

PLANNING COMMITTEE	DATE: 17/04/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 5

Application Number: C22/0256/13/LL

Date Registered: 14/03/2022

Application Type: Full

Community: Bethesda

Ward: Ogwen

Proposal: Erection of 18 dwellings, new road and landscaping.

Location: Brig Y Nant, Ffordd Newydd Coetmor, Bethesda, LL57 3LU

Summary of the Recommendation: To approve subject to completing a Section 106 agreement for a financial contribution for education and open spaces.

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1. Description:

1.1 The application was deferred at the Committee meeting held on 20.03.23 to provide an opportunity for members to visit the site prior to making a decision.

To remind Members, this is a full application to erect 18 two-storey, affordable homes, a new estate road and landscaping on a dormant site in Bethesda that measures approximately 0.49ha in surface area (surface area size of the construction area). The proposal can be split into different elements that include: -

- Providing 18 affordable, two-storey residential units to include 12 two-bedroom houses; 4 three-bedroom houses and 2 four-bedroom houses and they will vary in surface area from 83m² to 118m² and adhere to Welsh Government Design requirements.
- Providing parking spaces within the curtilage of each house and off-road.
- Access to the site is a shared access with a more traditional plan for the estate road itself.
- Landscaping within the site and on its periphery.
- Biodiversity improvement plan to include boxes/roosts for bats and planting trees and shrubs to support local biodiversity.
- Materials that reflect local materials are used for the external elevations of the houses to include natural slates, stonework, painted render and energy efficient UPv-c windows.
- Installation of solar panels on the roofs.
- The houses were designed based on *design principles for preservation*.

1.2 The site is located on a plateau on the northern peripheries of the town and is within the development boundary as contained in the Gwynedd and Anglesey Joint Local Development Plan, 2017 (LDP). The site is served off an adjacent class III county road (Ffordd Newydd Coetmor) using the existing access. Originally, the site was used by the Brig y Nant Nursing Home before it was destroyed by fire. To the east and south are residential dwellings, which include Cysgod y Graig, Stad Rhos y Coed and *The Bungalow*. To the west, there is a class III county road with residential dwellings below, and to the north is the class III county road with agricultural land further afield.

1.3 Although the site is located within the development boundary, it has not been designated for any particular use, therefore, it can be described as a windfall site for a residential development. In order to support the application, the following documents were submitted - Planning Statement; Preliminary Ecological Assessment; Reptile Survey; Arboriculture Impact Assessment; Trees Survey; Botanical Survey Report; Flood Risk Assessment; Drainage Strategy; Land Condition Report; Transport Statement; information from local estate agents that refers to similar dwellings that have recently been sold in Bethesda; Housing Statement; Welsh Language Impact Assessment as well as Pre-application Consultation Report (PAC).

1.4 It was confirmed that the applicant has 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 a development that is described as major. A Pre-application Consultation Report (PAC) has been included with the application in order to reflect this consultation.

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

PS 1 - The Welsh Language and Culture.

PS 2 - Infrastructure and developer contributions.

PS 4 - Sustainable transport, development and accessibility.

PS 5 – Sustainable development.

PS 6 - Mitigating the effects of climate change and adapting to them.

PS 17 - Settlement strategy.

PS 20 - Conserving and where appropriate enhancing heritage assets.

ISA 1 - Infrastructure provision.

ISA 5 - Provision of open spaces in housing developments.

PCYFF 1 - Development boundaries.

PCYFF 2 - Development Criteria.

PCYFF 3 - Design and place shaping.

PCYFF 4 - Design and landscaping.

PCYFF 5 - Carbon management.

PCYFF 6 - Water conservation.

TAI 2 - Housing in local service centres.

TAI 8 - An appropriate mix of housing.

TAI 15 - Threshold of affordable housing and their distribution.

TRA 2 - Parking Standards.

TRA 4 - Managing transport impacts.

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AT 1 - Conservation areas, world heritage sites and landscapes, parks and registered historic gardens.

AMG 5 - Local biodiversity conservation.

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Maintaining and Creating Sustainable Communities.

SPG: Planning Obligations.

SPG: Open Spaces in New Housing Developments.

2.4 National Policies:

Future Wales: The National Plan 2040.

Planning Policy Wales (Edition 11 - February 2021).

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

TAN 5: Planning and Nature Conservation.

TAN 12: Design.

TAN 16: Sports, Leisure and Open Spaces

TAN 18: Transportation.

TAN 20: Planning and the Welsh Language.

TAN 24: The Historic Environment.

3. Relevant Planning History:

- 3.1 Pre-application enquiry number Y21/0325 to erect 18 dwellings - the Local Planning Authority responded by noting - (i) that the site was located within the development boundary and that there was sufficient capacity for 18 additional dwellings - the principle was acceptable; (ii) 1.8 units of the total 18 dwellings within the development would have to be affordable; (iii) the housing mix would have to be acceptable; (iv) an educational contribution would be required as the capacity of Ysgol Llanllechid had already been reached; (v) a financial contribution would be required for amenity spaces; (vi) there would be a need to ensure that transport and road safety matters were acceptable by the Transportation Unit; (vii) need to ensure residential amenities; (viii) need to ensure visual amenities; (ix) need a water conservation statement and (x) it was considered that the development was unsatisfactory based on over-development; road safety and the safeguarding of residential amenities.
- 3.2 Application C10A/0161/13/AM - outline permission for six dwellings approved in 2014.
- 3.3 Outline application for four dwellings approved in 2007.

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3.4 Application 3/13/154E - change of use to residential home approved in 1986.

4. Consultations:

Community/Town Council: We object to the application above.

Here are the observations/questions from Bethesda Community Council members about the above application:

1. Pleased to see an intention to use the site that has been dormant for years. It would be good to see the site being completed in a tasteful manner.
2. Concern about 18 units on the site! 6 or 12 were in the previously permitted plans. 18 units seem excessive for this site.
3. Is it possible to receive copies of applications that were permitted in the past? We cannot find them on the new Cyngor Gwynedd Planning system.
4. How many of the houses will be affordable?
5. 12 two-bedroom houses, 4 with three-bedrooms and 2 with four-bedrooms. Are all of the 12 two-bedroom houses affordable homes?
6. It is noted in the illustrations that the access road is narrow but it is unclear whether or not it is intended to widen it. It is not suitable for a large number of vehicles to enter and exit the site.
7. If the development is permitted, according to the application the additional traffic reaching the cross-road between Ffordd Newydd Coetmor and the A5 is going to be a nightmare; and we have been here before!
8. How many will be private homes to sell instead of rent?
9. Concern regarding the increase in traffic that will join the road down to Bethania chapel.
10. Concern about the drains - Rhos y Coed residents have had difficulties in the past
11. Concern about the number and quality of houses.
12. The on-line documents mention the plants that grow on the site and have noted that Japanese Knotweed only grows in four places. This is incorrect as there is more of it on upland near number 6 and 7 Rhos y Coed.
13. Nearby residents have told us that most of the land is landfill.

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When Brig y Nant was being constructed, a lot of refuse was thrown there to increase the land level.

Transportation Unit:

Whilst recognising that the proposed development does not provide a footpath to Ffordd Newydd Coetmor and on to the High Street, the Unit is not of the opinion that these are grounds to refuse the application for the following reasons:

- Planning consent was previously granted with a similar provision between the houses and Lôn Newydd Coetmor.
- The location of the cross-road has not changed and it is not considered that the additional houses would have a substantial impact on the number of pedestrians or vehicular traffic.
- There is no footpath along Ffordd Coetmor Newydd and creating a footpath would substantially narrow the road.
- The nature of the site means that providing a footpath to the south from the site to Ffordd Newydd Coetmor is proportionate to the size of the development.
- There is an existing public footpath, that provides a safe footpath from the site towards the school, that could be improved.

Following the receipt of additional information from the applicant's agent and the transport expert regarding: -

- (i) vehicle prioritisation system that would use the access to the proposed dwellings from Ffordd Newydd Coetmor;
- (ii) the width of the access and the driveway nearby would enable approximately three vehicles to queue to exit the site without impairing traffic flow and
- (iii) a swept path analysis within the Transport Statement shows that the width of the access is sufficient for two cars to pass each other when entering and exiting the access itself, the Transportation Unit is satisfied with the design and layout of the existing access subject to undertaking improvements as referred to in plans submitted with the application, as well as including relevant conditions in any planning permission.

Natural Resources Wales:

We have significant concerns regarding the proposed development as submitted. We recommend that you should only grant planning permission if you include the following documents in the condition which note the approved documents and plans on the decision notice: Hall, C. (2021). Preliminary Ecological Assessment & Reptiles Surveys, Brig y Nant, Bethesda from Cambrian Ecology Ltd.

Protected Species

We note that the bats survey submitted to support the above

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application (Hall, C. (2021). Preliminary Ecological Assessment & Reptiles Surveys, Brig y Nant, Bethesda has noted that bats navigate and search for food on the application site. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document, 'Natural Resources Wales Approach to Bats and Planning' (2015). Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017.

- As the development in this case represents a lower risk to bats, we consider that the development is unlikely to have a detrimental impact on the work of maintaining the population of the species in question and its favourable protected status in its natural dispersion.
- Additionally, we advise that the proposed development is not likely to harm or disrupt the bats or breeding area and the resting spots on this site as long as the mitigation measures described in the bat report are implemented. The report must be included in the 'approved list of plans/documents' in the decision notice should permission be approved for the project.

Biosafety

We are of the opinion that biosafety is a relevant consideration due to Japanese knotweed on the site. We would therefore welcome any subsequent permission, including imposing a condition that makes it a requirement to submit and implement a Biosafety Risk Assessment to the LPA's satisfaction. We advise that this assessment includes: (i) appropriate measures to manage any Invasive Alien Species (IAS) and Invasive Non-native Species (INNS) on the site; and (ii) measures or actions that seek to prevent identified INNS/diseases from being introduced to the site during the plan's construction periods (and operational periods). In relation to this case, NRW does not request any further consultation including those involved with any subsequent reserved matters consultations in relation to biosafety.

Contamination

Natural Resources Wales is of the opinion that regulated waters on this site are not of the greatest environmental sensitivity, therefore, we will not provide detailed advice or observations that are specific to sites in terms of land contamination matters for this site. However, we have reason to very much doubt that contamination is present and no preliminary risk assessment has been submitted. In accordance with the advice provided in Planning Policy Wales we understand that the Authority must determine whether such information is required prior to the determination of the application or as a

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condition of the permission.

Natural Resources Wales recommends that developers: 1. Follow the risk management framework provided in Land Contamination Risk Management (LCRM) 2. Refer to Developing Land Affected by Land Contamination: A Guide for Developers 2017 (2).pdf for the type of information we need 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.

Welsh Water:

Following extensive correspondence between the applicant and Welsh Water regarding a drainage plan for the development, Welsh Water has stated: -

- No objection to redirect and upgrade the public sewer system and connect to it.
- No objection to redirect surface water to a water soak-away and discharge in accordance with the requirements of the Sustainable Drainage System Approving Body.
- Advise the applicant to submit an application to Welsh Water to redirect the public sewer under Section 185.

Public Protection Unit:

No response.

Information Officer, Education Department:

- Sufficient capacity at Ysgol Dyffryn Ogwen.
- Ysgol Gynradd Llanllechid Capacity - 213. Numbers attending the primary school in September, 2022 - 237.

Trees Unit:

Trees that will be felled as part of the development will need to be compensated and any arboriculture work must be undertaken in accordance with the requirements of British Number BS5837:2012.

Biodiversity Unit:

- No impact is anticipated on the Park or protected species and habitats.
- The contents of the ecological assessments submitted with the application are noted and a tree planting scheme will be required referring to the mix of tree species that are intended to be planted.
- Need to undertake biodiversity improvements.
- Need to comply with mitigation measures within the Preliminary Ecology Assessment and the Reptiles Survey.

North Wales Police Crime Prevention By Design Consultant:

The proposal, as submitted, complies with North Wales Police' safe and robust community measures - Secured by Design .

Water and Environment Unit:

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more

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than 1 house or where the construction area with drainage obligations is 100m² or more. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Gwynedd Council in its role as 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. It appears 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. A consultation with the SuDS is recommended.

Strategic Housing Unit:

- 72 applicants on the Tai Teg register need an intermediate property (2-3 bedroom houses) in Bethesda.
- 402 applicants from the common housing register (1, 2 and 3 bedroom houses) need social housing in Bethesda.
- Based on the above information it seems that the Plan addresses the need in the area.
- 89% are priced out of the market in this area.
- Should the Housing Association be a partner for this development, the houses would need to conform to Welsh Government Design standards.

General observations.

- The Plan is not in a programme to receive a social housing grant.
- The Plan does not directly contribute towards the aim of Cyngor Gwynedd's Housing Action Plan.
- An up-to-date housing survey would help to understand the housing situation in Bethesda.
- Registered social landlords have already developed a high number of houses in the area and have received substantial financial investment.
- A social housing development on this site is not a priority for the Housing Unit at present.

Language Unit:

Although there are gaps in the evidence within the statement to support the opinion on the potential impact, the Unit's brief opinion states that (i) a fair analysis of impact on the Welsh language in the Ogwen and Gerlan wards will be carried out and attention is drawn to the evidence that there is demand for this type of houses in the area; (ii) receiving an analysis of other wards in Dyffryn Ogwen would have provided a more comprehensive picture of the Welsh language situation in the valley; (iii) the fact that the development will be under the management of Adra and that units will be available for

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local residents at an affordable rent makes it more likely that the development will have a neutral impact in terms of creating major change in the number of Welsh speakers or have a beneficial impact as noted in the Welsh Impact Assessment.

CADW:

- The site is within the setting of the World Heritage Site of Penrhyn Quarry and Bethesda as well as Dyffryn Ogwen to Porth Penrhyn.
- Close views from the site have been substantially screened or completely obstructed by existing structures.
- It is anticipated that any full views from the site will be from a distance and, to this end, it not considered that permitting this development will have a detrimental impact on the setting of the World Heritage Site.

Economy and Infrastructure
Department (Transport), Welsh
Government:

Originally objected as it was deemed that the junction with the A5 would be sub-standard based on restricted width and that approving the application would be likely to have a detrimental impact on the traffic flow of the trunk-road itself.

However, after receiving further information from the transport consultant regarding the suitability of the junction between Ffordd Newydd Coetmor and the A5 trunk-road below to cope with additional traffic, it was considered that the junction was acceptable to undertake additional transport.

It is noted that the Welsh Government has concerns regarding the suitability of Ffordd Newydd Coetmor to cope with additional transport but, at the same time, they state that this part of the local roads network is beyond their control.

Public Consultation:

A notice was placed in the press, near the site, and nearby residents were informed. The advertising period has already expired and correspondence was received objecting on the following grounds:

- Road safety - the existing access; the nearby county road and the junction with the A5 are unsuitable for additional transport.
- No consultation with the public regarding the development.
- Over-development of the site.
- Detrimentially affects the capacity of local services and resources such as schools.
- Loss of privacy to rooms of nearby properties - fencing or screening would be insufficient to reduce any overlooking.
- Increase in noise nuisance.
- The stability of the land and its impact on nearby properties when undertaking engineering work to construct the proposed houses.
- Not considered the impact of the development on wildlife and the presence of Japanese Knotweed within the site.
- There is no need for more social housing in Bethesda.
- A need for smaller (1 and 2 bedrooms) houses in Bethesda.

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

- Detrimentially affects the prices and value of nearby houses.

In response to the above objections, the applicant states the following: -

- The Transport Statement confirms that the shared access to the site is safe without causing harm to the operational capacity or safety of the local roads network or to pedestrians using them. Although recognising that the access includes a narrow part, the access is of sufficient width to allow access and egress for vehicles at the same time and from both directions. This part of the access also provides good visibility levels.
- The evidence submitted with the application indicates that no roundabout safety issues exist in the catchment area of the application that would affect the proposed development.
- Before any trees are felled, they would firstly be inspected for nests and bat roosts.
- There would be compliance with mitigation measures and recommendations of the ecological surveys and reports submitted with the application in order to protect and improve local biodiversity features.
- The public consultation process was undertaken before submitting the application in accordance with the statutory process for major applications.
- The design and scale of the development reflect similar housing developments in the area and the density of the development complies with relevant local planning policy.
- The need for local services and resources would be the same whatever the tenure of the proposed houses. The applicant is aware that financial contributions must be made for local services under a Section 106 legal agreement.
- The privacy of nearby residents has been deeply considered when planning the development within the site. The plan shows that no proposed dwelling would directly overlook gardens and these dwellings keep suitable distance between the living rooms of existing dwellings.
- With regards to noise nuisance, the contractor would work in accordance with the requirements of the Building Control and Transport Plan, which would prevent machines from working outside working hours.
- A Land Survey Part 2 would be commissioned prior to commencing any work on the site to ensure that there is no risk of landslip during the construction work.
- Japanese Knotweed within the site would be destroyed prior to

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commencing any work on the development.

- The tenure of proposed dwellings would be 100% affordable (a mix of social and intermediate housing) and the applicant has already been in discussions with Adra regarding the type and mix of houses that are needed in Bethesda.
- Agree that smaller sized houses are needed in Bethesda and this is why 12 houses that are part of this development have two bedrooms.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The principle of constructing houses on this particular site is based in Policies CYFF 1, CYFF 2, TAI 2, TAI 15 and PS 5 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 Local Service Centre of Bethesda in the LDP.
- 5.2 The indicative housing provision for Bethesda over the Plan period is 99 units (all on windfall sites, which include a 10% 'slippage allowance', i.e. the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc). During the period between 2011 and 2022, a total of 72 units were completed in Bethesda (all on windfall sites). In April 2022, the land bank, i.e. sites with extant planning permission, was 19 units. This means that the proposal will mean that Bethesda will go beyond its indicative growth level with this development.
- 5.3 However, the Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving its housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e. designations or windfall sites. The focus will be on the houses completed rather than permissions for houses. Additionally, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at houses that have been granted permission since the Plan's adoption date. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. The indicative growth level (including a slippage allowance of 10%) for Local Service Centres is 1754 units. 906 units were completed between 2011 and 2022 in each Local Service Centre and 557 were in the land bank. This means that there is a deficit of 291 units. Therefore, this development can currently be supported against the expected provision for the tier of Local Service Centres.
- 5.4 The settlement will see its expected growth level on windfall sites through units completed in the period from 2011 to 2021, by completing the current land bank and considering this proposed application. Therefore, to this end, justification would be required with this application outlining how the proposal would address the needs of the local community. To this end, the following information was submitted by the applicant: -
- Although the capacity figures for Bethesda have been reached, the mix of units proposed to be provided here is based on the demand figures for the local needs for the local area and of flexible

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tenure. Although the development will not be the subject of Welsh Government's Social Housing Grant and is not in Cyngor Gwynedd's Housing Action Plan at present, the need for this type of housing remains strong within the local community (see below) and it is anticipated that this need will also remain strong in future.

- As indicated in the Gwynedd Local Housing Market Assessment (2018) document, there will be a demand for 707 additional affordable units between 2018 and 2023 in order to meet the need for this type of accommodation. The proposal will entail providing 18 affordable units. The document recommends a mix of social housing on a scale of 26% for one-bedroom units; 44% for two-bedroom units, 23% for three-bedroom units and 6% for four-bedroom units. This current proposal provides 66.6% of two-bedroom units; 22.2% of three-bedroom units and 11% of four-bedroom units and this mix of larger or smaller units is equivalent to the information recommended within the Assessment itself. The housing mix of housing follows on from extensive discussions with a Registered Social Landlord - Adra in this instance - by considering factors such as the features of the site, the need for social housing in Bethesda and local demography.
- Provision of 18 residential units, 100% affordable on an accessible brownfield site within the development boundary with units being designed to the requirements of the Wales Development Quality - Beautiful Places and Homes (2021), ensuring that all units are flexible and respond to the changing needs of residents/households in the future.
- The Strategic Housing Unit has confirmed that the proposal meets the need for affordable housing in the area given that 72 applicants are on the Tai Teg waiting list for intermediate housing and 402 applicants are on the waiting list for social housing in Bethesda and these figures are the latest and up-to-date figures for the local community.
- Although the area includes a number of sites with registered social landlord developments, this in itself confirms that the need for affordable homes is high in the local community in Bethesda. Social landlords would not be interested in this particular site unless it is anticipated that the need for affordable homes remains high in Bethesda despite the fact that no grants are currently available to develop the site itself. It is anticipated that the need will continue to be high within the next 5 to 10 years.

5.5 In addition to the above information, Adra has submitted the following information in writing to support the application: -

- Although a private developer (the applicant) will develop the site, Adra has agreed to purchase the site from him subject to receiving planning permission.
- The purpose of purchasing the site is to retain it to be able to develop affordable homes in future (for at least the next three years in the hope that a grant allocation will once again be available for Bethesda).
- No grant is available in the short-term as substantial grants have already been channelled towards providing affordable homes in Bethesda and the capacity of local schools.
- Opportunities to provide affordable homes are scarce within the county and advantage needs to be taken of opportunities to realise such developments when they become available.
- Affordable home needs remain high within the area, but the Council's Housing Unit is eager to see the grant being allocated in the short-term to other parts of the county and Adra accepts this situation.
- In terms of the type of housing provided on this site, they would be 100% affordable to include an appropriate mix of 2, 3 and 4 bedroom houses.

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- 5.6 The proposal involves providing 100% affordable residential units and Policy TAI 15 states that as Bethesda is located within *'The Mountains'* house price area in the LDP, it is noted that a provision of 10% affordable housing is viable. As the development proposes 18 units, this corresponds to the threshold noted in Policy TAI 15 to make a contribution to affordable housing. Bearing in mind that 18 units are being proposed within the development boundary, this equates to 1.8 affordable units. As the proposal involves providing 100% affordable units, and provided there is a local need for this type of unit, the proposal meets the requirements of Policy TAI 15 of the LDP.
- 5.7 Criterion (3) of Policy PCYFF 2 seeks to ensure the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development (unless there are local circumstances or restrictions on the site that determine a lower density). The size of the site is 0.49 ha. The density of this proposal (18 units) throughout the site is 37, which means that it complies with the needs of this particular policy.
- 5.8 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 area which, for the most part, includes a high density of residential dwellings that are accessible to alternative modes of transport to using a private car.
- 5.9 Given this assessment, it is believed that there is justification for housing on this particular site and it is acceptable in principle. It is also required that the proposal complies with other relevant planning policies and these are discussed in turn below.

Visual amenities

- 5.10 The site is located on a plateau on the northern peripheries of the town and is dormant although it can be described as brownfield land. A variety of buildings and structures are located in the catchment area of the application site, which include buildings of various sizes, height, elevations and age such as single-storey houses, two-storey houses, terraced houses, a school, garage, BT building and a chapel. The housing plan is laid out in U-shaped form with gardens/amenity spaces located at the rear of the houses and to the front of the houses, which also include parking spaces. The houses will be two-storey, of traditional design, with materials that reflect the construction materials used in the catchment area of the site, including slate roofs, natural stone, painted render, grey brickwork and grey coloured windows. It is intended to install 1.2m to 1.8m timber fences on the peripheries of the site and between the houses with 0.9m railings to the front of the houses as well as hard and soft landscaping within the site and on its periphery.
- 5.11 The scale and design of the plan is domestic in appearance and reflect the developed pattern of the nearby area with all of the houses of two-storey height and laid out as semi-detached houses and terraces of four in order to reduce the physiological and physical impact of the development although the site is not completely visible from nearby public rights of way locations, apart from the footpath that runs along the north-eastern peripheries of the site. Considering the design details submitted as part of the application, it is believed that the proposal is acceptable on the basis of the impact of visual amenities and it is envisaged that ultimately it will create a positive contribution to the built character of this section of the streetscape. Planning Policy Wales, Edition 11, as well as TAN 12: Design, support developments that promote and encourage good

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design by providing opportunities for innovative design that meet current and future needs. Although there is no environmental designation for this plot of land, it is located within the UNESCO North Wales Slate Industry World Heritage Site. In response to the statutory consultation process, CADW has no objection to the proposal on the basis that the development would be visible in the context of nearby modern housing and, therefore, it will not affect or undermine this international designation.

- 5.12 Considering the above assessment, it is believed that the proposal is acceptable on the basis of its historical, natural and built context and based on scale, landscaping, design, height, setting, appearance and treatment for elevations. The proposal therefore complies with the requirements of Policies CYFF 3, CYFF 4, PS 20 and AT 1 of the LDP.

General and residential amenities

- 5.13 As referred to above, there are residential dwellings located to the east, which include Cysgod y Graig, Stad Rhos y Coed and *The Bungalow* and objections were received from some occupiers of nearby dwellings as a result of the statutory consultation process with regard to amenities relating to overlooking, loss of privacy and noise disturbance.

- 5.14 **Overlooking and loss of privacy** - the dwelling known as Cysgod y Graig is located to the north of the application site on land below with three roof-lights facing the south and is on the ground floor level of the house on plot 18. The layout of the house on plot 18 means that its northern gable end will face the rear of Cysgod y Graig and will be set back from the extended two-storey gable end; a living room window will be installed on the ground floor. A void of approximately 11m is located between the rear wall of Cysgod y Graig and the living room window and a 1.8m high hit and miss timber fence will be erected between both properties. Therefore, to this end, it is not considered that there will be any overlooking or substantial loss of privacy between these two properties and, should the application be permitted, the proposed house on plot 18 would create an overbearing and obtrusive feature to the detriment of the amenities of the occupants of Cysgod y Graig.

- 5.15 The rear of dwellings known as Stad Rhos y Coed (adjacent to Ffordd Coetmor) face the west and the new development below. The rear of houses on plots 1 to 6 will face the rear of houses in Stad Rhos y Coed with a void varying from 21m to 23m between them, and a footpath will be located between numbers 7 and 8 Rhos y Coed and the proposed plots of houses number 1 to 4. There would be a void of 13m between the corner of number 6 Rhos y Coed and the corner of the house on plot 6 and the gable end of the house on plot 7 would face the house on plot 5 Rhos y Coed with a void of 18m between them. Cross-sections were submitted with the application to show the relationship between the proposed houses and the existing houses noted above.

- 5.16 It appears that the proposed houses on plots 1 to 6 would be set 2m lower than the Rhos y Coed houses with the ridge height of their roofs between 2 to 4m lower than the roof ridges of Rhos y Coed houses. Considering elements of the application such as the distance between the existing houses and the proposed houses; the layout of the proposed houses within the site in relation to the layout of Coed y Rhos houses; mitigation measures to include planting trees, shrubs and erecting 1.8m high fences along the rear boundary of the site and the design and setting of windows in houses on plots number 1 to 6 (which also include opaque glass windows for bathrooms on the first floor). It is not considered that the proposal would mean loss of privacy and create substantial or significant overlooking to the rear of Rhos y Coed houses that back onto the application site.

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- 5.17 The dwelling known as *The Bungalow* is located to the south of the site but given the layout of this dwelling within its curtilage, along with vegetation located between the application site and the curtilage of *The Bungalow*, it is not considered that the proposal would have a substantial impact on the residential or general amenities of the occupants of this particular property.
- 5.18 **Noise nuisance** - there is concern that approving 18 new houses on this site would create noise disturbance to the detriment of the residential and general amenities of neighbouring occupants with some working from home. It is acknowledged that there will be some increase in noise and disruption emanating from this development, however it is not believed to be any different to any noise disruption emanating from general residential areas, e.g. Stad Rhos y Coed located above the application site. Such noise would emanate from associated domestic and transport activities, which is normal disruption already associated with residential areas. Objections based on noise disturbance emanating from the construction work are also noted and it is acknowledged that noise disturbance would derive from this activity but it would only be for a temporary period.
- 5.19 As usual with applications of this scale, conditions may be imposed that restrict working hours and the applicant has already confirmed that any contractor would work in accordance with the requirements of the Environmental Building Control Plan, which would prevent machines from working outside working hours and to ensure noise mitigation measures; such a requirement may be imposed in any planning permission.
- 5.20 **Land stability** - a concern was received regarding the stability of the current land and its ability to cope with engineering work to construct the proposed houses. The applicant has confirmed that it is intended to commission a Land Survey Part 2 prior to commencing any work on the site to ensure that there is no risk of landslip during the construction work itself and this may be ensured by including an appropriate condition in any planning permission.
- 5.21 Bearing in mind the above assessment, it is considered that the proposal is acceptable and would not have a substantial unacceptable impact on the residential or general amenities of nearby occupants. Therefore, it is believed that the proposal is in accordance with the requirements of Policies PCYFF 2 and PCYFF 3 of the LDP.

Transport and access matters

- 5.22 As referred to above, objections were received from local residents in response to the pre-application statutory consultation process by the applicant and as a result of following the consultation process with this particular application regarding the suitability of the county road and the existing access to cope with additional traffic that would derive from permitting this development. To this end, a Transport Statement was submitted with the application in order to respond to the concerns raised based on road safety. Also, after receiving the original concerns of the Welsh Government and Transportation Unit in response to the statutory consultation process regarding a junction and the sub-standard visibility of the A5 from Ffordd Newydd Coetmor, as well as potential congestion in the existing access to the proposed development, additional information and evidence was submitted by the transport expert and author of the Statement that refer to the following considerations: -
- The junction to the A5 is an existing junction that operates efficiently and safely following an assessment of Crash Map data for the past five years. Although the Local Member has drawn the attention of the LPA to an accident that occurred near the junction to the A5 at the beginning of the year, the applicant's agent has made enquiries with the police but no response

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had been received at the time of writing this report. However, the agent and the applicant's transport consultant have researched newspaper articles and it does not appear that an accident has occurred on the junction between the A5 and Ffordd Newydd Coetmor and that this was an isolated incident that included one car that had lost control and, consequently, hit a nearby wall. In addition to this, although an accident has occurred in the vicinity of the junction, the consultant notes that it cannot be stated that the junction itself operates unsafely as only one accident has occurred there within the past five years and this is not considered as an unusual frequency for any junction.

- The Transport Statement anticipates that the development would generate nine two-way movements by vehicles during peak hours (morning and afternoon) and this would not be a material increase to the existing traffic flow level using Ffordd Newydd Coetmor.
- An automatic traffic count was undertaken to determine traffic flow on the junction in order to determine the annual average daily traffic that use the junction. The count concluded that there would be a 1% increase in traffic flow using the junction, which is not considered as a material increase to its current use.
- The traffic flow count has also been used to determine the suitability of the visibility of the junction along the A5, which concludes that visibility to the south and north of the junction complies with statutory standards recommended by the Welsh Government.
- By using a swept path analysis, the Transport Statement confirms that it is possible for two cars to pass each other on the access from the site to Ffordd Newydd Coetmor without causing congestion. A prioritisation system will be operated on the access so that cars entering the site will be given priority over cars exiting the site.
- Part of the access will be shared by vehicles and users of the footpath that links the site with Ffordd Coetmor to the east and the surface is illustrated, which is outside Council requirements.

5.23 The Welsh Government was re-consulted and a response was confirmed that they were withdrawing their original guidance stating that the junction was acceptable to undertake additional transport. Although they had concerns regarding the suitability of Ffordd Newydd Coetmor to cope with additional transport, they also state that this part of the local roads network is beyond their statutory jurisdiction.

5.24 The Transportation Unit was re-consulted and, after receiving the above information, they now have no concerns regarding the suitability of the existing access to cope with additional transport (subject to including appropriate conditions) and they have no concerns regarding the increased use of the Ffordd Newydd Coetmor county road. However, improvements to the access must be undertaken in complete accordance with the details submitted and comply with appropriate conditions.

5.25 Although it is acknowledged that substantial concerns regarding the suitability of the existing access and the junction with the A5 below the application site have been received, it is important to note that it is considered that the applicant has dealt with and responded to these concerns by submitting further information and evidence (in accordance with statutory requirements and advice as contained within the *Design Manual for Roads and Bridges* document) and, as a result of this information and advice received from the Transportation Unit, it is considered that the proposal is now acceptable on the grounds of road and pedestrian safety and it is considered that the proposal is acceptable based on the requirements of Policies TRA 2 and TRA 4 of the LDP.

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Affordable housing and housing mix matters

5.26 In addition to the information referred to above, a Housing Statement was submitted by the applicant. This information states: -

- The proposal would provide 18 affordable homes of modern and sustainable design that would be of assistance to support the need for this type of housing in Bethesda and make suitable use of dormant brownfield land.
- The houses will be constructed in accordance with Welsh Government living standards allowing occupants to live in their homes even if their personal circumstances were to change based on a lack of mobility.
- According to *Rightmove's* sold property figures, 37 open market properties were sold in the past year within the town and it is considered that the increase in house prices, and the number of houses sold, indicates that there is a high need for housing in the area.
- The Council's Housing Options Team's list in September 2022 in the Ogwen, Rachub and Gerlan wards for social rented housing confirms that 352 applicants were on the list for two-bedroom houses and 249 applicants were on the list for three-bedroom houses. Figures for intermediate rented housing for the Ogwen ward alone confirm that 12 applicants need a two-bedroom house and 18 applicants need a three-bedroom house. These up-to-date figures show that a recognised need exists for affordable homes in Bethesda.
- With regards to housing mix, the 2011 census indicates that 30.5% of houses in Bethesda are two-bedroom houses compared to 25.6% for Gwynedd; that 47.7% of houses in Bethesda are three-bedroom houses compared to 46.3% for Gwynedd and that 12.2% of houses in Bethesda are four-bedroom houses compared to 15.7% for Gwynedd. Therefore, in terms of bedrooms, Bethesda has a higher level of two-bedroom and three-bedroom houses compared to the whole county.
- Based on the information submitted above, the Joint Planning Policy Unit concludes that the proposal would prepare units that would add towards the existing housing mix in Bethesda and consideration should be given to receiving evidence from local estate agents to this end. Information was submitted by two local estate agents confirming that a great need exists for two-bedroom and three-bedroom houses in Bethesda with 72 applicants on *Dafydd Hardy* and *Williams and Goodwin's* housing lists (a mix of first-time buyers, investor and those who need larger/smaller houses).
- The floor area of the houses ensures that they are of affordable size by complying with requirements of the Wales Development Quality - Beautiful Homes and Places (2021) document.

5.27 Taking the above information into account and ensuring that the houses are affordable now and in perpetuity, and despite the lack of housing grants at present or whoever will develop the site, a standard planning condition can be included in any planning permission which relates to agreeing on details such as determining eligible occupiers for the affordable units, type of provision (social housing to be managed by registered social landlords and intermediate affordable homes), and details of the affordable unit transfer schedule to ensure compliance with the requirements of Policies TAI 8 and TAI 15 of the LDP as well as the advice included in the document SPG: Housing Mix and Affordable Housing, and also addressing the observations of the Strategic Housing Unit.

Biodiversity matters

5.28 In order to support the application, a number of ecological documents were submitted in the form of a Preliminary Ecological Assessment; Reptile Survey; Arboriculture Impact Assessment; Trees

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Survey and a Botanical Survey Report. In response to the statutory consultation process, the Council's Biodiversity Unit, along with Natural Resources Wales, has noted that there must be compliance with mitigation measures and biodiversity improvements that have been included within these documents to safeguard protected species, arboriculture and flora and fauna associated with this particular site. Therefore, the information submitted within these documents complies with the requirements of Policy AMG 5 (local biodiversity conservation), PS 19 (conserving and where appropriate enhancing the natural environment) and advice included within Technical Advice Note 5: Planning and Nature Conservation.

Sustainability matters

- 5.29 There are a number of policies within the LDP that promote sustainability in new developments in Gwynedd. Policy PS 5 refers to the need 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. To support the application under the sustainability heading, the following documents were submitted: - Transport Statement, Water Conservation Statement and Design and Access Statement as well as confirmation that the units will comply with the Welsh Government's Design Quality Requirement - Beautiful Homes and Places (2021) and Lifelong Homes.
- 5.30 It is considered that the site is previously developed, is accessible for various methods of travel, not far from community resources and facilities 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 and undertaking a SuDS sustainable drainage system). The Water Conservation Statement states that the proposal will include measures to harvest and control surface water that flows 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.

Linguistic matters

- 5.31 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:
- (i) the proposal is expected to positively contribute towards the visual elements of the Welsh language in the local area;
 - (ii) there is a specific need for these types of proposed houses in the housing needs figures provided by Cyngor Gwynedd;
 - (iii) providing properties on suitable brownfield land within walking distance to many local services and facilities would reduce the reliance on cars;
 - (iv) the proposal for 18 units of different types, sizes and tenure would enable local people to satisfy their needs for housing and to remain in the local area and, in turn, this maintains the percentage of Welsh speakers in Bethesda.
 - (v) as prospective residents will move from one location to another in the town, the proposal would have a neutral impact on the Welsh language and

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(vi) Adra is already developing other sites in the local area for affordable homes and already owns or manages 225 units in the Bethesda and Rachub catchment area.

- 5.32 Although there are gaps in the evidence within the statement to support the opinion on the potential impact, a response was received by the Language Unit. The Unit's brief opinion states that (i) a fair analysis is given of the impact on the Welsh language in the Ogwen and Gerlan wards and attention is drawn to the evidence that there is demand for this type of houses in the area; (ii) receiving an analysis of other wards in Dyffryn Ogwen would have provided a more comprehensive picture of the Welsh language situation in the valley; (iii) the fact that the development will be under the management of Adra and that units will be available for local residents on affordable rent makes it more likely that the development will have a neutral impact in terms of creating major change in the number of Welsh speakers or have a beneficial impact as noted in the Welsh Impact Assessment.
- 5.33 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 Distinctive and Sustainable Communities.

Educational matters

- 5.34 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP. Consideration must also be given to the contents of the SPG: Planning Obligations document when discussing this application. The information/formula within the SPG suggests that 7.2 primary school-age pupils would derive from the proposed development. The SPG notes that consideration should be given to the situation in the school that serves the catchment area where the development is located. In response to the statutory consultation the Education Department's Information Officer states that Ysgol Gynradd Llanllechid is already exceeding capacity (see above), but there is enough capacity available at Ysgol Dyffryn Ogwen.
- 5.35 Therefore, there is justification here to ask for a contribution to meet the lack of capacity in the primary school by contributing a specific sum for every pupils that may derive from the development (i.e. 7 pupils x £10,096) and, to this end, the applicant has agreed to an educational contribution of £70,672.00, and this may be ensured by signing a legal agreement under Section 106 of the Town and Country Planning Act 1990 to comply with the requirements of Policy ISA1 together with the relevant SPG.

Open space matters

- 5.36 At the previous Committee, concerns were raised about why an open space could not be provided within the site as part of the development given that there is a lack of informal children's play areas and a lack of play areas with equipment for children in the catchment area of the application site. The Planning Statement submitted to support the application states that advice for determining walking distance as well as walking times considered to be acceptable and accessible for open spaces are referred to by Fields in Trust (FIT) and within the document Beyond the Six

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Acre Standard (2015) and the Supplementary Planning Guidance (SPG): Open Spaces in New Housing Developments (2019) refers to the following accessibility standards:-

- Local Play Area - 100m walking distance.
- Local Areas with Equipment - 400m walking distance.
- Play Pits - 1.2km walking distance.

5.37 In this case, the closest play area is located to north-west of the application site adjacent to the A5 between Min Ogwen and Coed Hyfryd with a public footpath linking it with Coetmor New Road directly opposite the entrance to the application site. The applicant's agent states that the Bethesda Rugby Club Play Area is within 650m of the application site with Ysgol Dyffryn Ogwen playing fields 100m to the north-east of the application site and states that the quantum of such play areas within locations close to the site is high.

5.38 In addition to the above, the applicant states:-

- A financial contribution to maintain the closest play area as agreed with the Council would be a way of ensuring use of this open-air facility in the future.
- Providing an open space within the site and as part of the development would undermine the viability of the scheme for providing affordable housing as well as affecting the ability of the registered social landlord to maintain and manage the site forever because of the potential conflict between private areas and public areas shared by the occupants of the houses / the public.
- It is noted that the proposal means providing 100% affordable housing and should an open space be provided within the site, it would result in the loss of one or two houses and the applicant has already proven the recognised need for affordable housing in Bethesda.

5.39 Noting the above information and the content of the relevant CCA; the requirements of the ISA 5 Policy of the LDP; the fact that the applicant has already agreed to commit to pay a financial contribution towards the open space provision off-site as well as the priority to ensure a suitable supply of affordable units, it is considered that such circumstances are exceptional where it would not be possible to provide open air play areas as an integral part of the proposed development. To this end, therefore, and in accordance with the requirements of the SPG, the applicant has already committed to a financial contribution towards the open-air play provision off-site.

5.40 When using the SPG, a financial contribution of £5,626.83 will be needed and such a contribution will be given towards improving, maintaining or creating suitable play areas off the site rather than a direct provision within the development site itself and the applicant has agreed to this financial contribution. This can be secured by arranging a legal agreement under Section 106 of the Town and Country Planning Act 1990 and based on the above assessment, therefore, it is believed that the proposal complies with the requirements of Policy ISA 5 of the LDP, the relevant SPG together with the advice contained within TAN 16 in relation to assessing open areas.

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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 was given to observations received from local residents; however, in assessing the current proposal in its entirety, no substantial harmful impact contrary to local planning policies and relevant national guidance has been identified. Therefore, to this end, it is considered that the proposal is acceptable.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 agreement to ensure an educational and open spaces financial contribution and the following conditions: -
1. Five years.
 2. In accordance with the plans/details submitted with the application.
 3. Submit and agree on soft and hard landscaping plans that confirm tree species.
 4. 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.
 5. Compliance with the recommendations of the following documents: Preliminary Ecological Assessment; Reptile Survey; Arboriculture Impact Assessment; Trees Survey and Botanical Survey Report.
 6. 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.
 7. 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.
 8. Submit and agree with an Environmental Construction Management Plan to include measures to reduce noise, dust and vibration to be agreed with the LPA.
 9. Relevant conditions from the Transportation Unit regarding improvements to the access and parking spaces.
 10. Submit and agree to samples of materials and colours for the residential dwellings.
 11. Submit and agree to a biodiversity improvement plan to include details on lighting and bat roosts.
 12. Submit and agree to a Biosafety Risk Assessment to eradicate Japanese Knotweed that is located in parts of the site.
 13. Submit and agree on solar panel details.
 14. Submit and agree on the details of Land Survey Part 2 to assess the stability of the site.

Note - need to submit a sustainable drainage system application to be agreed with the Council.

Note - refer the applicant to Welsh Water observations and amended advice.

Note - refer the applicant to observations and advice from Natural Resources Wales.