

PLANNING COMMITTEE	DATE: 06/09/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 1

Application Number: C20/0805/13/LL

Date Registered: 25/11/2020

Application Type: Full

Community: Bethesda

Ward: Bethesda

Proposal: Creation of a car park for 30 vehicles, create a new vehicular access, footpaths together with the installation of 2 charging points for electric cars and a pay and display machine

Location: Land near Gwernydd, Bethesda, LL57 3TY

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1. This is a full application to create a car park for 30 vehicles, create a new vehicular access, footpaths together with the installation of a pay and display machine.
- 1.2 The proposal site forms part of agricultural land to the east of the residential area of Gerlan and opposite the Bethesda local service centre development boundary. Currently, Ffordd Gerlan has a stone wall that borders the west of the site, a residential property (12, Gwernydd) situated opposite the southern boundary with open agricultural land to the north and east.
- 1.3 It is proposed to demolish the 'clawdd' that borders the unclassified public highway and to create a new vehicular access that links the car park that will comprise 30 parking bays. The parking bays will be set in two lines of 15 bays each that will run parallel from the north-west to the south-east. In the north-west section of the site, there will be a pay and display machine together with a charging point installed for two electric vehicles. Along the boundaries of the car park there will be a wooden knee rail fence erected together with 1.3m high lighting posts. Half the bays will be 'pay and display' parking, and the remainder will be reserved for individuals with permits (there are no details regarding the period/length of permits).
- 1.4 In addition to creating a new vehicular access, footpaths will be placed around the parking area with one ending near the new junction and the other meeting with Ffordd Gerlan at a new kissing gate in the south-eastern end of the site.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate enhancing the natural environment

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TRA 2: Parking standards
 TRA 4: Managing transport impacts
 PS 4: Sustainable transport, development and accessibility
 PS 20: Preserving and where appropriate enhancing heritage assets

2.4 National Policies:

Future Wales: The National Plan 2040 Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 5: Nature Conservation and Planning
 Technical Advice Note 12: Design
 Technical Advice Note 18: Transport
 Technical Advice Note 24: The historic environment

3. Relevant Planning History:

3.1 The site has no relevant planning history.

4. Consultations:

Community/Town Council: No response received.

Transportation Unit: Response received on 08/01/2021:

Thank you for the amended plans. I confirm that I have no objection to the proposal and I recommend attaching the following conditions / notes to any planning permission granted:

P007: NOTE: The applicant is instructed to write to the Street Works Manager to receive permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access. You may also contact Gwynedd Council's Street Works Unit on 01766 771000 for the relevant forms.

P01A - Plan and construct the access in accordance with the submitted plans.

P26A - The applicant must take every care to prevent surface water from the curtilage of the site discharging onto the highway.

Standard condition regarding the provision of a construction traffic management plan for approval prior to commencing any construction work on the site.

The applicant/developer must agree on an Extraordinary Traffic Agreement under Section 59 of the Highways Act 1980, in order to protect the condition of the roads network affected during the

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construction/demolition period.

Response received on 21/12/2020:

I refer to the above application, and confirm that I have no objection to the proposal to provide a car park to overcome parking issues in the Gerlan area. However, I note that there are differences between some of the plans, together with a lack of information with some of the details. Prior to proposing appropriate conditions/notes I would like to receive further information or confirmation of the following:

GA Plan - What is the thick blue line around the car park. Is this a swale as suggested in the Drainage Plan? This colour is not identified in the key.

Drainage Plan - this indicates what I assume is a footpath in brown around the parking area, and extends beyond this and along the main road. On the GA plan this pavement ends at the junction mouth. Confirmation is required of the footway length, because if it is proposed to provide a footway along the side of the road then it would be better to provide this to an adopted standard and for the council to adopt this under Section 38.

Levels - I cannot see any information regarding levels. What is the level of the car park in relation to the nearby road, and what is the gradient of the access road to it?

Visibility - How much control does the applicant have over the nearby land in order to provide a sufficient visibility splay back towards the direction of Bethesda? The plans do not identify the visibility barrier created by the high stone wall in this direction. How is it proposed to provide satisfactory visibility for vehicles leaving the car park?

Construction traffic plan - Depending on the finished levels, I assume that it will be necessary to excavate and export many tonnes of material to create the car park. With access to large, heavy vehicles difficult at best to Gerlan, it is expected that the applicant will submit a construction traffic management plan either as part of the application or to be approved prior to commencing the development.

Natural Resources Wales:

Response received on 30/11/2020:

No objection and standard advice.

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Welsh Water:

Response includes general observations and received on 22/11/2020:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development. Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal

Public Protection Unit:

No observations

Biodiversity Unit:

Response received on 19/05/2021:

Thank you for consulting.

I am satisfied with the plans thus far.

Response received on 22/03/2021:

I agree with the mitigation measures noted in the Initial Environmental Appraisal provided (Report Heading - Summary of Recommendations & Actions).

According to the IEA conditions will need to be added that protect the following species:

- Bats
- Reptiles
- Birds

The applicant will need to provide:

- Environmental Construction Plan
- Lighting Plan (even if the bats survey does not find anything)

There is also a need to submit an Ordinary Watercourse Consent to the Council.

Other comments:

- I would like to see that the applicant can add some sort of landscaping to the plan. This may include:
 - Hedgerows (with native species)
 - Wildflower meadows (with native species)
 - Herbaceous border with native flowers suitable for pollinators
- If so, the applicant can provide a landscaping plan.

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Gwynedd Archaeological
Planning Service:

Response received on 18/12/2020:

Thank you for consulting us on the above application. Having reviewed the area of proposed works with reference to the regional Historic Environment Record (HER), I have determined that there is a potential for archaeological impact and would like to draw your attention to the comments below. The proposed development is for the creation of a new car park on land off Gerlan Road, on the eastern extent of Gerlan. The site is currently undeveloped agricultural grassland, which is supported by a historic OS map regression. The site is characterised by sloping topography which ascends upland, with the Carneddau to the east. Just 300m to the north-east is the scheduled monument CN144 (Huts 90m N of Cil Twllan) which demarcates any area of multi-phase occupation, possibly dating as early as the Iron Age, through the Roman period and up to the medieval. It should be noted that whilst the proposed development does not physically impact the scheduled monument, Cadw must be consulted nonetheless owing to potential setting impact. In addition, there are 26 PRNs within just a 500m radius of the site, exhibiting the density of known features within proximity of the site, and the potential for further unknown archaeology. The proposed development requires ground-disturbing works in the creation of a new car park and ancillary access roads, in an area known to have potential for unknown archaeological deposits. Ensuring any yet undiscovered archaeological material is not unduly destroyed or lost, contributes to the preservation of heritage, and also has the potential to improve our wider understanding of the locality. As such, it is considered appropriate that a programme of mitigation be implemented during the development, in the event of planning consent being granted. This mitigation will allow for any archaeological material to be properly and appropriately assessed, recorded and if necessary, removed. In the light of these comments and in accordance with Planning Policy Wales (2018) and TAN 24: The Historic Environment, it is recommended that the planning authority should require that appropriate archaeological mitigation is undertaken, should planning be granted. The following condition wording is suggested to secure such a scheme of work:

- a) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.
- b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

2) To ensure that the work will comply with Management of

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Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

The archaeological mitigation should entail a formal programme of archaeological work known as a Watching Brief, to be undertaken on an intensive basis during all ground disturbing works. The work should be supported by sufficient desk-based research to aid interpretation of any archaeological evidence encountered. An appropriate, qualified archaeological contractor should be appointed to undertake the work, a database of which can be found either at <http://www.bajr.org/RACSmapp/default.asp> (British Archaeological Jobs & Resources) or at <http://www.archaeologists.net/civicism-contact-distancesearch> (Chartered Institute for Archaeologists). The appointed archaeological contractor must agree a specification for the work with GAPS before commencing the project. Please do not hesitate to contact me with any queries regarding the above.

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Public Consultation:

A notice was posted on the site and nearby residents were notified by letter. The advertising period has expired and several correspondences were received objecting on the following grounds:

- There has been a considerable increase in the number of visitors/tourists visiting and parking at Gwernydd/Gerlan. This reduces the parking bays for local residents and creating a car park will attract more visitors and will exacerbate the problem.
- All Gwernydd residents were not notified of the application.
- Concern that the proposal will lead to similar situations to those seen at car parks at Pen y Pass and Cwm Ogwen and will impact the local roads network) preventing access to emergency services).
- Local residents have to park far from their homes as visitor vehicles prevent access - the proposal would attract more visitors to the area.
- The use of the car park as a pay and display would not protect parking bays for the community.
- Visitors will not want to pay to park on the site and will continue to park in a frustrating way on public roads.
- It will create a 'concrete jungle' on a natural site.
- Safety of neighbours due to the increase of vehicle movements in and out of the site.
- Drainage is poor in the field and any work is likely to cause flooding and damage to property.
- Parking and visibility for 12, Gwernydd is already poor, and the proposal would exacerbate the situation and lead to accidents.
- There are further protected species (such as bats, swallows, hedgehogs) who visit the garden of 12, Gwernydd.
- The proposal will get rid of the stone wall that runs by the side of the road, this will have a detrimental impact on the site's appearance.
- Impact on the privacy of 12 Gwernydd due to the proximity of the gate and car park.
- The gate should be moved further into the site to retain the site's natural appearance.
- If nobody looks after the hedge, this may cause damage to property.
- Replacing the stone walls for timber (fencing) will allow anti-social behaviour, graffiti and damage.
- Creating a footpath will mean that cars will park on them.
- The construction work will damage 12, Gwernydd and the work should be undertaken further away from the property.

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- There is a culvert near 1, Gwernydd that causes flooding and damage to property.
- Consideration should be given to taking down the wall and to create parking bays as a lay-by, as this would create more parking for the whole street rather than the far end of Gerlan.
- Bethesda is nearly within the Snowdonia National Park and there is a plan to include the whole of north Wales as part of the National Park due to the natural beauty and history of the area and therefore this should be located on a different site.

As well as the above objections, objections were received that were not material planning objections and these included:

- Recently, members of the public have breached the lockdown regulations (COVID-19) in order to visit Gwernydd/Gerlan to walk and ski.
- Parking in front of gates/entrances to houses.
- The proposal is different to that which was originally discussed during the public consultation by the Community Council/County Council/Local Member of having parking restrictions and giving residents a permit.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located opposite the development boundary of the Bethesda local service centre. Policy PCYFF 1 of the LDP states that outside the development boundaries, proposals will be refused unless they are in accordance with specific policies in this Plan or national planning policies or that the proposal shows that its location in the countryside is essential.
- 5.2 There is no specific policy within the LDP that refers particularly to the provision of new car parks, however, it is considered that policies PCYFF 2, PCYFF3, TRA 2 and TRA 4 are relevant in this case.
- 5.3 As has already been discussed, the proposal entails the demolition of the 'clawdd' that borders Ffordd Gerlan and creates a vehicular access and a car park that comprises 30 parking bays. This site is located outside but adjacent to the development boundary and is considered to be a reasonable extension to the existing settlement.
- 5.4 The proposal's purpose is to provide vehicular parking bays for the communities of Gerlan and Gwernydd. Due to the built nature and narrow streets in this residential area, there is a serious lack of parking places (private and public) off the public roads network. It is not considered that this proposal is likely to promote or lead to an increase in use of private vehicles but would rather mitigate the existing parking issues in the community. The Transportation Unit has confirmed that the proposal conforms to the parking standards and the proposed access will not have a detrimental impact on road safety.

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To this end, it is considered that the location, size and setting of this extension is logical and will add to the provision of additional vehicular parking bays for the community.

Visual amenities

- 5.5 As the proposal borders the public highway, the development boundary together with the settlement of Gerlan, it is not considered that this parking site would cause an impact to the degree that it would lead to significant harm to the site's general appearance.
- 5.6 The application does not include any building or substantial structure (except for a pay and display machine, fence and lighting posts), however, it has to be recognised that the proposal is outside the development boundary and has the potential for 30 vehicles to be located on a purpose built off road site.
- 5.7 There are similar public parking areas (smaller in size) provided along Ffordd Gerlan to try and alleviate the lack of parking areas in the Gerlan area. In addition, it is considered that the layout of the site and the access near the public road ensures that the proposal does not extend excessively into the open agricultural land in a way that would create a intrusive urban feature in the countryside.
- 5.8 Generally, it is considered that the arrangement of the proposed development is in keeping with the location and borders similar features that enable the proposal to take its place appropriately within the landscape.
- 5.9 The site is located within the Dyffryn Ogwen Historic Landscape of Outstanding Interest designation and policy PS 20 states that consideration should be given to these when assessing proposed developments. In this case, it is not considered that the proposal has any unacceptable direct detrimental impact on the setting of the Historic Landscape of Outstanding Interest for the reasons noted above.
- 5.10 To this end, it is considered that the proposal is acceptable and complies with policies PCYFF 2, PCYFF 3 and PS20 of the LDP.

General and residential amenities

- 5.11 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan approve proposals for new developments provided they do not have a detrimental impact on the health, safety or the amenities of the residents of local properties or on the area in general.
- 5.12 During the public consultation period objections were received on the grounds that included the impact on the amenities of nearby residents including disturbance deriving from the proximity of the work, parking bays, paths and the kissing gate to residential property.
- 5.13 The nearest residential property to the site is located to the south-west (1 to 3 Gwernydd) and south-east of the site (12, Gwernydd). As a public highway is situated between the proposed car park and properties 1 to 3 Gwernydd, it is not considered that the proposal would have any significantly greater impact on residential amenities that are different to the current situation.
- 5.14 On the proposed site plan it appears that it is intended to allow a gap of approximately 9m between the parking bays and the boundary wall of the nearest property to the site, name 12, Gwernydd. Currently, the western side of 12, Gwernydd enjoys reasonable privacy to their

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amenity areas due to the existing use of the site together with the boundary wall that runs along the boundary.

- 5.15 It is considered that this gap between the boundary of the property and the parking bays is sufficient and would not have a significant detrimental impact in terms of disturbance or loss of privacy that would be considered unreasonable.
- 5.16 Currently, land on the site slopes towards the public highway. Cross-sections of the existing and proposed site confirm that there will be a few changes in land levels (in order to create flat parking areas), however, on the whole, the parking bays will not be placed on land that will be significantly higher than 12, Gwernydd.
- 5.17 Although the use of the site will be changed and the nature of the vehicular movements will change, it has to be considered that the existing situation means that vehicles will be parked regularly along Ffordd Gerlan. Due to the location of the site and the residential nature of the area, it is not considered that there would be a significant change in noise nuisance emanating from vehicles here.
- 5.18 On the plans originally submitted, the footpath led from the parking bays and reached Ffordd Gerlan at a new kissing gate on the boundary with 12 Gwernydd. This setting would be likely to lead to a detrimental impact on the amenities of residents leading to footpath users walking across the private driveway. In order to ensure that the users of this footpath/gate do not cross the drive of 12 Gwernydd the plan was amended to move the path a little further from the boundary. The setting and amended positioning will ensure that users do not step from the gate and across the private drive/parking area.
- 5.19 The objectors were re-consulted regarding the amended plans and further correspondence was received reiterating the original concerns. Despite this, it is considered that the above discussion indicates that the proposal will not lead to an unacceptable detrimental impact on the amenities of the area's residents and will meet with the requirements of policy PCYFF 2 of the LDP.

Transport and access matters

- 5.20 As discussed already the site is located opposite the residential area of Gerlan and Gwernydd, that include a high number of residential properties but poor provision of off street parking. Following the statutory consultation period the Transportation Unit asked for additional/revised information regarding the proposed site plan, drainage plan, ground levels, visibility of the access and a construction traffic plan.
- 5.21 Following the receipt of amended plans, the Transportation Unit confirmed that they had no objection to the proposal and standard conditions should be imposed to provide a Construction Traffic Plan prior to the commencement of any work on the site.
- 5.22 It is considered that the proposal gives an opportunity to reduce the number of vehicles parking on the network of local roads and is acceptable based on protecting the safety of public highways. To this end, it is considered that the application meets the requirements of policies TRA 2 and TRA 4 of the LDP that deal with transport.

Biodiversity Matters

- 5.23 The applicant provided an Initial Ecological Assessment with the application and following a consultation with the Biodiversity Unit correspondence was received noting that the mitigating

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measures were acceptable. The mitigating measures noted in the section 'Summary of Recommendations and Actions' of the report include measures to protect bats, reptiles and birds.

- 5.24 In addition to conditioning the above measures, the Biodiversity Unit stated that there is a need for the applicant to provide a Construction Environmental Management Plan and a lighting plan.
- 5.25 A lighting and technical details plan for the lighting bollards has now been provided and the Biodiversity Unit has confirmed that this information is acceptable.
- 5.26 In addition to the information received thus far on the application, the Biodiversity Unit has noted that the proposal should bring forth biodiversity net benefits in accordance with the requirements 6.4.5 of Planning Policy Wales (Edition 11, 2021). This will be undertaken by providing a landscaping plan that may include hedgerows, wildflower meadows and a vegetation boundary for pollinators (native species).
- 5.27 In accordance with the attached information and the reports submitted together with imposing appropriate conditions, it is considered that the proposed development will not lead to any unacceptable impact on protected species and therefore complies with policy AMG 5 of the LDP.

Archaeological Matters

- 5.28 The Gwynedd Archaeological Planning Service (GCAG) was consulted and they confirmed that the development has the potential to have an archaeological impact. The proposal stands approximately 300m below the registered ancient monument of Cil Twllan Hut Circle (reference number CN144). As the development means undertaking work to the land in an area that includes a high density of archaeological features, there is a very high potential for the proposal to disturb undiscovered archaeological deposits. In order to avoid ruining any archaeological deposits and to comply with TAN 24: The historical environment, the GCAG has suggested that any planning permission should be conditioned to an appropriate mitigation programme. The mitigation programme will include;
- To not commence any work until the details of the archaeological work programme are provided to the Local Planning Authority.
 - Provide a detailed report of the archaeological work to the Local Planning Authority within 6 months to the completion of the archaeological field work.

This programme should include a watching brief and thorough desk research will be provided by a competent archaeological contractor.

It is considered that imposing the conditions as recommended by GCAG is acceptable in order to protect any archaeological deposits and heritage assets from any damage. To this end, it is considered that the proposal complies with the requirements of policies PS 20 of the LDP and Technical Advice Note 24: The Historic Environment.

6. Conclusions:

Following the above discussion and having considered all the relevant planning matters including local and national planning policies and guidance, it is deemed that this application is acceptable based on principle, design, scale, materials, local building forms, setting, highway matters and residential amenities and therefore complies with the requirements of relevant local and national policy and guidance.

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7. Recommendation:

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

Approve – conditions

1. 5 years
2. In compliance with plans
3. Provide a CEMP
4. Provide a Landscaping Plan
5. Provide a Construction Traffic Plan
6. Archaeological matters
7. Conform to the Initial Environmental Assessment requirements and suggestions
8. No lighting except for what has been agreed
9. Boundary treatment to be completed prior to using the parking bays

Notes

- Ordinary Watercourse Consent
- SUDS
- Welsh Water