

PLANNING COMMITTEE	DATE: 11/01/2021
THE REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 2

Application Number: C20/0018/13/LL

Date Registered: 04/02/2020

Application Type: Full

Community: Bethesda

Ward: Bethesda

Proposal: Erection of 7 residential dwellings for older persons together with parking spaces and a turning area

Location: Land near Llain y Pebyll, Bethesda, LL57 3NQ

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

1.1 This is a full application to erect 7 residential units for older persons, together with parking spaces and a turning area on a former gasworks site on the outskirts of Bethesda. The application can be split into several elements, which include:-

- Provision of 5, two-bedroom bungalows together with 2 one-bedroom flats on affordable social rent for older people.
- Parking spaces will be provided and a new access off the trunk road to serve the bungalows on plot numbers 3 and 4.
- The other dwellings will be served from the access and the existing driveway that serves Llain y Pebyll Estate.
- Provision of private amenity spaces/gardens within the site.
- Provision of infrastructure to include bin/recycling storage for each dwelling.

1.2 The site stands parallel to Llain y Pebyll Estate that is in the applicant's ownership (North Wales Housing) with the existing access to the upper section of the site off the A5 trunk road with an access and single driveway serving the gas valve compound in the form of a building. Currently, the plot is derelict and abandoned land with vegetation on its periphery and the centre section of the site has already been cleared to undertake investigation works. The site measures approximately 0.18ha with the upper section at the level of the parallel trunk road and the lower section at the level of the rear dwellings of Llain y Pebyll Estate that means a difference in ground level of approximately 3.2m between the front and the back section of the site itself. Currently, the upper section of the site is used for informal parking purposes by local residents. North of the site is vegetation and mature trees, east is the A5 trunk road with a play area further away, to the south are the dwellings of Llain y Pebyll Estate together with the gas valve compound and west are trees and vegetation with Bethesda Rugby Club playing fields further away. Part of the site is located within the afon Ogwen Broadleaved Woodland Wildlife Site together with the fact that it is situated fairly close to a conservation area and within the Dyffryn Ogwen Landscape of Special Historic Interest (CADW).

1.3 The site is located outside but adjacent to the development boundary of Bethesda as contained in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP). In support of the application, the following documents were submitted - Justification Statement, Assessment for the Need for Specialist Housing and Accommodation for the Elderly in Wales (Welsh Government), Homes for the People of Gwynedd 2019-24 (Gwynedd Council Housing Strategy that also includes the Accommodation Strategy for Older People), Housing Statement, Welsh Language Plan, Preliminary Ecological Assessment Report together with a Trees Report.

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.

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2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:-**

ISA 1: Infrastructure provision

PS 2: Infrastructure and developer contributions

PCYFF 1: Development boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 5: Carbon Management

PCYFF 6: Water conservation

PS 5: Sustainable developments

PS 6: Mitigating the Effects of Climate Change and Adapting to Them

AMG 5: Local biodiversity conservation

PS 1: The Welsh Language and Culture

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 8: An appropriate mix of housing

TAI 16: Exception sites

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

Gwynedd Design Guidance (2003)

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable Housing.

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2.4 **National Policies:**

Planning Policy Wales (Edition 10 - December 2018)

Technical Advice Note 5: Planning and Nature Conservation (2009)

TAN 12: Design

TAN 18: Transport

TAN 2: Planning and Affordable Housing

TAN 20: Planning and the Welsh language

TAN 24: The Historic Environment

TAN 5: Planning and Nature Conservation

3. **Relevant Planning History:**

- 3.1 Pre-application enquiry reference number Y19/000991 to erect 7 residential units for older people - we responded by stating that in order to comply with the relevant policies any residential development on this plot of land should be a 100% affordable for local need. Factors such as visual amenities, residential amenities, local biodiversity, heritage assets, road safety and housing mix should also be considered.

4. **Consultations:**

Community/Town Council: It appears to meet with the needs of many adults in our area and we will support the development in principle. The main issue that causes concern is the suggestion that there is a car access to the upper section of the site from the A5, and concern regarding a car travelling from the Bangor direction waiting to turn to the right. On the other side we notice that there are several steps to get there from the back that means that the site is rather unsuitable for adults without access from the A5.

There is mention of cutting some trees and we realise that the T1 oak is unlikely to be saved and it is hoped that the authorities will ensure that the old trees are not harmed.

Transportation Unit: There is no objection to the development subject to the inclusion of the relevant condition concerning the completion of parking spaces, the estate road together with the associated footpaths in accordance with the requirements of the Transportation Unit. Recommend that the Welsh Government is consulted as the new access would be created off the A5 trunk road.

Natural Resources Wales: If the recommendation is to approve the application a condition will need to be imposed stating that it will be necessary to comply with the recommendations of the Preliminary Ecological Report, together with the submission of standard advice to the applicant based on

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environmental and waste control.

Welsh Water: Following the receipt of detailed drainage plans there is no objection in principle to connect to the combined public sewer system.

The applicant to be notified that the main public sewer that crosses the site should be protected.

Public Protection Unit: Due to the historic use of the site it is likely that the land is contaminated and to this end the applicant will need to undertake a desktop assessment to assess the potential pollution risk on the site for the development.

Welsh Government, Economy and Infrastructure Department: Having received further information from the applicant, there is no objection to the proposal subject to the inclusion of conditions concerning visibility splays, drainage and re-surfacing the pavement between the site and the A5 trunk road.

Language Advisor, Corporate Support Unit: The Unit's initial observations on the application noted that no significant impact was anticipated on the Welsh language as a result of the development as it was unlikely to lead to a major change in the number of Welsh speakers if the units were to be affordable and offered to address local need. This was despite the fact that no formal Language Statement had been submitted that gave an analysis and indicated an understanding of the language situation in the area in question.

More recently, a statement was submitted to the above end and it is confirmed that its contents demonstrated a fair consideration of the key factors.

We have no further observations and we are satisfied with the positive impact noted in the statement.

Trees Unit: Following the receipt of the Trees Report from the applicant, the Unit has no objection to the application subject to the inclusion of a condition regarding compliance with the tree safety measures outlined in the Report together with working in accordance with the guidance to reduce the impact on trees on the site.

Strategic Housing Unit: Information about the need -

The following indicates the number of applicants who wish to live in the area: -

34 applicants from the Tai Teg register for intermediate property (Tai Teg).

232 applicants from the general housing waiting list for social housing (Gwynedd Council General Housing Register).

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Suitability of the Scheme -

Based on the above information, it seems that the Plan addresses the need for housing for older people in the area.

If the Housing Association is a partner for this development, the design of the property must conform with the Wales Design Quality Requirement standards (DQR).

60% are priced out of the market in this area.

This plan has received a Social Housing Grant from Welsh Government based on the receipt of planning permission and the appointment of a contractor.

Wales and West Utilities: Building above or enclosing any equipment in the ownership of the gas company will not be permitted,

Water and Environment Unit: Since 7 January 2019, sustainable drainage systems (SuDS) will be required to control surface water for every new development of more than one dwelling or where the building area has drainage implications of 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 Gwynedd Council in its role as the SuDS Approval Body prior to the commencement of the construction work.

Due to the size and nature of the development, an application will need to be provided to the SuDS Approval Body for approval before construction work commences. The drainage plan submitted with the planning application indicates that the developer is considering sustainable drainage methods; however, until an application is made to the SuDS Approval Body, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SuDS Approval Body is recommended.

A water course appears to run close to the south-western boundary of the development site. The developer is advised to identify the exact course and nature of the water course avoiding any structures within 3 metres to it (including any sections that are currently in a culvert) as this could impede future maintenance. Additionally, an Ordinary Watercourse Consent will be required for any work that could affect the flow of the watercourse.

CADW: No objection regarding the impact of the proposal on the Nominated World Heritage Site - North Wales Slate Areas.

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Biodiversity Unit: Following the receipt of the Preliminary Ecology Appraisal Report from the applicant the following conditions should be included in any planning permission:-

- No vegetation, trees or shrubs to be cleared during the nesting season (1 March to 31 August).
- Prior to the commencement of any work a scheme should be submitted for approval by the LPA to ensure that reptiles will not be harmed during the construction and this scheme to be implemented to the complete satisfaction of the LPA.
- Prior to the commencement of any work a Plan to Improve and Mitigate Biodiversity should be submitted and agreed with the LPA.
- Prior to the commencement of any work on the site a Plan to Destroy Non-native Invasive Plants to be agreed with the LPA.

Public Consultation: A notice was posted on the site and nearby residents were notified. The notification period has already expired and no objections were received from the public to the application following the statutory advertisement period.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of constructing houses on this particular site is based on Policy PCYFF1, Policy TAI16 and PS5 of the LDP. Policy PCYFF1 states that outside development boundaries, proposals will be refused unless they are in accordance with specific policies in the LDP or national planning policies or that the proposal shows that their location in the countryside is essential. Policy TAI16 states that developments immediately adjacent to development boundaries must be 100% affordable housing schemes and notes: *Where it is demonstrated that there is a proven local need for affordable housing that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land.*
- 5.2 The applicant in this case is North Wales Housing who is a Registered Social Landlord and it is proposed to provide 7 units for older people on an intermediate social rent basis. Once the houses are completed they will be supervised by the Older Persons Department of the Housing Association and there are already 64 affordable units in Bethesda and 27 similar units in Rachub in their ownership. A Justification Statement has been submitted by the applicant's agent confirming there is no suitable site within the Bethesda development boundary for this specific type of residential provision for older persons that can be addressed within a reasonable timescale and the need for this type of accommodation is greater than can be addressed by, for example, the Grŵp Cynefin site nearby or Plas Ffrancon housing to the north.
- 5.3 As referred to above, the site is situated within the countryside but abuts the northern development boundary of the settlement with a surface area of 0.18ha. Considering the size of the site together with the number of houses proposed it is deemed that the proposal forms a reasonable extension to the Bethesda settlement that can be considered as a small scale

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development compared to the scale of the nearby built area. It will also be necessary to satisfy *local need* for affordable housing on this particular site. The definition of who can be eligible to live in any affordable dwelling on this site is very specific and any development for affordable housing on the site should satisfy the need for affordable housing identified for Bethesda and the nearby rural vicinity only.

- 5.4 The applicant has submitted an Affordable Housing statement with the application that demonstrates the need for this type of residential development in the area and this evidence is based on current information (January 2020), included in the Gwynedd Council Housing Options Team Social Housing List for Bethesda (that also includes Gerlan and Rachub).
- 5.5 Policy PS5 of the LDP states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including suitable sites located within the development boundaries of the Sub Regional Centre, Urban and Local Service Centres, Villages or in the most appropriate places outside them in accordance with other Plan policies. It is deemed that this specific site can be defined as a sustainable site based on its location that abuts the development boundary and on the outskirts of an established residential area with flat pavements in the application site area, its location opposite the public transport network together with its location in relation to local facilities such as shops that will be accessible to prospective occupants of these dwellings by using alternative modes of transport such as walking, cycling and using public transport.
- 5.6 Given the above and the fact that 100% of the housing will be affordable based on social rent it is considered that the application is acceptable in principle. It is also required that the proposal complies with other relevant planning policies and these are discussed below.

Affordable housing and housing mix

- 5.7 As referred to above, a Housing Statement has been submitted (that includes a schedule of housing mix) with the document - Homes for the People of Gwynedd 2019-24 (Gwynedd Council Housing Strategy). This information states:-
- The number, type, occupancy and location of the affordable housing provision - the proposal will provide 7 affordable houses (5 two-bedroom bungalows for three persons together with 2 one-bedroom flats for two persons) designed inclusively ensuring environments where there are no barriers and enabling access to all and offer full provision for disabled persons.
 - The occupancy criteria to be used when determining occupiers of the houses - the tenants will be selected via the Council's Housing Options Team by using Gwynedd Council's Affordable Housing Register administered by the Options Team with the scheme, once it is completed, managed by the Housing Association's Older Persons Department that already manages a number of similar social houses within the area.
 - Arrangements to ensure that such provision is affordable for both first and subsequent occupiers.
 - Confirmation has been received from the applicant that this scheme is subject to a Welsh Government Social Housing Grant and there will be a legal charge on the site by the Welsh Government that means that the housing will continue permanently as affordable social rental units. As noted above, the Council's Housing Strategy Unit has stated that this scheme will hopefully receive a grant in this financial year based on the receipt of planning permission and the appointment of a contractor.
 - Arrangements for transferring the affordable housing - since the submission of the planning permission, by now North Wales Housing own this site and the intention is to employ contractors

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to build on their behalf. Following the completion of the units, they would then be under the ownership and management of the Housing Association's Older People Department.

- Rent levels - the rent levels of the affordable units will be in accordance with the requirements of the Welsh Government Rent Policy and North Wales Housing as a Registered Social Landlord and will include a minimum services cost based on the specialist facilities proposed to be included within the site and in the units themselves e.g. provision for disabled persons.
- The timing of building - all the units will be completed in one phase by North Wales Housing.

5.8 In addition to the above information, the following details were received in support of the application:-

- Although developments for affordable units and open market units have been approved recently in Bethesda, the local need for new housing specifically for older people has not been met. Older people in Bethesda (it is noted that over 20% of the population of Bethesda are over 55 years old according to the 2011 census) are looking to re-locate to smaller property, however, the choice of one and two bedroom properties are limited and this scheme would partly satisfy this need for social rented affordable housing of a smaller size together with improving the balance of housing mix in Bethesda.
- Out of the figure of 232 applicants on the General Housing Register, 127 of these are relevant to this application. Of the 127 applicants, 44 applicants may be eligible for the current development as they are eligible by North Wales Housing based on their age (over 55 years old) and based on the need for social housing in Bethesda, and of the 44 applicants 31 of these have a local connection to Dyffryn Ogwen/Bethesda. Of the 44 applicants, 14 of these would be transferred from another property in the ownership of a partnership of registered social landlords that require smaller property or who cannot adapt their existing property for medical or mobility needs. This in turn would release property to meet with the high demand for accommodation for families.
- All the units will be designed to the Wales Development Quality Requirement (DQR) with the footprint design following the Passivhaus principles i.e. residential developments that offer flexible and sustainable lifetime homes.
- Within Bethesda in January 2020, there were 230 people on the Gwynedd General Housing Waiting Register in need of social housing with 39 applications for a one-bedroom bungalow, 58 applications for a two-bedroom bungalow, 80 applications for a one bedroom flat and 2 for a two-bedroom flat. Although there might be an element of duplication here (e.g. some had submitted an application for a one-bedroom and two-bedroom bungalow) these figures show that there is a clear need for these types of residential units in Bethesda.
- The Gwynedd Local Housing Market Assessment (2018 to 2023) finds that (i) private rental levels are unaffordable for many low income households; (ii) the demand for social housing continues to be high across the area; (iii) the demand for social housing with one-bedrooms is not satisfied by the current stock and (iv) there has been an increase of 96% in the number of people over 80 years old in the last 30 years in Gwynedd and this will lead to greater demand for accommodation that is suitable for this age group. In addition, the document recommends that the mix of all new housing developments in Gwynedd should be 40% one or two bedroom properties, 30% three-bedrooms and 30% property with four+ bedrooms. Regarding social housing, it is confirmed that only 14% of the housing stock is one bedroom, which limits opportunities for tenants to down-size and there is a high demand for social rented accommodation as the rent levels are between 19 and 40% less than the private rented sector in Gwynedd. One of the document's main findings regarding housing needs in Gwynedd is that 71% of people on the

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Social Housing Register requested a one or two-bedroom property, however, there is a shortage of 24% in the social housing stock in the county.

- 5.9 The application has been the subject of discussions between North Wales Housing and the Council's Strategic Housing Unit and as a result led to being included on the 'contingency plans' list in the Transfer Programme Plan to receive grant monies this year, subject to the receipt of planning permission and the appointment of a contractor. Considering that the proposal responds to the recognised need and provides an appropriate mix of units, and also given the observations of the Strategic Housing Unit as noted above, it is believed that the proposal is an opportunity to develop a quality scheme to satisfy recognised needs and is therefore in accordance with the requirements of policies TAI6 and TAI15 of the LDP, along with the advice included in the SPG: Housing Mix and Affordable Housing.

Visual amenities

- 5.10 There is a mix in terms of form, construction and design of existing developments in the area and the majority of these are two-storey residential houses. However, there is a modern building in the form of an industrial building nearby as a workshop/garage that is visible from the nearby busy right of way, the A5. The houses situated approximately 61m south of the application site are in the form of a ribbon development with Rhes Gordon and Rhes Elfed and are situated within the Bethesda Conservation Area. The main construction materials that are common to the local area are clean red brickwork, natural slate, steel profile covering, smooth render as well as pebble-dash. Although the design of the proposed houses is contemporary and modern, the elevations of the houses will be in keeping with these materials using natural slate on roofs (including solar panels facing the west), a mixture of natural stone, smooth render and horizontal timber boards on the walls together with painted timber windows. Enclosure methods will include low stone walls with steel railings above, various timber type and livestock fencing to include close panels and hit and miss panels.
- 5.11 The development's plan follows a 'C' shape form in a cul-de-sac that forms a natural finish to Llain y Pebyll Estate with turning areas and parking spaces at the centre of the site. The site plan is one that reflects the plan of the nearby residential area by providing gardens and private parking areas with an estate road and pavement joining the existing adopted Llain y Pebyll Estate road, south of the site itself. Because of the site's topography, the eastern section which is parallel to the trunk road is 3.2m higher than the back of the site and the back section is connected to the front part by steps that reflect the layout of the adjacent estate, namely Llain y Pebyll Estate.
- 5.12 On this basis it is considered that the proposal to develop a small estate of new houses is acceptable and the setting, scale, design and materials of the houses are acceptable bearing in mind what surrounds it that also includes the nearby conservation area with the site itself situated within the Landscape of Outstanding Historic Interest. To this end, therefore, it is considered that the proposal is acceptable based on the requirements of Policy PCYFF3, PCYFF4 and AT1 of the LDP.

General and residential amenities

- 5.13 As referred to above, residential dwellings are located to the east and south of the application site together with their private gardens/parking areas/amenity spaces. Having considered the setting of the proposed housing within the site it is anticipated that the dwellings that will be affected most will be numbers 1 and 14 Llain y Pebyll. The gable-end of the house on plot 1 and 2 (that include 2, one-bedroom flats) is 8.4m away from the gable-end of number 1 Llain y Pebyll with a private driveway in the space between them (in the form of an access to the gas valve compound). It is proposed to install two windows on the ground floor and two windows on the first floor directly above each other in order to give light to the kitchen (one pane window) together with

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lighting the living room (two paned window) facing the gable-end of number 1. However, bearing in mind that there is no opening in the gable-end of number 1, the intention to erect a 1.5m high timber hit and miss fence along the southern boundary of the plot and passive and social overlooking already exists at the back of the houses at Llain y Pebyll, it is not considered that these windows would have a substantial detrimental impact on the existing situation. It is also noted that no response was received from occupants of nearby housing to the application following the statutory consultation period. The bungalow of plot number 7, at the back of the site, is approximately 17m away from the gable-end of number 14 Llain y Pebyll. Although it is proposed to install a small window to light up the kitchen, together with a patio door on the southern gable-end of the bungalow, it is deemed that there will be no substantial overlooking into the property of number 14 bearing in mind the space between them, the location of vegetation in the form of trees, the intention to erect a timber hit and miss 1.8m high fence along the southern boundary of the plot together with the fact that these openings are at eye-level only.

- 5.14 Bearing in mind the above assessment, it is considered that the proposal is acceptable and would not have a substantial unacceptable impact on the residential or general amenities of nearby occupants. Therefore, it is considered that the proposal is in accordance with the requirements of policies PCYFF2 and PCYFF3 of the LDP.

Transport and access matters

- 5.15 The proposal includes extending the existing adopted estate road into Llwyn y Pebyll Estate in order to serve the proposed bungalows on plots number 5, 6 and 7 only with associated parking spaces. The bungalow and the two-storey house on plots 1,2,3 and 4 will be served directly from the nearby trunk road, the A5, and bearing in mind the land topography and also the associated parking spaces and concern has already been voiced by the community council regarding this arrangement. The Transportation Unit has no objection to the application on the grounds of creating an access from the existing Llain y Pebyll estate or on the grounds of parking requirements within the proposed development subject to the inclusion of appropriate conditions. However, as it is intended to formalise and alter the existing access to the trunk road the Welsh Government (Economy and Infrastructure Department) has been contacted regarding the application. Having received additional information from the applicant regarding the ability to turn within the site that would enable vehicles to gain access to the trunk road in forward gear; it was confirmed that there was sufficient visibility in both directions from the access and the submission of surface water drainage plans the Welsh Government has no objection to the application subject to the inclusion of conditions concerning ensuring sufficient visibility splays, no water from the site to be connected to the drainage system within the trunk road and the submission of details regarding re-surfacing the pavement between the site and the A5 trunk road. To this end, it is believed that the proposal is acceptable based on the requirements of Policy TRA2 and TRA5 of the LDP as well as the advice included in TAN18: Transportation.

Trees and Biodiversity Matters

- 5.16 Approximately 5% of the site lies within the afon Ogwen Broadleaved Woodland Wildlife Site and as part of the application a Preliminary Ecological Report was submitted together with a Trees Report. Following the observations of the Biodiversity Unit regarding the details and mitigation measures included in the Ecological Report additional information was submitted by the applicant in the form of a Preliminary Ecological Report. In response to the contents of this document the Biodiversity Unit responded by stating they had no concerns subject to the inclusion of the following conditions - compliance with the ecology mitigation measures within the Preliminary Ecological Report; no vegetation, trees or shrubs to be cleared during the nesting season (1 March to 31 August); prior to the commencement of any work a scheme should be submitted for approval by the LPA to ensure that reptiles will not be harmed during the construction and this scheme to be implemented to the complete satisfaction of the LPA; prior to the commencement of any work a Plan to Improve and Mitigate Biodiversity

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should be submitted and agreed with the LPA and prior to the commencement of any work on the site a Plan to Destroy Non-native Invasive Plants to be submitted and agreed with the LPA. In addition to the above, the proposal will entail installing two bat boxes on the southern gable-end of the house on plot 1 and on the southern gable-end of the bungalow on plot 7 together with installing a bird nesting box on the garden shed of plots 5 to 7 as part of the biodiversity improvements for the development.

- 5.17 As referred to above, the community council has concern regarding the impact of the development on the trees situated along the western sides of the site. Although these trees are not subject to a tree preservation order, the applicant has no intention to fell them and the Trees Report to British Standard (BS) 5837/2012 submitted with the application states that only lopping work will be required for these trees that include ash and willow if the landowner's consent to do so is received. 5% of the site is within the Afon Ogwen Wildlife Site described as broad leaved woodland. However, it is shrub land that is on the application site with a few young trees that have self-seeded and the main tree habitat is situated opposite the river itself. Bearing in mind the above comments, it is deemed that the proposal is acceptable on the grounds of the requirements of Policy AMG5 of the LDP together with TAN5: Nature Conservation and Planning.

Archaeological Matters

- 5.18 In response to the statutory consultation process, the Gwynedd Archaeological Planning Service has stated as the building work will entail undertaking fairly substantial engineering works on a former historic gasworks site there may be potential to find historic archaeology associated with the railway network. In order to safeguard any historic archaeology a standard condition will need to be included concerning a programme of archaeological work to be agreed in writing with the Local Planning Authority prior to the commencement of any engineering works on the site. Considering the above, it is believed that the development complies with Policy AT4 of the LDP.

Linguistic matters

- 5.19 Policy PS1 of the LDP refers to promoting and supporting the use of the Welsh language and culture when considering planning applications regarding retail, industrial, residential or commercial development and these aims are reflected in SPG document: Maintaining and Creating Unique and Sustainable Communities. Criterion (1c) of the Policy states that a Welsh Language statement will need to be submitted for 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.
- 5.20 Having considered this particular case it is confirmed that the indicative housing supply level for Bethesda is 99 units and between 2011 and 2019 33 units were completed and the land bank included 54 units in April, 2019. This means that there is sufficient capacity within the current indicative provision for the settlement of Bethesda and in terms of this there will be no need to submit a Welsh Language Statement with this application. However, even when there is no need for a language statement under criterion (1c) applicants are encouraged to submit a record of how consideration has been given to the Welsh language when drawing up the planning application and the method of recording the information needs to be tailored to the nature of the proposed development and the matters requiring attention. Based on the above, and recognising that 73% of the local population are Welsh speakers, information was submitted with the application based on the North Wales Housing Welsh Language Plan document. This document refers to the aims of the Housing Association to promote and support the Welsh language including (i) enabling everyone who uses a service or holds discussions with the Association to do so through the medium of Welsh or English in accordance with the individual's personal choice; (ii) ensure services of a high standard through the medium of Welsh; (iii) promote the use of the Welsh language in the community; (iv) encourage others to promote and use the Welsh language; and

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(v) promote and facilitate the use of the Welsh language in the workplace. Following the receipt of the initial observations of the Language Unit, a Welsh Language Statement was submitted with the application and based on the contents of the Statement the Unit agrees with the contents of this document that confirms that the development will have a positive impact on the Welsh language in Bethesda.

- 5.21 Having considered the above observations together with the response of the Language Advisor to this element of the application, it is believed that the proposal complies with the requirements of Policy PS1 of the LDP as well as advice in the SPG: Maintaining and Creating Unique and Sustainable Communities.

Pollution Matters

- 5.22 Considering the historic use of the site as a gas compound/workplace it is likely that the land has been contaminated over the years. The Public Protection Unit recommend that the applicant undertakes a desktop investigation to assess the risk of possible pollution for the proposed development. This can be ensured by imposing a relevant condition on any planning permission. To this end, therefore, it is believed that the proposal complies with the requirements of Policy ISA1 of the LDP

Drainage matters

- 5.23 A drainage plan was submitted with the application indicating that the foul water from the development will be disposed into the public sewer system with surface water discharging into the nearby ditch in the north-western corner of the site in accordance with the Council's requirements and the flow of surface water will be controlled by an attenuation chamber/control of flow situated within the site. In order to ensure the effectiveness of the new drainage system, maintenance measures will be included within the sustainable water systems (SuDS) that will be approved by the Council's Water and Environment Unit in its role as a SuDS Approval Body. Welsh Water has no objection in principle to the connection with the public sewer system and they also refer to the need to safeguard the main combined sewer that crosses the site together with the submission of a foul water disposal plan and no additional foul water will be permitted to be connected either directly or indirectly to the public sewer system. Natural Resources Wales have no observations regarding the disposal of water from the site as foul water is discharged into the main public sewer. To this end, therefore, it is believed that the proposal complies with the requirements of policies ISA1, PS2, PCYFF6 and PS5 of the LDP

6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal to develop 7, one and two-bedroom affordable social rented houses/bungalows for older people is a positive response to the housing needs that have been identified for older people. When assessing the application full consideration was given to the observations of the statutory consultees and based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, it is considered that the proposal is acceptable subject to the inclusion of the following conditions.

PLANNING COMMITTEE	DATE: 11/01/2021
THE REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

7. Recommendation: To approve subject to conditions

7.1 To delegate powers to the Assistant Head of the Environment Department to approve the application, subject to the following conditions:-

1. Five years.
2. In accordance with the plans.
3. Natural slate roofing.
4. Natural slate roofing.
5. Agree the houses' external elevations including the solar panels.
6. Remove permitted development rights from the residential dwellings.
7. Highway conditions concerning the provision of parking spaces, estate road and associated footpaths.
8. Submission of a programme of archaeology works to be agreed with the LPA prior to the commencement of any work on the site.
9. A detailed report on the archaeology work will need to be submitted, in accordance with condition 7 to be agreed in writing by the Local Planning Authority within six months of completing the archaeology work.
10. The Biodiversity Unit's conditions concerning no vegetation, trees or shrubs to be cleared during the nesting season (1 March to 31 August); prior to the commencement of any work a scheme should be submitted for approval by the LPA to ensure that reptiles will not be harmed during the construction and this scheme to be implemented to the complete satisfaction of the LPA; prior to the commencement of any work a Plan to Improve and Mitigate Biodiversity should be submitted and agreed with the LPA and prior to the commencement of any work on the site a Plan to Destroy Non-native Invasive Plants to be submitted and agreed with the LPA.
11. Condition to comply with the mitigation measures in the Preliminary Ecological Evaluation Report.
12. Condition to comply with the recommendations and mitigation measures included in the Trees Report.
13. Public Protection Unit condition regarding conducting a site contamination investigation.
14. Welsh Government Conditions regarding visibility splays, drainage and resurfacing the pavement near the site.

Notes

1. NOTE: The applicant is instructed to sign an Agreement under Section 38, Highways Act, 1980 with the Council if it is proposed for the extension to Llain y Pebyll road to be adopted.
2. NOTE: The applicant's attention is drawn to the letter from Welsh Water dated 11.02.20, advising of the need to ensure that the development is in compliance with the advice contained therein.
3. NOTE: The applicant's attention is drawn to the letter from Wales and West Utilities dated 14.02.20, and the need to ensure that the development is in compliance with the advice contained therein.
4. NOTE: The applicant's attention is drawn to the need to submit a sustainable drainage strategy plan for approval by the Council's Water and Environment Unit.