliance with the requirements of the relevant local and national policies and guidance. A copy of the report and the plans that were submitted to the Planning Committee on 20 October, can be seen in **Appendix 1** where a further explanation is given of the background to the application.
- 2.4 In response to the concerns raised by the planning committee about the aforementioned aspects relating to this application, information is submitted in direct response to the refusal reasons, dealing with the following:
1. **Lack of need for housing**
 2. **Insufficient Linguistic Assessment**
 3. **Flooding matters**
 4. **Land contamination matters**
 5. **Transportation matters - Penrhos Road junction and also Pen y Ffridd Road**
 6. **Insufficient provision / contribution of open spaces**

3 **POLICY CONTEXT**

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 planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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 7 wellbeing goals within the Act. This

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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.

National Policies -

A letter from the Minister for Housing and Local Government dated July, 2019 regarding focusing on supplying social housing in Wales.

Planning Policy Wales, Edition 10 (2018)

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 12 - Design

Local Planning Policies -

Gwynedd and Anglesey Joint Local Development Plan 2011-2026 (LDP) adopted July 2017:-

PS1 - the Welsh Language and Culture
 PS2 - infrastructure and developer contributions
 ISA1 - infrastructure provision
 ISA5 - provision of open spaces in new housing developments
 TRA2 - parking standards
 TRA4 - managing transport impacts
 PS4 - sustainable transport, development and accessibility
 PS5 - sustainable development
 PCYFF1 - development boundaries
 PCYFF2 - development criteria
 PCYFF3 - design and place shaping
 PCYFF4 - design and landscaping
 PCYFF5 - carbon management
 PCYFF6 - water conservation
 PS17 - settlement strategy
 TAI1 - housing in the Sub-regional Centre and the Urban Service Centres
 TAI8 - appropriate mix of housing
 TAI15 - threshold of affordable housing and their distribution
 AMG5 - local biodiversity conservation

Gwynedd Design Guidance (2003)
 Supplementary Planning Guidance (SPG): Housing Mix
 SPG: Maintaining and Creating Distinctive and Sustainable Communities
 SPG: Planning Obligation
 SPG: Affordable housing
 SPG: Housing Developments and Educational Provision
 SPG: Open Spaces in New Housing Developments

3.1 Lack of need for housing

Members of the Planning Committee were expressing concern about the lack of need for housing in the area. The proposed development relates to the development of 30 houses - with 12 of the houses being 100% affordable and 18 of the houses being open market housing with 5 being offered for intermediate rent or a 'rent to buy' scheme, which would enable eligible

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families to rent with the option to buy the house in the future. It is also intended to ensure that the open market housing would be offered to local people by marketing them locally. The site is located within the development boundary of Bangor but it has not been allocated for housing.

In their comments provided on 3/11/20 (which updated the information in the Committee report dated 20/10/20), the Joint Planning Policy Service stated that more recent housing figures are available as a result of the regular monitoring that is taking place. This was reported to the Committee during the oral presentation. The indicative housing level for Bangor over the Plan period is 969 units. The most recent figures show, considering the units completed thus far, the number of units in the current land bank and the number that are a part of this application, that capacity is available for 10 units and therefore this application would offer 20 more units than the indicative housing level for Bangor. Therefore, as the application would provide more than the indicative housing level, there is a need to submit justification that satisfies the Council that the proposal provides units that address an identified need for housing which includes the need for affordable housing or specialist housing, etc.

After deferring the application, confirmation was received from the Joint Planning Policy Service that the vast majority of the current land bank, namely the un-actioned planning consents, are applications for flats, which is characteristic in terms of the type of residential units in a city centre. Therefore, it is noted that this proposal would provide different housing units to those previously granted consent, in terms of the type and mix of housing and offers a higher element than the 20% contained in policy TAI 15 of affordable housing. It was also confirmed that consideration should be given to any comments from the Housing Service if this proposal, i.e. the type of affordable units, addresses the acknowledged affordable housing needs in Bangor. Also acknowledged is the commitment to offer an element of the market housing as rental units with the option to purchase and market the rest locally.

The applicant's agent has noted that a number of the residential units that draw up the Bangor housing capacity assessment figures are units that have received planning permission, but are unlikely to be developed for a number of years. The agent notes that assurance has been given that this proposal (if approved) will be completed in the next two years and the fact that a housing grant is given by Welsh Government also offers assurance about the proposal to develop immediately if planning permission is granted.

Currently, the number of applicants on the Bangor affordable housing register is over 600. The Council's strategic policies state that the provision of affordable housing is a priority during the Local Development Plan period. The Housing Mix Statement submitted with the application discusses the housing mix in terms of size and occupancy and confirms that it is an appropriate mix for the area. The above is confirmed by the evidence available and within the comments of the Council's Housing Service on the application.

Since deferring the application at the Committee on 20/10/20, confirmation was received that a grant is available for Pen y Ffridd for the next year and that it is a Social Housing Grant from Welsh Government for £685,000. In addition, a grant of £300,000 has been confirmed for 'rent to buy' schemes. *“Adra substituted the scheme in Gwynedd’s CC (Social Housing Grant) 2019-2020 Q4 with their scheme at Cysgod y Coleg – Bala, which took up the SHG allocation for this year from Penyffridd so Gwynedd CC did not have a deficit in their Grant Programme. If there are deficits the grant is then transferred to other counties in Wales and not retained in Gwynedd CC”*. This point is noted as it is relevant in terms of delivering the plan that is the subject of the application, but it is also noted that it is not a planning matter.

When weighing up all these matters and facts, along with the capacity within the main centre tier, i.e. that not all settlements within the tier develop their indicative supply at present, the Sub-regional role of Bangor, and as the proposal provides units that meet recognised needs

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for the community, it is considered that the proposal is an opportunity to develop a quality scheme on previously developed land within the development boundary and meet a recognised need for housing and affordable housing in the area. It is considered that the proposal is in accordance with policy TAI 1 'Housing in the Sub-regional Centre and urban service centres', as well as policies TAI 8 'Appropriate Mix of Housing' and TAI 15 Affordable Housing Threshold and Distribution, of the Local Development Plan, along with the advice given in the SPG: Housing Mix and Affordable Housing.

3.2 Linguistic Assessment is insufficient

During the Committee on 20 October, 2020, concern was voiced that the Welsh Language Statement submitted with the application is insufficient. Concerns were also expressed about errors within the Statement. It is confirmed on the grounds of policy PS1 of the LDP and SPG Maintaining and Creating Unique and Sustainable Communities, that the applicant needs to submit a Welsh Language Statement with this type of application. To confirm this further, this is on the grounds that the site is located within the development boundary, which has not been allocated for another purpose, is vacant and has been considered in the Urban Capacity and therefore, it is not considered as an unexpected windfall site.

Having received the original Linguistic Statement, a consultation was undertaken with the Welsh Language Unit and they have confirmed that the proposal would have a neutral or negative unsubstantial impact on the Welsh language, on the grounds that the development would not represent a major change to the City's current situation in relation to the Welsh language. They elaborate by stating that the development is not large enough to have a major impact on the area's linguistic composition, but if the pattern of deterioration that has been in the city's wards over the last decades continue, then it may be argued that this development (alongside other developments) could contribute to further deterioration and this will then be highlighted in the next census.

Following the Planning Committee on 20 October this year, where Members noted concerns about the accuracy of the Statement, this was discussed with the agent. As a result, and in accordance with the Committee's comments, the applicant's agent has provided an amended Welsh Language Statement which removes the reference to Ysgol Bro Dewi and updates the capacity numbers of schools as well as the Gwynedd schools language policy. The Welsh Language Unit was consulted for the second time and amended observations were received on 23.11.20, stating:

'Have considered the amended statement and acknowledge that the information about local schools has been amended and updated as a result of recent changes. As this does not change the general impact already assessed, the Language Unit does not have any further comments to make.'

Therefore, it is not considered that there is a change to the assessment provided as part of the report submitted to the Committee on 20 October this year and that the proposal continues to meet Policy PS1 and SPG Maintaining and Creating Unique and Sustainable Communities.

3.3 Flooding matters

Local concerns about flooding and draining matters have been discussed in the report submitted to the Committee on 20 October this year. The current site does not have any formal draining plan for surface water and consequently, the current site is likely to flood or experience standing surface water for long periods after a period of rainfall. It is also apparent that the ditches around the site have not been properly maintained for a long time. Also, a historic domestic/soil refuse tip is located to the rear of the houses where the ditch runs and

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therefore they do not work effectively and this has potentially contributed to flooding in this part of the site.

As part of the proposal, a formal drainage plan will be installed for surface water and foul water. A Drainage Strategy has been submitted with the application and surface water drainage within the site will be designed to meet with the requirements of relevant standards and legislation. These standards consider where water runs, water management and water quality.

It can be seen from the report submitted to the Committee on 20/10/20 that a second consultation has been held with Natural Resources Wales (NRW) and the Council's Water and Environment Unit on the local concerns about flooding. NRW confirmed they had no records showing that the watercourse overflowed. However, in response to the second consultation the Water and Environmental Unit responded and explained that there were two water courses in the northern corner of the site flowing through a 6" pipe where they meet and then flows into the Welsh Water system. There is a history of standing water in the back gardens of Ffordd Pen y Ffridd and Ffordd Penrhos, either due to the lack of maintenance work or due to obstruction(s) at the end of the pipe. As referred to in the previous report, the developer will need to submit a specific maintenance plan for the drainage system as part of the Sustainable Drainage System (SuDS) application and consequently the watercourses should receive more attention and maintenance.

In addition, it can be seen from the previous report that Welsh Water has confirmed that there is sufficient capacity within the local foul water treatment work to cope with the requirements of this development. They suggest conditions to ensure an appropriate foul water drainage system.

After deferring the application at the Committee on 20 October, 2020, another consultation was undertaken with NRW and the Council's Water and Environment Unit and confirmation was received from them stating as follows:-

- (i) NRW - The Flood Risk Map confirms that this site is within Zone A of the Development Advice Map (sites where there is a minor or no risk of fluvial or tidal/coastal flooding), included in TAN15. Normally, the Local Flooding Lead Authority (i.e. the Council's Water and Environment Unit), is the appropriate advisory body on current surface water flood risks and managing surface water drainage from new developments, therefore, we have no further comments to add to our letter dated 15/01/2020.
- (ii) Water and Environment Unit - do not see the need to refuse the application on the grounds of flood risk but there will be a need to ensure that the SuDS application gives sufficient attention to the use of ditches in the northern part of the site.

Welsh Water has also responded further by stating that their original comments remain valid (see above).

On this basis, and subject to the conditions suggested by the relevant statutory consultees, it is confirmed that the proposal is in accordance with the requirements of policy ISA1, PS2, PCYFF6 and PS5 of the LDP as well as the requirements of TAN 15.

3.4 Land contamination matters

The application is supported by Phase 1, 2 and 3 Contaminated Land Reports and it is acknowledged that local areas of contamination exist which relate to the former use of the site as a University field station. When developing the site, the contamination identified will be

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restored as well as any emerging further contamination. A targeted Recovery Strategy will be carried out and this could be conditioned by means of an appropriate planning condition where there will be a need to collaborate and receive approval from the Environmental Health Officer and the Local Planning Authority before commencing the construction work on the site. Then, confirmation would be needed that the contamination has been removed from the site and that there is no unacceptable risk to public health or controlled waters. Environmental consultants will supervise this work to ensure compliance with contaminated land regulations beyond planning control. This process of treating land contamination is commonplace at a number of development sites and this method is acknowledged by specialists in the field as an acceptable method.

It can be seen from the previous report that pollution experts acting on behalf of the applicant have been discussing these matters with the Public Protection Officers and the Unit agrees with the recommendations proposed in the strategy in response to concerns relating to local surface water contamination and the presence of materials that could be polluting the site. At the end of the strategy a Check Report will need to be submitted to show that there will be no residual pollution to create a risk to human health or to controlled waters.

Following the Committee on 20 October this year, a second consultation was undertaken with the Public Protection unit and it was confirmed that there is no objection to the Recovery Strategy being controlled via a planning condition with a document to be submitted prior to the commencement of any work on the site and as referred to above, there will be a need to submit a Check Report that, normally, is submitted following the completion of a development.

Verification of appropriate action could be ensured via specific planning conditions and this would be a way of ensuring that the proposal complies with policy PCYFF2 of the LDP.

3.5 Transportation matters - Penrhos Road junction and also Pen y Ffridd Road

A Transportation Statement has been submitted with the application and the Council's Transportation unit has confirmed that there is no objection to the proposal despite the local objection as to the suitability of Ffordd Pen y Ffridd to be able to cope with more traffic together with the suitability of the existing junction with Ffordd Penrhos. These matters were assessed in full by the Transportation Unit and they have confirmed that the content of the report is correct and up-to-date, and shows that the proposal should not have a harmful impact on Ffordd Penrhos. Whilst acknowledging the concerns raised in relation to adding to the traffic flow of Ffordd Penrhos and specifically to the impact on the Ysbyty Gwynedd roundabout, the Transportation Unit confirms that the data submitted within the Transportation Statement identifies an increase in traffic, as expected for any development on this scale, but not to a level that is likely to have a harmful impact on the roundabout or highway. The data used is relatively up-to-date, and considers the traffic situation at the busiest time of day, with the outcome that the development would lead to a negligible increase in terms of the added traffic and congestion time.

In addition to the impact of adding traffic to the local roads network, consideration must be given to the accessibility and sustainability of the site. Consequently, it is believed that the site is within a convenient walking and cycling distance to local schools and colleges and to a number of workplaces within the Penrhosgarnedd area and the vicinity; therefore, it is a site where residents are not wholly reliant on a vehicle in order to travel.

It is therefore confirmed that the proposal meets the requirements of Policy TRA2 and TRA4 of the LDP.

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3.6 Insufficient provision / contribution of open spaces

The Committee highlighted concerns that the development did not provide play areas within the site and that providing a financial contribution for an off-site provision was not acceptable.

Following further discussions between planning officers and the agent, amended plans have been received showing the provision of a play area within the open green land that forms part of the site. This reflects the need for play equipment identified within an assessment carried out by the Gwynedd and Anglesey Joint Planning Policy Service. Having received the amended plans, a second consultation was undertaken with the Gwynedd and Anglesey Joint Planning Policy Service and it was confirmed that this change satisfied the need for play equipment as part of the proposal in accordance with Policy ISA 5 in the Joint Local Development Plan. Consequently, it is confirmed that the proposal meets policy ISA5 and SPG: Open Spaces in New Housing Developments and that the concerns of the Committee Members have been met and that this provision can be conditioned via an appropriate condition.

3.7 In summary

Considering the above and on the basis of detailed information and evidence submitted and assessed thoroughly since then, it is believed that this proposal is acceptable and that the application as submitted complies with the requirements of local and national policies and guidelines. The Planning Committee must submit reasons and robust evidence for refusing and overturning the officers' recommendations on an application for a residential development on a site located within the development boundaries of Bangor, where there is no objection from relevant statutory consultees, and which is therefore considered to be in compliance with the relevant policies of the Gwynedd and Anglesey Joint Local Development Plan, as well as specific Welsh Government policies. In this particular case it is not believed that there are sufficient reasons and evidence to support the reasons to refuse given by the Planning Committee on 20 October, 2020.

4 RISKS OF REFUSING THE APPLICATION FOR THE COUNCIL

- 4.1 As has been outlined above, refusing this application would undermine policies on a national and local level. The site is a previously developed site located within the Bangor development boundary as included in the Gwynedd and Anglesey Joint Local Development Plan, 2017. Policy TAI 1 states that in the Sub-regional Centre of Bangor, housing to meet the Plan's strategy will be delivered through housing allocations together with suitable windfall sites within the development boundary. The indicative supply level for Bangor over the plan period is 969 units.
- 4.2 Refusing the application would create inconsistency in terms of implementing the Council's adopted planning policies in reaching decisions on housing development applications, particularly considering that the application includes 40% affordable housing, on sites located within development boundaries.
- 4.3 There is a risk that the application may be called in by the Welsh Government for determination. As well as the risk of individual applications being called in, the Welsh Government has powers to intervene formally in the way the Council provides the Planning Service.
- 4.4 Refusing the application without strong evidence introduces the obvious risk that an appeal will be submitted to the Planning Inspectorate, with the likelihood that the appeal would be approved. If the application is refused for the six reasons noted by the Committee, which have

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not been proved with evidence, it is likely that the decision would be to approve on appeal. Therefore, there is a genuine risk that substantial financial costs would be lodged against the Council should the application be refused without firm evidence. You are reminded of previous cases (e.g. Tan y Celyn housing site, Dinas, Llanwnda and Wern Manor, Treflys, Pentrefelin) where applications were refused contrary to officers' recommendation and without sufficient evidence to support such decisions, where the following appeals were approved with costs against the Council.

- 4.5 In respect of this application, there would be likely costs against the Council with each of the six refusal reasons. Therefore, the greatest number of un-evidenced refusal reasons given, the greater the potential costs for the Council on appeal.

5. OPTIONS FOR THE COMMITTEE

- 5.1 The options available to the Committee in determining the application include the following, where the level of risk to the Council is also identified.

To refuse the application based on any one or a combination of the reasons noted by the Planning Committee originally:

- (a) **Lack of need for housing** - Refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of a formal appeal against the refusal. The proposal has been assessed on the grounds of the information/evidence received by the Joint Planning Policy Service and the Council's Housing Service and it was found based on the information/evidence, that the proposal is acceptable.
- (b) **Insufficient Linguistic Assessment** - refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of a formal appeal against the refusal. Information/evidence has been submitted in the form of a Linguistic Statement and this forms part of the application (and has been amended for accuracy following the Committee's previous decision). Based on the evidence available, confirmation has already been received from the Welsh Language Unit stating that the proposal would have a neutral or negative unsubstantial impact on the Welsh language, on the grounds that the development would not represent a major change to the City's current situation in relation to the Welsh language. Following receipt of an amended Linguistic Statement, a second consultation was held with the Language Unit and further confirmation has been received acknowledging the amendment and stating that there are no further observations to make.
- (c) **Flooding matters** - refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of a formal appeal against the refusal. Subject to appropriate conditions, the statutory consultees, such as Natural Resources Wales or Welsh Water, or the Council's Water and Environment Unit, do not object to the proposal. The applicant has provided the relevant information, which has been assessed by the statutory consultees, and by including conditions as advised by the above bodies, it is not considered that there would be a harmful impact.
- (d) **Land contamination matters** - refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of a formal appeal against the refusal. Based on the evidence and information provided and assessed by the statutory consultees, namely the Public Protection Unit, they do not oppose the proposal provided that appropriate conditions are imposed on any permission.

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(e) **Transportation matters** - Ffordd Penrhos junction and Ffordd Pen y Ffridd - refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of an appeal against the refusal. The applicant has submitted detailed information and robust evidence that there would be no substantial impact on the local transport network. This information has been assessed by the Council's Transportation Unit and on the grounds of the evidence submitted, and relevant planning conditions, there is no objection to the proposal in relation to this aspect.

(f) **Insufficient provision / contribution of open spaces** - Based on the amended plans and the assessment in 3.6 above, it was confirmed that the proposed change to include play equipment on the open space within the site satisfied the need for play equipment as part of the proposal in accordance with the requirements of Policy ISA 5 of the Joint Local Development Plan. Consequently, it is confirmed that the proposal meets policy ISA5 and SPG: Open Spaces in New Housing Developments and that the concerns of the Committee Members have been met and that this provision can be conditioned via an appropriate condition. Consequently, refusing the application on this basis without evidence would create a substantial risk to the Council that would include a risk of costs against the Council as a result of an appeal against the refusal.

5.2 **Therefore it must be realised, based on the above, that there are substantial risks associated with refusing this application, with financial risks associated with each of the above refusal reasons. The financial risk is significant and increases if the application is refused for more than one of the reasons outlined above. There is a possibility that refusing the application on the grounds of the 6 above reasons would involve a cost that is likely to amount to tens of thousands of pounds for the Council.**

Should the application be refused, the proposer and the seconder would be required to defend the Planning Committee if an appeal is lodged.

5.3 **In order to ensure that the Council avoids the risks outlined above and as the application's merits have been assessed thoroughly by Council officers it is deemed that the proposal does conform to the requirements of the adopted policies of the Anglesey and Gwynedd Joint Local Development Plan 2017, local and national guidance and national planning policies. Therefore it is recommended that the firm option for the Committee is that the application is approved as submitted, subject to relevant conditions as outlined below:**

Conditions -

1. Five years.
2. In accordance with the revised plans.
3. Samples of materials and colours for the building to be agreed with the LPA.
4. Highway conditions for parking and estate road.
5. No unit to be occupied until the sustainable water system has been completed and is fully operational (Water and Environment Unit).
6. Soft and hard landscaping.
7. Development to be undertaken in accordance with the mitigation measures referred to in the Preliminary Ecological Report including the disposal of invasive species and transplant '*clawdd*' (hedgerow) as a wildlife habitat.

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8. Working hours limited to 8:00 - 18:00 during the week, 08:00 - 12:00 on a Saturday and no working at all on Sundays and Bank Holidays.
9. Noise level restrictions during the construction period
10. Agree on details regarding Welsh names for the development together with advertising signage informing of and promoting the development within and outside the site.
11. Ensure a plan/arrangements to provide affordable units.
12. Removal of general development rights for the affordable units.
13. Submission of a comprehensive foul water drainage scheme for the development (Welsh Water).
14. Submission of a Construction Method Statement to be agreed with the LPA.
15. Condition to erect a privacy fence prior to the occupation of houses in plots 26 and 27.
16. Submit an Environmental Management Plan to include noise, vibration and dust.
17. Undertake a remedial strategy to be followed by a check report prior to the commencement of any work on the site.
18. Submit details to be agreed with the LPA regarding the location, type and number of equipment for the play area and submission of details regarding the nature path network within the site.

NOTE: Inform the applicant of the duty to comply with Natural Resources Wales requirements in relation to managing the environment and the need to ensure that the relevant licences/permits are in place.

6. **APPENDICES**

Appendix 1 - Copy of the previous report submitted to the planning committee dated 20 October 2020.