

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

**Number: 2**

**Application Number: C22/0745/14/LL**

**Date Registered: 15/08/2022**

**Application Type: Full**

**Community: Caernarfon**

**Ward: Cadnant**

**Proposal: Redevelopment of an existing garage site in order to construct a four-storey residential building which includes 21 flats for individuals aged over 55 years (7 x 2 person one-bed, 14 x 3 persons two-beds), as well as a communal lounge, Buggy/Bikes storage area, plant room, bins storage, parking places for 16 cars and landscaping.**

**Location: Garej Lleiod, Llanberis Road, Caernarfon, Gwynedd, LL55 2DF**

**Summary of the Recommendation: TO DELEGATE THE RIGHT TO APPROVE SUBJECT TO CONDITIONS**

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 1. Description:

- 1.1 This is a full application for the demolition of the existing buildings (including a car sales forecourt, workshop, forecourt canopy as well as a kiosk and shop which was previously a part of the petrol station) and erect a new building in its place that would provide 21 residential flats for people aged over 55 years and associated works on the site known as Garej Lleiod which is located to the east of Caernarfon town centre. The application can be split into several different elements, which include:
- Provision of 21 flats including 7 one-bedroom flats and 14 two-bedroom flats and every flat is offered as an affordable unit.
  - Provision of 16 parking spaces with 3 of these for disabled parking and 2 spaces for electric vehicle charging points.
  - Using the existing access off Llanberis Road as per the existing arrangement. The parking spaces are located to the north west within the application site.
  - Erecting a building with the central section including four-storeys, a three-storey section on the south-eastern elevation and a two-storey section facing the north-west. The central section would include ridge roofs, whilst the three and two-storey blocks on either end are lower and varied with the front gable end and the ridge roofs with the exterior elevations broken up by using numerous and varied openings (some with Juliet type balconies), various materials (e.g. brickwork including a rustic and off-white texture, painted render, windows and timber vertical doors and solar panel system on top of a blue-slate roof).
  - Landscaping to include soft landscaping to include additional planting work comprising grass, trees and new flower beds as well as hard landscaping to include footpaths, a pergola, a sitting area along the external patio, flower potting shed and clothes drying area within a communal area towards the rear of the site with a green and flowered area surrounding this area. Along the front of the site, a green plot will be located including wetland plants, with this area of attractive landscaping including shrub-land and a rain garden.
  - Communal amenity spaces around the building as the building itself was located more or less in the centre of the site.
- 1.2 The site is located adjacent to Llanberis Road to the east of the town centre, and access can be gained to the site off Llanberis Road. Currently, operating from the site is a car servicing centre (MOT) and vehicle sales forecourt, that was formerly used as a petrol station. The site measures 0.7ha with the height of the proposed building varying with the central section being four-storeys measuring 14.5m high, the three-storey section to the south-east measuring 11m high to the ridge and the two-storey section to the north-west of the site measuring 8.5m high to the ridge.
- 1.3 The site is located within the Caernarfon development boundary as included in the Anglesey and Gwynedd Joint Local Development Plan, 2017 (LDP), but it has not been designated for any specific use. In order to support the application, a vast number of documents were submitted as follows:- Supplementary Planning Statement, Design, Access and Planning Statement; A Pre-application Consultation Report (*PAC*); Welsh Language Impact Assessment; Affordable housing statement; Housing Mix Statement; Transport Statement; Drainage Strategy, Phase 1 and Phase 2 Geo-environmental Report; Survey of Phase 1 Habitats; Survey Report of Bat Activity; Preliminary Ecological Assessment and bat roost preliminary report; Topographic Survey; Photos of the site.
- 1.4 It was confirmed that the applicant had undertaken a pre-application consultation in accordance with the requirements of Article 1 of the Town and Country Planning Act (Development Control Procedure) (Wales)(Amendment) 2016, as the proposal is defined as a major development. A Pre-application Consultation Report (*PAC*) has been included with the application to reflect this consultation.

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 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 (Wales) Act 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:-

PS 1 - The Welsh Language and Culture.

PS 2 - Infrastructure and developer contributions.

ISA 1 - Infrastructure provision.

ISA 5 - Provision of open spaces in new housing developments.

TRA 2 - Parking standards.

TRA 4 - Managing transport impacts.

PS 4 - Sustainable transport, development and accessibility.

PS 5 - Sustainable developments.

PCYFF 1 - Development boundaries.

PCYFF 2 - Development Criteria

PCYFF3 – Design and place shaping

PCYFF 4 - Design and landscaping.

PCYFF 5 - Carbon management.

PCYFF 6 - Water Conservation.

PS 17 - Settlement strategy.

TAI 1 - Housing in the Sub-regional Centre and the Urban Service Centres.

TAI 8 - An appropriate mix of housing.

TAI 15 - Threshold of affordable housing and their distribution.

AMG 5 - Local biodiversity conservation.

PS 20 - Conserving and where appropriate enhancing heritage assets.

Gwynedd Design Guidance (2003).

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Unique and Sustainable Communities.

SPG: Affordable Housing.

SPG: Open Spaces in New Housing Developments.

### 2.4 National Policies:

Planning Policy Wales, Edition 11 (2021).).

Future Wales: The National Plan 2040.

Wales Development Quality Requirements, Appendix A and B (2021).

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2017).

TAN 5: Planning and Nature Conservation (2009).

TAN 12: Design (2016).

TAN 18: Transport (2007).

TAN 20: Planning and the Welsh Language (2017).

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

TAN 24: The Historic Environment (2017).

### 3. Relevant Planning History:

- 3.1 Two Pre-application enquiries were submitted. The first reference was Y20/0644, which was an application to erect 30 flats for individuals aged over 55 years, and the second reference was Y21/1077 to erect 24 flats for individuals aged over 55 years. The enquiry was responded to by referring to principal planning matters, namely the principle of erecting housing on a site within the development boundary, affordable housing, housing mix, the Welsh language, amenity spaces, trees and landscaping, educational contribution, visual amenities along with residential amenities.
- 3.2 C98A/0471/14/LL – Change of use from a petrol station/workshop/shop/laundrette to a car showroom – Approved - 12.11.1998
- 3.3 C96A/0065/14/CL – Extension to create a store and shop – Refused – 15.11.1996

### 4. Consultations:

Community/Town Council: Resolved not to make a decision - Questioned the meaning of 'local' in the documents and how this can be ensured? Questioned the impact of the development on the Welsh language. But also welcomed any development that corresponded with the needs of the town.

Transportation Unit: E-mail 26/08/2022

Requested more information about the type of accommodation that would be provided.

E-mail 27/10/2022

I would ask the applicant to review, adapt and resubmit the Design and Access Statement as it appears that some parts relate to a different site, between Colwyn Bay and Llandudno it seems.

In general, the methodology used when making a decision on the required parking provision and the journeys created is robust, but we accept that the development is “Self-contained elderly persons accommodation (not wardened) - Special Purpose Housing”.

I am concerned that the development could be closer in reality to a conventional flat building, which would require many more parking spaces.

The development is described many times with ambiguity, such as "21 over 55s/older persons apartments", which raises the question why it is considered to be "Self-contained elderly persons accommodation" only for parking purposes. Within the application, the development is defined as Class C2, which basically provides for

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

end users with fewer vehicular needs. I ask the applicant to explain the logic behind the presumption that an individual aged over 55 years would have a reduced need for a vehicle, and whether there are any proposed management measures to ensure that the total demand for resident parking is no greater than the proposed provision for the site?

E-mail 29/11/2022

I thank the applicant for their additional comments and revised Design and Access statement (DAS).

I would emphasise that my concerns stem from how the applicant has defined the development, not from whether the parking provision meets the requirement of the stated development class. If deemed to be general purpose housing or apartments the required number of parking spaces would be 39. Whilst I am not expecting the applicant to provide this level of parking, I believe a reduction to 16 spaces could be excessive.

There are a number of contributing factors that mean the nature of the of the development is ambiguous. The Application Form defines the Use Class as “other”. Section 3.4 of the Transport Statement relates to parking; paragraph 3.4.2 defines the development as a “self-contained elderly persons accommodation (not wardened)”. Subsequently this would define the development as “special purpose housing”, and would seemingly fit best in Class C2: Residential Institution.

Paragraph 3.4.1 confirms that the CSS Wales Parking Standards (2014) has been used to form the basis of the proposed parking provision.

Paragraph 2.2.2 of the DAS confirms there would be no parking for staff, and seems to suggest the site would operate without any staff whatsoever.

Paragraph 2.2.3 of the DAS highlights the presence of an office, which would suggest at least part time presence of staff at the site. There is mention of a communal area which raises the question of who would have the responsibility for the managing and cleaning of this space?

I would ask the applicant to clarify whether or not there will be any staff regularly attending the site.

It is assumed that a maintenance regime for the building and grounds would be required. It is accepted this would be infrequent, however the potential still remains for this to impact upon the functionality of the parking provision e.g. if multiple contractors were required or machinery were towed to the site. Has the potential impact of this

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

occurrence been considered, especially with regard to emergency vehicles efficiently accessing and egressing the site?

In an email dated 14/11/22 the presence of a communal area is offered as evidence that the development is more in-line with being a self-contained elderly persons accommodation. I don't consider a communal area to be a feature exclusive to elderly persons accommodation. The email also describes the development as a "Senior Living Over 55 Residential/Extra Care Light development", which raises the question as to how, and by whom, the extra care would be provided? Will staffing/care visitor numbers, in actuality, fluctuate depending on the needs of the residents at any given time?

Sections 4.1 and 4.2 of the Transport Statement uses a number of sources to define what would constitute an appropriate distance for a journey to be undertaken by foot/bicycle. The sections could relate to any development, with seemingly no consideration given to the mobility levels of the typical end user. It is accepted that mitigating factors such as local proximity of services can reduce the parking requirement associated with a development, however the application has not demonstrated this. Appendix 6 of the aforementioned CCS Parking Standards Wales defines a method to calculate the reduction in parking requirements on such a basis. It lists a number of specific amenities, and allocates scores based upon the **total** distance travelled there and back (200/300m, 400m, 800m). The only evidence provided of similar nature is a note that Caernarfon town centre is 800m-1200m walk from the site, suggesting a **total** distance travelled of 1600-2400m to access facilities. When considering that the method outlined in Appendix 6 seems to relate to the general populous, I would question whether it would be appropriate to apply this method to a development that would cater specifically for end users who may have reduced mobility.

While I welcome proposals to logically define the parking requirement, however I don't believe that comparison to a previously approved development at Plas Penrhos, as outlined in an email dated 14/11/22, is valid in this instance. When reviewing the content of the email there appears to be a difference in the way that the number of residents associated with each development is determined. There seems to be an assumption that there would be one person per 1-bed unit and two persons per 2-bed units housed in Garej Lleiod; while there seems to be an assumption that there will be two persons per unit regardless of the number of bedrooms at Plas Penrhos. Notwithstanding this I believe both methods underestimate the potential number of residents, as it would seem apparent that a 2P1B unit could house 2 persons and a 3P2B unit could house 3 persons. Using this rationale, the development has the potential to house 56 individuals, not 35 as stated.

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Once the resident numbers are adjusted it can be seen that the spaces per person proposed for each development is lower than stated for both sites, and are in effect identical (Garage 0.29 / Plas Penrhos 0.31). Although the proposals offer the same ratio of parking, I do not believe the locations of the sites are similar enough to conclude that the demand would be the same.

When applying the data obtained by Adra to the proposal, it suggests the parking provision would suffice and alleviates concerns to a degree, however there are residual concerns. Whilst it can be used as a guide I would question whether data obtained relating to Adra tenants in general apartments can be used to extrapolate demand within a specific age category with any accuracy when considering different demographics likely have different levels of vehicle ownership. I am concerned that given the nature of the site it would be difficult for the developer to retrospectively add additional spaces should the level of vehicle ownership be higher than anticipated, and there is seemingly no strategy to prevent this occurrence from happening.

Parking within the highway adjacent to the development would be problematic for a number of reasons. Firstly, the proximity of the light-controlled crossing point and associated “zig zag” road markings. If vehicles were to encroach on these markings it could impact upon the sight lines between pedestrians wishing to cross and approaching motorists, and could also impact upon the visibility splay of the proposed developments access point. If vehicles were to park west of the zig zags they would be parking on a section of road subject to “No Waiting Monday-Friday 09am-5pm” on one side and “No Waiting at any time” on the other. The third option for parking within the highway would be to park on the housing estate opposite. The vast majority of households on this estate do not have off road parking provision and are themselves reliant on on-street parking, the oversaturation of which could lead to hazardous situations such as blocked pavements and severely limited visibility at corners.

In summary, I do not believe the applicant has demonstrated that the development should be considered to be “self-contained elderly persons accommodation (not wardened)”, nor have they provided sufficient rationale as to why the level of parking provision is considered to be appropriate. Ambiguity exists in relation to:

- the class of the development
- the staffing associated the day to day running/maintaining such a development
- the mobility level of a typical end user
- vehicle ownership level of the end user

As a result, I would object to the development on the basis that the applicant has not demonstrated that the development would not negatively impact upon the highway network, nor have they outlined

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

any plan of action in the event that there is an impact.

Natural Resources Wales:

We continue to have concerns with the application as submitted. However, we are satisfied that these problems can be overcome by attaching the following conditions to any planning permission granted:

Condition 1-4: Land Contamination

Please note, without the inclusion of these conditions, that we would object to this planning application. More details can be seen below.

### **Land Contamination**

We note the land contamination report submitted (Caulmert Limited, November 2021. Document Reference: 5031-CAU-XX-XX-RP-O-0300).

We have reviewed the Phase 1 and Phase 2 Geo-environmental Report (Caulmert Limited, Document Reference: 5031-CAU-XX-XX-RP-O-0300, November 2021.). The investigation of the site completed to date is basic due to the presence of cars and car products as well as buildings on the site. After all items are removed, a full investigation should be carried out on the site. To date, hydrocarbon contamination has been seen on the site in the soils, however, no ground water samples have been taken, although contamination has been uncovered when monitoring. The contamination is linked to the site's previous use as a petrol filling station. Therefore, we advise the following series of land contamination conditions and that information is included on any planning permission granted for the site.

As well as the planning conditions, there may be a need for Environmental Licences from NRW (during the construction and implementation work) and we recommend early consultation with the relevant authorising teams to ensure that all licenses are in place prior to the commencement of the development.

Condition 1: No development, of land known / suspected to be contaminated, will commence until the following components of a plan to deal with the risks associated with contamination on the site, is submitted and approved in writing by the Local Planning Authority

1. Preliminary risk assessment noted:

- all previous uses
- possible contaminants associated with these uses
- conceptual model of the site noting the sources, paths and receptors
- possible unacceptable risks deriving from the contamination of the site

2. Site investigation plan, based on (1) providing information for a detailed assessment of the risk to all receptors who may be affected, including those off the site.



PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options and recovery evaluation strategy giving full details regarding the recovery measures required and how they are to be undertaken.

4. A verification plan that provides the details of data to be collected to demonstrate that the work noted in the recovery strategy in (3) are complete and note any requirements for monitoring the links with pollutants, maintenance and arrangements for contingency action in the longer term.

The remedial strategy and its relevant components will be undertaken in accordance with the approved details.

Justification: To ensure that the risks associated with contamination on the site have been fully considered prior to the commencement of the development as there are regulated waters of environmental sensitivity; and where required that there are remedial measures and long-term monitoring implemented to prevent unacceptable risks from contamination.

Condition 2: Prior to the occupation of the development, a verification report demonstrating that the work noted in the remedial strategy has been approved and the effectiveness of the remedial work to be submitted to the Local Planning Authority and approved in writing. The report will include sampling and monitoring results undertaken in accordance with the approved check plan to demonstrate that the site's recovery criteria have been satisfied. It will also include a monitoring and long-term maintenance plan to monitor the links with pollutants, maintenance and arrangements for contingency action, as noted in the verification plan. The monitoring plan and long-term maintenance will be undertaken in accordance with the approved details.

Justification: To ensure that the methods noted in the check plan have been implemented and completed and the risk associated with contamination on the site has been recovered prior to occupation or implementation, to prevent land users and the nearby land in the future, together with those of the regulated waters, property and ecological systems, and to ensure that it is possible to maintain the development safely without unacceptable risks to employees, neighbours and other receptors off the site.

Condition 3: Prior to occupation or implementation, a long-term land contamination monitoring plan will be submitted to the local planning authority for written approval. The long-term monitoring plan should include:

- Details of the methods and triggers for implementation
- Schedules for long-term monitoring and reduction mechanisms, e.g. three-year monitoring plan unless monitoring reports note that subsequent monitoring is required or not required (for 3 years)
- Schedules for submitting monitoring reports to the local planning authority, e.g. annually
- Details of any essential contingency and remedial steps and schedules for action

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- Details confirming that the contingency and remedial actions have been achieved

The monitoring plan will be undertaken in accordance with the approved details, within the agreed schedules.

Justification: A long-term monitoring plan for water quality should be submitted prior to occupation or implementation, to ensure that essential monitoring measures are approved to control any potential harmful impacts on water quality as a result of development.

Condition 4: If, during the development, it is found that there is contamination that was not previously noted present on the site, then no further development (unless this is agreed in writing with the Local Planning Authority) will be undertaken until the remedial strategy details how this unspecified contamination will be presented to the Local Planning Authority and approved in writing by the Local Planning Authority. The remedial strategy will be undertaken in accordance with the approved details.

Justification: In order to ensure that the risks associated with the unspecified contamination on the site are dealt with via a remedial strategy, to reduce the risk to land users and the nearby land in the future, and to ensure that it is possible to undertake the development safely without unacceptable risks.

These conditions are recommended since Natural Resources Wales are satisfied that generic remedial options are available to deal with the risks to controlled waters caused by contamination on this site. However, more details will be required to ensure that the risks receive appropriate attention prior to the commencement of the development.

In accordance with the advice given in Planning Policy Wales we understand that the Authority must determine whether such information is received prior to the determination of the application or as a condition on the permission. Should the Local Planning Authority decide to obtain the required information under a condition we would require this condition to be applied.

#### Full information/advice to the applicant

Natural Resources Wales recommends that developers:

1. Follow the risk management framework provided in the Land Contamination Risk Management (LCRM)

1. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information needed in order to assess the risks to regulated waters from the site. The Local Authority can advise on the risk to other receptors, such as people's health.

2. Refer to our groundwater protection advice on [www.gov.uk](http://www.gov.uk)

Treating and disposing of contaminated soils and groundwater is regulated by waste legislation and there is a need for an environmental licence on it.

Excavated materials that are recovered and treated on the site can be reused under the CL:AIRE Definition of Waste: Development

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Industry Code of Practice. This voluntary Code of Practice provides a framework in order to decide whether or not the excavated material deriving from the site during the restoration work and/or developing the land is waste.

The developers should ensure that all contaminated materials are sufficiently characterised chemically and physically, and the permitted status of any offered in the site's operations is clear. If you have any doubt, you should contact Natural Resources Wales for early advice in order to avoid any delay.

### **Protected species**

We note that the bat report submitted to support the above application (Preliminary Ecological Report. Enfys Ecology, Updated October 2022; Ref EE.1124.22/RC) has noted that bats are not present in the application site.

The report notes that the habitat around the site is suitable for bats and Section 9.4 gives recommendations for lighting schemes in order to avoid impacts on bats during the construction work and finished development. We recommend that these measures are ensured appropriately in any permission to the satisfaction of your Authority.

### **Protected Sites**

Special Area of Conservation (SAC)

With regard to the information provided, Natural Resources Wales considers that the proposals could affect the Menai Straits and Conwy Bay SAC. The application site is located within 35m to a river that is linked to the SAC downstream.

Natural Resources Wales has noted the potential impact routes for the features of this site:

#### 1. pollution

It is possible that the above paths will not lead to a substantial impact if the following measures are followed / implemented:

#### 1. The developer adheres to the pollution prevention guidelines

An assessment of likely significant impact under Regulation 63 of the Habitats and Species Conservation Regulations 2017 was not undertaken by your authority, or it was not forwarded for consideration by Natural Resources Wales. If you come to the conclusion that the proposed development is likely to have a substantial impact on the European site, we look forward to re-consulting with you. As this assessment has not been undertaken, Natural Resources Wales cannot offer any certainty that the proposals would not have a detrimental impact on the SAC.

### **Flood Risks and Drainage**

The site lies within zone A of the Development Advice Maps included within Technical Advice Note 15 Development and Flood Risk (July 2004).

TAN15 advises, for development located in Zone A, that the justification test is irrelevant and the surface water requirements are

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

relevant. The acceptability criterion is that no increased flooding will occur in other places as a result of the development. Given the location of the development in Zone A, we advise that surface water requirements should be assessed. We note that the Local Planning Authority's Land Drainage Department gives observations on the suitability of these proposals.

The applicant should be aware that if work needs to be done in, under or within 8 metres of a main river, a Flood Risk Activity Permit (FRAP) will be required in accordance with the Environmental Licensing Regulations (2016). As the main river runs near the site, with a possible connection with Afon Cadnant in relation to surface water drainage, we suggest that the applicant contacts us to discuss any proposals that will require a FRAP. For enquiries regarding FRAPs, please contact us:  
developmentandfloodrisk.northmid@cyfoethnaturiolcymru.gov.uk

We welcome the fact that the foul drainage of the proposed development will connect to the mains sewer.

Welsh Water:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

Having reviewed the accompanying 'Proposed Drainage Layout' (No. 5031-CAU-XX-XX-DR-C-1601 Rev P05), we note it is proposed to communicate foul flows with the 225mm combined sewer at manhole reference SH48627701 located in Ffordd Llanberis. In principle, we would not raise any concerns in relation to the method of foul drainage proposed. Please note that the location and mode of connection as well as the route of the adoptable sewer will be considered and technically reviewed as part of the required approval under Section 104 of the Water Industry Act 1991 for the formal adoption of drainage. The drainage proposal will be subject to Welsh Minister design and Sewers for Adoption (7th Edition) standards. It is a mandatory requirement for the applicant to obtain Section 104 approval for the laying of adoptable drainage. Should the proposal alter as a result of the Section 104 process, the applicant will be responsible for notifying the Local Planning Authority. It is also noted that surface water runoff from the proposed development will discharge into an existing watercourse.

We would kindly request that if you are minded to grant Planning Consent for the above development that the following

**Advisory Notes are** included within the consent to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets.

#### **Advisory Notes**

As of 7th January 2019, this proposed development is subject to

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Gwynedd Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dŵr Cymru / Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dŵr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

The applicant is also advised that 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. In order to assist us in dealing with the proposal the applicant may contact Dŵr Cymru / Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dŵr Cymru / Welsh Water has rights of access to its apparatus at all times.

### **SEWAGE TREATMENT**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

### **WATER**

Dŵr Cymru / Welsh Water has no objection to the proposed development. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

address above

Public Protection Unit  
(Pollution Control):

Observations 14.09.2022

**Contaminated land conditions**

1. Due to the previous use of the site the land may have been contaminated. Therefore, a desktop investigation will be undertaken to assess the potential pollution risk on the site for the proposed development.

2. If the desktop investigation recommendations indicate that further action was needed, a sufficient intrusive investigation would be required to assess the risk of any possible pollution on the site. If necessary, a Remedial Strategy will be incorporated.

3. The Public Protection Service would have to approve the desktop investigation, site inspection, risk assessment and any precautionary and/or remedial measures in writing prior to the commencement of the development.

4. Once the development has been completed, a Completion Report should be provided on the site and this will need to be reviewed and approved by the Public Protection Service.

- *The Public Protection Unit have made all reasonable efforts to recommend the most suitable measures regarding potential pollution risks. However, this recommendation should not be considered as a sign that the land is safe or otherwise suitable for this development or any other.*

- *The responsibility for assessing if the land is suitable for a specific use fundamentally lies with the developer.*

- *If any contaminated land problems should arise during the development that may disturb the proposed development, e.g. if unusual ground conditions are found, then there should be immediate correspondence with the Public Protection Service.*

- *Every action should be recorded, and the information disseminated to the Public Protection Service on site inspections, assessments and remedial work completed, where relevant, and included in the site's Completion Report.*

- *Any investigation should follow the procedure of the following documents:- BS 10175:2011 Investigation of potentially contaminated sites – Code of Practice (British Standards Institution 2011.) - Planning Policy Statement (PPS) 23: Planning and Pollution Control, Annex 2: Development on Land Affected by Contamination (Office of the Deputy Prime Minister 20014, Published by The Stationery Office). - Contaminated Land Report (CLR) 11 Model Procedures for the Management of Land Contamination (Environment Agency 2004). - Land Contamination: A Guide for Developers (Welsh Local Government Association, Welsh Assembly*

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

*Government & Environment Agency Wales 2006)*

**Reasons for the conditions**

It is considered that the measures are essential to safeguard the site holders and surrounding areas.

Fire and Rescue Service: The Fire Authority has no observations regarding the access for Fire vehicles and water supply.

The Fire Authority will have an opportunity to provide observations on the fire safety measures during the Building Regulations Consultation process.

Language Unit: The risk/impact on the language identified by the applicant: Positive impact

On the grounds of the information received, we do not have any observations on this application.

Strategic Housing Unit: **Information about the need:**

The information provided in the planning application by means of the affordable housing statement is consistent with the information regarding the need in the area.

**Suitability of the Plan:**

Based on the above information it appears that the Plan:-

**Addresses the need in the area**

The plan has been included within the programme to receive a Social Housing Grant from the Welsh Government.

These plans contribute directly to the aim of the Gwynedd Council's Housing Action Plan to provide more housing to meet with the current high demand that exists in the county.

E-mail 26/09/2022 following a discussion with the housing options team

175 applications on the Common Housing Register have chosen Caernarfon where the main applicant is 55 years of age or over.

Three applications on the Common Housing Register have chosen Caernarfon where the main applicant is 55 years of age or over and homeless and in temporary accommodation.

There are 12 applications on the Common Housing Register which have chosen Caernarfon where the main applicant is 55 years of age

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

or over and homeless but still in a property.

**Biodiversity Unit:**

The ecology report provided has been completed to an acceptable standard.

Bats and current biodiversity on the site are not presumed to be significantly impacted by this development proposal.

All RAMs detailed in the report must be strictly followed (sec. 9).

1. An external lighting plan needs to be produced advised by the recommendations in section 8.4 of the report.
2. A landscaping plan needs to be produced detailing reasonable mitigation and enhancement measures as detailed in the report (sec. 8), specifying species / materials to be used.

*‘Subsequent to the PEA survey, the creation of a surface water runoff drain within the Coed Mawr wildlife site has been proposed, connecting the development to the afon Cadnant. While the impact of creating this drain was not assessed during the PEA, a separate arboricultural impact assessment has since been produced (Taylor, 2022)’.*

The landscape plan should also include any mitigation recommended in Arboricultural Impact Assessment once the report is available.

The biodiversity / tree team should be asked to consult on the report once it becomes available.

**Water and Environment Unit:**

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more than 1 house or where the construction area with drainage obligations is 100m<sup>2</sup> 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 SuDS Approval Body (SAB) prior to 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 information provided shows that the developer intends to drain the site in a suitable sustainable manner; however, until an application is made to the SAB, there is no certainty that the site plan would enable compliance with the full suite of national SuDS standards. Early consultation with the SAB is



PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

recommended.

Rights of Way Unit: I refer to the above application. It does not appear that there are any Rights of Way recorded that will be affected by this proposal.

North Wales Police: **E-mail 18/08/2022**

I have been in consultation with the architects for this proposed development from an early stage and accordingly I don't think it will be necessary to add anything further at this time.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has already ended and no correspondence were received objecting to the proposal.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 The principle of constructing houses on this site is based in Policies PCYFF1, TAI1, TAI15, PS5 and PS17 of the LDP. Policy PCYFF1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the LDP, national planning policies and other material planning considerations. As referred to above, the site is located within the development boundary of the Service Centre of the town of Caernarfon.
- 5.2 Caernarfon is identified as an Urban Service Centre in Policy TAI 1 and this policy supports housing developments to meet the LDP's Strategy (Policy PS17), which are located on housing designations and suitable windfall sites within the development boundary, and are based on the indicative provision contained within the LDP itself. The indicative housing supply for Caernarfon over the LDP period amounts to 415 with a slippage allowance of 10% - 194 on designated sites and 221 on windfall sites. During the 2011-2021 period, a total of 238 units have been completed in Caernarfon (177 on designated sites and 61 on windfall sites). In April 2022, the windfall land bank (i.e. sites with existing planning permission that are not designated for housing), is a total of 57 on windfall sites. This results in a sufficient capacity within the indicative supply for Caernarfon at present
- 5.3 The proposal involves the provision of 100% affordable residential units and Policy TAI 15 expects a provision of 30% of affordable housing which equates to providing 7 affordable units. As the policy asks for a minimum of affordable units, and the applicant is choosing to provide more, the proposal satisfies the requirements of Policy TAI 15 of the LDP.
- 5.4 Policy PS5 states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development, including reusing sites located in appropriate locations. In this case, it can be considered that the application site is a previously developed site (brownfield land) which is suitable for residential use in an established residential area.

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

5.5 Considering the above, it is believed that this 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**

5.6 An Affordable Housing Statement was submitted with the application along with a Housing Mix Statement. This information states:

- There is a need for more such accommodation within the County which is to be built to comply with the design requirements of the Welsh Government - *Wales Housing Quality Standards*.
- This current plan will offer social rented flats for occupants aged 55+ or those with disabilities and have registered with the Gwynedd Common Housing Register and Tai Teg.
- The proposal offers 100% affordable units, which far exceeds the 30% required by the relevant planning policy.
- The success of the proposal relies on attracting a grant from the Welsh Government and the Strategic Housing Unit has confirmed that the plan is included within a specific programme that receives the Welsh Government Social Housing Grant.
- Following the receipt of figures from the Council's Options Team (March 2022), it appears that 170 people are in need of a one-bedroom social flat in Caernarfon and 135 people are in need of a two-bedroom social flat in Caernarfon.
- The proposal would allow occupants aged over 50 to move into a high-quality property and out of their existing unsuitable properties (bedroom tax) and in a site that is an accessible location. In Caernarfon, 423 households are living in under-occupied homes on the outskirts of the town of Caernarfon and they are all aged over 55 years, with seven properties having four bedrooms which are occupied by one individual and none of the other four-bedroom properties recorded had more than two residents.
- The proposal provides affordable units of varying sizes (although it continues to be affordable in terms of floor area and compliance with relevant policies and SPG) and high quality.
- The mixture of flats proposed here meets the need for this type of residential accommodation in Caernarfon (see above).
- The SPG: Housing Mix anticipates that there will be an increase in the need for one and two-bedroom units in the near future, with one-bedroom units raising from 13% to 26% and two-bedroom units raising from 32% to 44%.

5.7 Taking the above information into account, along with the observations of the Council's Strategic Housing Unit and ensuring that the houses are affordable now and in perpetuity (by including an usual planning condition on any planning permission which relates to agreeing on details such as determining eligible occupiers for the affordable units as well as details of the affordable unit transfer schedule), it is believed that the proposal is in accordance with the requirements of Policy TAI 8 and TAI 15 of the LDP as well as the advice included in the document SPG: Housing Mix and Affordable Housing.

### **Visual amenities**

5.8 The site is prominent within the local street-scape with the site located adjacent to Llanberis Road, which leads into the Caernarfon town centre. The catchment area includes buildings of a various size, height, elevations and age, which includes Caernarfon Justice Centre to the east, as

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

well as the Fire Station, which is located approximately 20m to the north-west of the layout of the new building. The main materials that are common to the nearby area are clean brickwork, natural slate, smooth render and pebble-dash. The impact of the proposal on visual amenities can be considered by referring to the following principles:

- **Scale** - the site is located on a prominent site within the local street-scape along Llanberis Road and between a two-storey dwelling house to the north-west. This dwelling house is of a substantial size and bulk with a row of buildings which includes commercial units (fish and chip shop and Spar) to the south-east. To the rear of the site, the land slopes down quickly towards the Coed Mawr Wildlife area. The proposed building has been designed to reflect the height of adjacent three and four-storey residential dwellings. It has been set more or less above the footprint of the car sales forecourt and the existing workshop which means that the amenity spaces are around the building including a proposed car park, trees and vegetation. It is believed that the scale and mass of the proposed building is reduced with sections of the building broken up and on different levels, along with an elevation that includes various openings, various materials as well as creating recessed walls on the main elevations.
- **Design** - the design concept with this proposal is to create a modern residential development given that numerous dwellings in the catchment area of the application site have modern elevations. The proposal here is to use a pallet of materials that reflect nearby materials and using brickwork, including rustic and off-white texture, painted render. The numerous and various openings on the external elevations of the building along with use of vertical timber doors and use of the materials of the roofs of the *Juliet* balconies help to *soften* physical impact and appearance of the building and its impact on the local street-scape.
- **Setting** - the site is located within an urban context of fairly high housing density, which also includes vegetation and trees. The building's setting within the site means that it follows the footprint of the car sales forecourt and MOT workshop with the main elevations towards the south-west (as existing). The proposed building, which is of a substantial size and height amongst buildings of a various height, including two-storey houses, the site of the nearby fire station as well as Caernarfon Justice Centre, and to that end it is not considered that the bulk and height of the building looks alien in the street-scape. Therefore, it is considered that this addition to this section of the street-scape is in accordance with the character of the nearby urban environment and that it would not have a harmful impact on the character of the landscape/townscape outside the catchment area of the site itself.

5.9 To this end, therefore, it is believed that the proposal is acceptable on the grounds of its visual impact and that it complies with the requirements of Policy PCYFF3 of the LDP.

#### **General and residential amenities**

5.10 As referred to above, residential dwellings are located to the south-east and to the north-west of the site, as well as their private amenity gardens/plots. Following the period of statutory consultation, no objection was received to the application. The building has been designed and set away from the peripheries with the site's car park located between the building and nearby dwelling, located to the north-west. There is a space of around 4m between the building and the south-eastern boundary, on the south-eastern elevation there are four habitable windows to the rear of the site which overlook the rear garden of the nearby dwelling known as Bryn Cadnant. In order to reduce any substantial direct overlooking, it is considered appropriate to either impose a condition to ensure that the windows are opaque type or to amend the shape and size of the

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

windows. The agent's response to this is awaited before the committee, as a part of the late observations.

- 5.11 Bearing in mind the above assessment, as well as receiving confirmation regarding the four windows discussed above, it is considered that the proposal is acceptable and that it will not have a substantial unacceptable impact on the residential or general amenities of local residents. Therefore, it is believed that the proposal responds positively to the requirements of Policy PCYFF 2 and PCYFF 3 of the LDP.

#### **Transport and access matters**

- 5.12 A Transport Statement was submitted with this application. The Travel Statement concludes that the site is accessible to different and varied modes of sustainable transport including a car, walking, cycling (a bicycle storage area is included as part of the development) and public transport (bus and train), due to its central location within the town. It was also noted in the conclusions, considering the scale and type of development in question, that it would not have a substantial impact on the local roads network and would comply with the local and national transport requirements and guidance. Following the statutory consultation, a response was received from the Transport unit noting inconsistencies in the reports regarding the location of the proposal and concerns regarding having sufficient provision of parking spaces for the 21 flats. Concerns were also raised regarding the distribution and definition of these units as self-contained units for people aged over 55 with this affecting the number of car parking spaces.
- 5.13 A response was received from the agent, noting that this development meets the requirements of the parking formula for developments of a similar size and design that are within the applicants' ownership. It was noted that 60% of Adra families who live in blocks of flats in general did not have access to a car, 30% of families had access to one car, and 10% of families had access to two cars. It was noted that this data had been used to calculate the number of necessary parking spaces for similar developments that were also located within a city/town centre in Gwynedd. It was noted that by following this formula, only 11 parking spaces were needed for 21 flats. A total of 16 parking spaces are available for this site therefore the proposal exceeds the number of parking spaces required for 21 flats.
- 5.14 We acknowledge the observations and concerns of the Transportation Unit. Nevertheless, Planning Policy Wales (PPW) emphasises that such developments should prioritise the use of sustainable transport with the transport hierarchy promoting the use of walking, cycling and public transport before the use of a private car. By encouraging developments to use the sustainable modes of transport initially, it plays an important role towards de-carbonising transport within towns and cities.
- 5.15 PPW also states that the planning system has a central role in facilitating developments that are located where it is easy to use sustainable modes of transport, without the need for a car, integration and the existing use made of the land and neighbourhoods, and makes it possible to make short journeys easily on foot or on a bike.
- 5.16 TAN 18: Transport notes that some residential developments can be approved within town centres without providing parking spaces within the sites themselves. Whilst noting the response of the Transportation Unit which questions the over 55s prospective occupiers and that the number of parking spaces is sufficient for the provision, considering its central location within the town, it is considered that the site's proximity to local facilities, the town centre, as well as the site's central location which is accessible to different modes of transport that do not rely on the

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

private car, e.g. walking, cycling and public transport, outweighs the Transportation Unit's concerns and therefore there is no need for more parking spaces. Therefore, it is believed that the proposal is acceptable on the grounds of parking needs, road safety and sustainability and complies with the requirements of Policy TRA 2, TRA 4 and PS 5 of the LDP as well as relevant national advice.

### **Biodiversity matters**

- 5.17 A Bat Survey Report was submitted, along with a Preliminary Ecological Assessment, as a part of their application. In response to the statutory consultation process, the Biodiversity Unit has stated that the contents of the above documents are acceptable subject to the inclusion of a planning condition in any planning permission that refers to the need to comply with mitigation recommendations within the above documents. In accordance with the requirements of TAN: Planning and Nature Conservation (2009) and advice included in Planning Policy Wales, 2021, the proposal involves undertaking biodiversity improvements that include installing a bat box, swallow box, as well as a hedgehog box and walkway. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy AMG 5 of the LDP.

### **Sustainability matters**

- 5.18 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need where possible to re-use previously used land and buildings wherever possible. Policy PCYFF 5 states that a contribution from renewable or low carbon energy will need to be demonstrated to satisfy the proposal's needs for electricity and heating and Policy PCYFF6 states that proposals should incorporate water conservation measures where practicable.
- 5.19 To support the application under the sustainability heading, the following documents were submitted:- Transport Statement, Design and Access Strategy and Plan. It is considered that the site is previously developed, is accessible for various methods of travel and the applicant has a sustainability strategy in mind that entails using sustainable materials and measures to reduce energy use such as insulation measures and measures that involve the use of sustainable heating and hot water systems (e.g. installation of solar panels on the roof). The Drainage Strategy states that the proposal will include measures to harvest water and manage surface water that is discharged from the site. To this end, therefore, it is believed that the proposal complies with the requirements of Policies PS 5, PCYFF 5 and PCYFF 6 of the LDP.

### **Land Drainage Matters**

- 5.20 The Drainage Strategy document submitted with the application notes the intention to dispose of surface water in the direction of afon Cadnant, which is located to the north-east of the site. It was noted in the conclusions, due to the site's history as a petrol station, as well as its location on a ridge before the land slopes down towards the river, that draining surface water into the site itself is impractical. To this end, the proposal is to drain the water into a swale located outside the site in the Coed Mawr Wildlife area, before it flows into afon Cadnant nearby. We await an amended site plan, including the area within the red line on the application, as well as correct land ownership certificates; although the land owner (Coed Cadw Trust) noted that they were aware of the plans where it is intended to locate the swale. The Land Drainage Unit did not have any objection to the plans and the Council's Drainage Unit and Welsh Water has expressed the need to meet the *SUDS requirements* and this can be ensured by imposing a condition/appropriate note

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

on the permission. It is considered that the proposal meets the requirements of Policy ISA 1, PS2, PCYFF 6 and PS5 of the LDP.

### **Pollution Matters**

- 5.21 Correspondence was received referring to the historical use of the site as the former Garej Lleidod petrol station with the possibility that the land has been contaminated and Part I and II of the Geo-environmental Report was submitted with the application recommending a number of relevant steps in the context of mitigating measures regarding the construction method, soil contamination and surface water pollution. It is considered appropriate to include conditions on any planning permission which states that this information must be submitted and agreed with the LPA before any work commences on the site and to this end, it is believed that the proposal is acceptable on the grounds of the requirements of Policy PCYFF2 of the LDP.

### **Educational Matters**

- 5.22 As the proposal is for older people (55+), an educational provision will not be required should this application be approved. This element of the development can be ensured by imposing a relevant condition on any planning permission. The proposal therefore complies with the requirements of Policy PS 2 of the LDP.

### **Open space matters**

- 5.23 There is sufficient provision for outdoor play areas in the area and therefore there is no need for a financial contribution towards the sport/open space provision. As the application is for the provision of dwellings for the elderly, there is no need for a provision of open spaces on this site either. However, the proposal creates communal amenity spaces around the proposed building for the prospective occupants of the affordable units. The proposal is, therefore, believed to comply with the requirements of Policy ISA 5 of the LDP.

### **Linguistic matters**

- 5.24 A Welsh Language Impact Assessment was submitted with the application in accordance with criterion 2 of Policy PS 1 of the LDP and the Assessment concludes that the development overall would have a beneficial impact on the Welsh language and community in Caernarfon and nearby areas, based on the 100% provision of affordable housing to meet the local need noted above that is affordable for local people. This, in turn, would encourage local people to stay in the local area as the proposal, if approved, would be a way of meeting their housing needs locally. A response was received from the Language Unit which expressed, based on the information received, that the proposal would have a positive impact, and would balance the risk with the need to meet the demand for living units for a particular cohort of the local population.
- 5.25 In order to ensure that the proposal is fully compliant with the requirements of Policy PS 1, specifically, criteria 4 and 5 which note the need to ensure bilingual signs and a Welsh name for the new development, it is proposed to impose a standard condition that would require details to be agreed in relation to these elements. In doing so, it is believed there would be a positive impact on the local community and it would add to the linguistic character of the local area and protect it. Given the above assessment, the development can be considered acceptable based on the requirements of Policy PS1 and SPG: Maintaining and Creating Unique and Sustainable Communities.

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal, as submitted, would improve the visual appearance of the site that is currently dormant and it is believed that the fact that 100% of the units are affordable would respond to the needs already identified; also, it is considered that it greatly contributes towards the affordable housing needs of the town. Full consideration has been given to the observations received from the statutory consultees and although the concerns of the Transportation Unit are acknowledged, in this particular case it is considered that the need for sustainable new houses with less pressure on the use of private cars and which helps contribute to the housing stock of the town and Gwynedd, outweighs the concern regarding parking spaces.
- 6.2 Considering the current proposal in its entirety, no substantial harmful impact contrary to local planning policies and relevant national guidance have been identified. To this end, therefore, it is believed that the proposal is acceptable subject to the inclusion of the following conditions.

## 7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to receiving confirmation about the details of the windows of the living rooms of Unit 10 and Unit 17 which face Bryn Cadnant and receiving details of the swale and land drainage plan within the red line as well as receiving correct land ownership certificates and subject to the following conditions:-

To approve – conditions:

1. Five years.
2. In accordance with the plans/details submitted with the application.
3. Compliance with the parking scheme.
4. Compliance with the landscaping plan along with future maintenance work.
5. NRW condition that relates to introducing a surface water plan for the development. NRW condition relating to Land Contamination.
6. Secure a plan/arrangements to provide the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
7. Compliance with the recommendations of the Bat Survey Report and the Preliminary Ecological Assessment.
8. Compliance with the recommendations of Part I and II of the GeoEnvironmental Report.
9. Agree on details regarding Welsh names for the development before the residential units are occupied for any purpose along with advertising signage informing and promoting the development.
10. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sunday and Bank Holidays.

<b>PLANNING COMMITTEE</b>	<b>DATE: 19/12/2022</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

11. Submission of a Construction Method Statement to include measures to reduce noise, dust and vibration to be agreed with the LPA.
12. Ensure that the windows of the first floor and second floor which serves the living rooms of Unit 10 and Unit 17 and which face Bryn Cadnant are permanently opaque glass.
13. Restrict the use to prospective occupants aged 55+.

Note: Need to submit a sustainable drainage system application to be agreed with the Council.